

Labor *Family* NEWS

PARTNERING WITH UNIONS TO PUT FAMILIES *first*

FALL 2010

BARGAINING FOR FAMILY TIME

Winning in a Tough Economy

BY JENYA CASSIDY

In a tough economy, unions are fighting harder than ever for bread and butter issues like wages and health benefits. With so many people struggling over the basics, it might seem like a hard time to fight for the right to take paid time off. A recent survey on Career Builder highlights the negative impact the current economy has on work family balance: Those continuing to work are working longer hours, taking work home and are less likely to request time off even for illness or family needs. But members of UFCW Local 21 say that now it is even more crucial to have the right to paid time when your family needs you.

UFCW Local 21 is one of the unions on the front lines of the national fight for paid sick days. Members have been in a contentious battle with the major grocery stores over the stores' sick leave policy. "People are shocked when they find out I don't have paid sick days!" says Janella Enamorado, a shop steward and member of the bargaining team. Janella works for QFC, a Kroger Grocery Store which provides paid sick days only after a worker is out 3 consecutive days with an illness. "Many of the grocery store workers work such part time schedules – 3 days can be an entire week's pay," explained Local 21 Communications Director Tom Geiger. "That's rent for a lot of workers."

Janella speaks about what a hardship this is for members of the bargaining unit. She herself was out for three days with pneumonia recently. She lost pay and even got her benefits temporarily cut off. Janella also tells stories of workers coming in sick because they can't afford a day without pay. One woman came into work with a 102 degree fever; another sick worker collapsed in the parking lot as he was forcing himself to come into work because he couldn't afford another day without pay. "It's horrible for us, but how does the public like having a deli worker with a fever? It's a public health hazard!" Janella said.

conditions and had to stand together and involve the larger community in order to finally settle the contract.

The bargaining team members of Local 21, inspired by the victory of the postdocs and the national push for paid sick days, say they won't quit. Janella Enamorado explains that paid sick time is one of the top issues as many workers in her store are single mothers. "It just isn't possible to come into work when your child is ill. And, when you are trying to raise children single-handedly, you are even less likely to be able to afford to miss a day," says Janella who has an almost one year old daughter.

Tom Geiger confirms that UFCW Local 21 members are committed to this fight. "If we don't get all of our demands met, we will by the next contract. And we know we need a political solution in the long run. That's why we're involved in the state and national fight for paid sick days. If we win in bargaining, that's just a handful of workers winning the right to paid sick days. This has to be a right for everyone."

Grocery store workers aren't the only ones fighting for paid time off in a down economy. In a recent historic contract victory, 6,500 postdoctoral researchers (postdocs) at the University of California won wage increases and the right to paid time off and family leave in their first union contract represented by the UAW. Postdocs provide valuable research on important issues like stem cells and climate change. But, according to their spokesperson, they were working under sub-par

In this issue:



- **Domestic Worker Victory!**
- **Laws Protecting Breastfeeding Benefit Infants' Health**

UNIONS WIN IT!

WHAT: Donated Leave

WHERE: Michigan

WHO: United Automobile, Aerospace & Agricultural Implement Workers of America (UAW) Local 6000 & State of Michigan

Employees of the State of Michigan represented by UAW Local 6000 can donate and receive annual leave to and from employees within their department. The donated leave bank supports employees who have exhausted all their leave credits and face financial hardship due to serious injury to themselves or the prolonged illness of their immediate family. The leave donations must be for a minimum of four hours and a maximum of 40 hours annually and it must be in whole hour increments. If the receiving employee returns to work with unused donated hours, those hours are transferred to the leave bank.

MORE ON 2



Janella Enamorado, a working mom and shop steward, is on the bargaining team for UFCW Local 21. The union is conducting a very visible and lively campaign to get QFC Grocery (one of the Kroger chains in Washington State) to provide paid sick days to their workers.

UNIONS WIN IT!

