

# Ain't I a Woman?!

AintIaWoman.org

Fall 2019 Newsletter

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## **"We have to stop the 24-hour workday"** **Interview with Mei Kum Chu**

*This is an excerpt from a video interview with Mei Kum Chu. Full interview will be on [aintiawoman.org](http://aintiawoman.org).*

"I came to the US in 1979. When I first came to the US, I worked in a garment factory. At that time, there was no other work. The working conditions were very bad. I worked long hours, from 8 to 8, no AC. When we had a rush order, we worked 7 days. I worked in garment factories until 9/11, so 2