FROM PAGE 1

WHAT: Extended Parental Leave

WHERE: Washington

WHO: International Brotherhood of Teamsters (IBT) Local 117 & Washington State Department of Corrections

Members of IBT Local 117 employed by the Washington State Department of Corrections can take parental leave for up to 6 months to bond with their newborn, adoptive or foster child. The leave includes time covered by the Family and Medical Leave Act (FMLA). The parental leave can be a combination of an employee's accrued vacation, sick leave for pregnancy disability or other qualifying events, personal holiday or leave without pay. If the employer denies an employee leave beyond the period covered by FMLA, the employee and the union can initiate a grievance.

Looking for good work family contract language? Have some of your own to share? Get ideas, find resources and share your successes at www.learnworkfamily.org

WorkFamily

LEARN
Labor Education & Resource Network

PUBLISHED BY THE

Labor Project for Working Families

Jenya Cassidy, Editor

Netsy Firestein, Executive Director
Eileen Berkun, Administrative Assistant
Jenya Cassidy, Education and Training Coordinator

Brandy Davis, Policy Coordinator
Vibhuti Mehra, Communications & Development Director

Printed by Lithograph Reproductions, Inc
Designed by Mikko Design
Reprint freely, with acknowledgement.

MAKING NEWS?

Send ideas, news, and comments to info@working-families.org

Now available on line at www.working-families.org

INSIDE STORY

ON THE ROAD TO RESPECT:

Domestic Workers Organize to Win

BY ANDREA CRISTINA MERCADO AND AI-JEN POO

“Maria” is a Central American woman in her mid-sixties who works as a domestic worker in New York City. Maria came to the United States to support her family. She has a son with diabetes, and she could not make enough money in her home nation to cover his costly insulin treatments. When she arrived in New York, she found a job as caregiver for a child with a disability. In addition to the “full-time” work it took to provide him with care, her employers required her to do the cooking, cleaning, and ironing for the entire household. Maria worked 18 hours a day, six days a week for less than \$3 an hour. She lived in the basement of her employer’s home where a broken sewage system flooded the floor by her bed. She had to collect cardboard and wood from the street so she could use them as stepping-stones to reach her bed at night. After three years of living and working in these conditions, Maria’s employers fired her without notice or severance pay. Her employer offered no explanation. “I asked her for permission to stay in the house that night so I could go out and find another place to live. I could not even sleep thinking about where I would go next. No one can imagine what I went through that night.”

Maria’s story provides a telling illustration of the experiences of many domestic workers in this country. Domestic workers - who care for

some of the most important elements of our lives like our families and our homes – are among the most vulnerable workers in the United States today. There are an estimated 2.5 million women who labor as domestic workers. Domestic workers serve as nannies, housekeepers and caregivers for the elderly. They leave their homes early in the morning, often in the dark, in order to arrive at their work sites before their employers leave for work. Some even live in their employers’ homes, caring for these families throughout the day and night.

WORK FAMILY IMBALANCE

Domestic workers have a severe imbalance of work and family as the more hours that they spend working in their employers’ homes, the fewer hours they have to give their own children – making them nutritious meals, helping them with homework or reading them bedtime stories. Many domestic workers have to leave their own children behind in their home countries. And, even though the entire economy rests on their work, domestic workers have long been taken for granted. Historically associated with the unpaid work of women in the home and with the poorly paid labor of Black and immigrant women, domestic work today remains undervalued and invisible.

THE NEW YORK STATE DOMESTIC WORKERS BILL OF RIGHTS

This bill is the first of its kind in the US and guarantees basic labor standards and workplace protections to domestic workers in the state of New York. These rights and protections include:

- overtime pay for work over 8 hours a day
- a minimum of one day a week resting period
- protection from harassment and discrimination
- a minimum of three days of paid leave a year

Domestic Workers United is engaged in efforts to pass similar legislation in other states.

www.domesticworkersunited.org



Domestic workers are organizing and reaching out to unions and community organizations for support.

One problem domestic workers have in trying to improve their situation is that U.S. labor laws have explicitly excluded them from protection. This exclusion is rooted in the history of slavery and early labor legislation when the majority of domestic workers were African American. In the 1930s, Southern members of Congress – who feared the emergence of an African American labor movement – blocked the inclusion of farmworkers and domestic workers in federal labor laws.

The structure of the industry also has made it difficult for domestic workers to organize a union and enforce basic labor standards. The workplaces are unmarked private homes. The terms of employment and working conditions are negotiated house by house. With no clear standards or laws to ensure basic rights, workers



Domestic Workers March in New York City.

have to negotiate the terms of their employment individually, day-by-day, in situations where they lack any real bargaining power. More often than not, workers risk losing their jobs by asking for basic rights and necessities like an afternoon off to see the doctor.

ORGANIZING ON THE RISE

In spite of the difficulties, domestic worker organizing in the United States is on the rise.

Domestic Workers United (DWU) in New York helped to organize individual support campaigns for workers like Maria who had been mistreated by their employers, were owed wages or survived trafficking. Using a combination of legal pressure and direct action, DWU has helped to recover over \$450,000 in stolen wages for workers like Maria. As the work evolved, it became clear that grassroots worker education and case-by-case fighting wasn't going to give workers the protection they needed. Legislative changes were necessary.

NEW YORK VICTORY

In 2003, DWU helped bring together hundreds of domestic workers from over a dozen different countries to develop a unified vision for quality jobs with respect. They prioritized issues that would become the basis for the Domestic Worker Bill of Rights. The campaign took over six years, and by telling their stories and building the support of labor unions, employers and many others they achieved what many told them was impossible. In July 2010, the bill passed the New York Legislature and Governor David Paterson signed it into law. The first law of its kind, the Domestic Workers Bill of Rights provides overtime pay, protection from discrimination, a minimum of three days paid leave per year and other basic benefits for more than 200,000 domestic workers in New York.

Domestic workers are now gearing up to win a Domestic Worker Bill of Rights in California. This year, grassroots organizations across the state collaborated on a California State resolution that recognizes the abuse and discrimination domestic workers face, and also values their contributions to our society. Domestic workers organized an informational hearing in Sacramento on the industry, and educated state legislators about their working conditions. "Through my work on [California's] campaign, I have learned that the work that we do as women should be recognized," says Luz Sampedro, a domestic worker in San Francisco, California. "I don't feel like my work as a mother and wife or as a domestic worker in other people's homes is valued. Sometimes I feel like I am seen as just another piece of furniture in the house. But this injustice motivates me to struggle so that our voices are heard, our work is recognized, and our rights are respected. The work has to begin with us as women. We have to respect ourselves and our work first and then demand that respect from everyone else."

Courageous women like Luz Sampedro are organizing across the country. California will be the next state to correct the legacy of discrimination against domestic workers. Domestic workers are organizing and reaching out to unions and community organizations to build a strong base of support for their growing movement.

Andrea Cristina Mercado is the Lead Organizer and Political Education Coordinator of Mujeres Unidas y Activas and Ai-jen Poo is Executive Director of Domestic Workers United. Special thanks to them for contributing this article to Labor Family News.

For more information on how to get involved in supporting these organizing efforts, contact Andrea Mercado at andracristina@mujeresunidas.net

UNBELIEVABLE

■ **THE FEDERAL MINIMUM WAGE** for tipped workers is \$2.13 an hour and it hasn't changed for 20 years. Restaurant Opportunities Centers United is working to raise the minimum. *Find out how to get involved by going to www.ROC.com*

GOODNEWS

■ **THE CENTERS FOR DISEASE CONTROL** confirmed that breastfeeding rates are impacted by passing laws that protect women's right to nurse in public and to express breast milk on the job. For example, women in states like California, with longer-standing and stronger breastfeeding laws, are more likely to start breastfeeding and continue until their infants' sixth month of life than in other states.

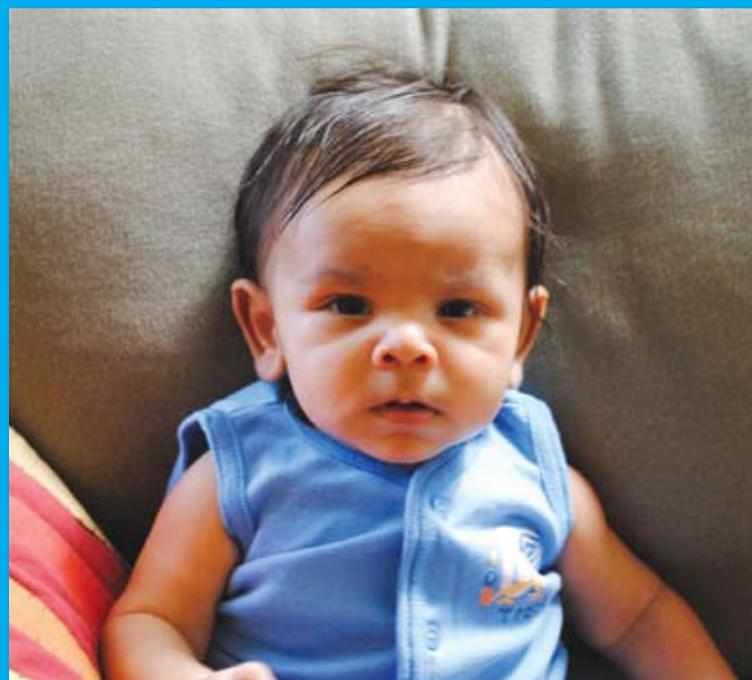
■ **THE NATIONAL EDUCATION ASSOCIATION (NEA)** was named one of the nation's top 100 companies for working women in Working Mother 100 Best Companies. NEA is the first union to be named and provides family friendly benefits such as paid maternity and parental leave for newborns and newly adopted children, time off to attend school activities, back-up child care, telecommuting and flexible work schedules. *For more information go to nea.org.*

GREATRESOURCES

■ **NEW APPROACHES TO ORGANIZING WOMEN AND YOUNG WORKERS** – a new report by the Labor Project for Working Families, Cornell ILR Programs and UC Berkeley Labor Center includes highlights of interviews with organizers about how they use social media tools and work family issues in organizing. The report included recommendations on how unions can strengthen relationships with women and young workers. *For the full report, go to www.working-families.org*

■ **THE CUSTOM-FIT WORKPLACE**, a new book by Joan Blades and Nanette Fondas shows workers how to 'choose when where and how to work and boost your bottom line.' This well-researched book features flex time, virtual work, babies in the workplace and a chapter on unions and flex time including resources and information from Labor Project for Working Families.

Labor Project's newest addition.



Welcome the newest addition to the Labor Project Family! Sahir Samad Mehra, born July 1, 2010 to Labor Project Communications Director Vibhuti Mehra and Bari Samad. The proud parents are taking paid family leave to stay home and bond with the new baby.

Labor Project for Working Families

2521 CHANNING WAY NO. 5555 | BERKELEY CA 94720

PARTNERING WITH UNIONS TO PUT FAMILIES *first*

Find the Inside Story on:



- **The Domestic Workers Victory in New York!**





2010 Labor Media Award Winner
First Award: Best Content
Second Award: General Excellence

Visit LEARN WorkFamily
www.learnworkfamily.org
an online network featuring
resources and contract language
on work family benefits

STAY CONNECTED!

If you are not on our mailing list and would like to receive Labor Family News, send an email to info@working-families.org or call us at 510-643-7088.

Include your name, organization, full mailing address including zip code, phone number and email.

SUPPORT US!

Donate online at www.working-families.org or mail a check to:
Labor Project for Working Families
2521 Channing Way, #5555
Berkeley, CA 94720

OUR FUNDERS

Alfred P. Sloan Foundation
Annie E. Casey Foundation
Dept of Labor – Women’s Bureau
Ford Foundation
Ms. Foundation for Women
Moriah Fund
Public Welfare Foundation
Rockefeller Family Fund
Rosenberg Foundation
The California Wellness Foundation
The Hagedorn Foundation
Unitarian Universalist Veatch Program

In Kind Support is Provided by:
Institute for Research on Labor and Employment, UC Berkeley

OUR SPONSORS INCLUDE...

Champion (\$7,500-\$9,999)

American Federation of State, County and Municipal Employees
American Federation of Teachers

Leaders (\$5,000-\$7,499)

California Teachers Association
International Brotherhood of Teamsters
Laborers International Union of North America
Service Employees International Union
United Automobile, Aerospace & Agricultural Implement Workers of America
United Food & Commercial Workers International Union

Partners (\$2,000-\$4,999)

Association of Flight Attendants - CWA
California Nurses Association
SEIU Local 1000, CSEA
Office & Professional Employees International Union
SEIU Local 1021

Organizers (\$1,000-\$1,999)

AAFT Guild Local 1931
California Faculty Association
California Federation of Teachers
California Labor Federation
International Brotherhood of Electrical Workers
UAW Local 2865
1199SEIU United Healthcare Workers - East
United Steelworkers

Advocates (\$500-\$999)

ATU Local 192
CWA District 9
CWA Local 1034
CWA - Southern California Council
California School Employees Association
Contra Costa County Central Labor Council
Florida Professional Firefighters
International Association of Machinists
IFPTE Local 21
Operating Engineers Local 3
SEIU Local 721
Teamsters Local 350
UFCW Local 5
United Labor Bank
United Teachers Los Angeles

Supporters (\$250-\$499)

AFGE Local 1122
AFSCME Local 2187
AFSCME Local 2700
AFSCME New England
AFT Local 2121
ATU Local 265
Berkeley Federation of Teachers
California Media Workers Guild, Local 39521
Carpenters Local 22
Carpenters, Northern California Counties
Coalition of Labor Union Women
Coalition of Labor Union Women - East Bay Chapter
CWA Local 9000

CWA Local 9410

Five Counties Central Labor Council
IBEW Local 6
IBEW Local 302
IBEW Local 1245
IFPTE Local 17
IFPTE Local 20
ILWU Northern California District Council
North Bay Labor Council
OPEIU Local 29
Plumbers & Steamfitters Local 159
Sacramento Central Labor Council
San Bernardino-Riverside Counties CLC
San Francisco Central Labor Council
San Mateo County Central Labor Council
South Bay Labor Council
Teamsters Joint Council 7
Teamsters Local 70
Teamsters Local 315
Teamsters Local 350
Teamsters Local 853
UFCW Local 101
UFCW Local 1428
United Educators of San Francisco
United Labor Bank – San Francisco Branch
Weinberg, Roger & Rosenfeld

NON PROFIT ORG
US Postage
PAID
Adept Ent
94608

IN MEMORIAM
Joannie Chung-Yueh Chang

NETSYNOTE

It saddens me greatly to tell you about our dear colleague and friend, civil rights attorney Joannie Chang, who died of stomach cancer on July 31st at the age of 41.



Joannie was a true champion for working families. Joannie and all of us at the Labor Project trained countless union members together in California on the Family and Medical Leave Act in the 1990's and soon realized that unpaid family leave was not enough. And, in 2001, Joannie and I worked on laying the groundwork for a Paid Family Leave bill in California. She was a critical member of the coalition which helped pass the law in 2002, and she worked on its implementation in subsequent years.

Joannie was a vigilant attorney who paid attention to the details of the drafting of the bill. But she was also thoughtful about reaching out to underrepresented organizations to be part of the campaign. After Paid Family Leave passed, she worked to ensure that immigrant workers were aware of the benefit and educated about their rights.

It's hard to describe Joannie's style. She was serious and thorough but also passionate about fighting for the things she believed in. As hard as she worked and as tough as she was, Joannie had a light touch with people, smiling, laughing and making everyone else comfortable. She was generous and had a lot of energy, too. We were very impressed with her efforts to raise money each year by participating in the long AIDS bike rides from San Francisco to Los Angeles and one year in Hawaii. Last year, newly pregnant, Joannie moved to New York with her partner. She was so excited about having twins and joked about the irony of leaving California for New York which has not yet passed Paid Family Leave.

We were shocked to learn that Joannie died of stomach cancer 5 weeks after giving birth to her twin girls. We will miss her more than I can say. But Joannie would want us to struggle on, winning paid family leave and other basic labor standards for all US workers. We carry on in Joannie's spirit.

Netty Frazier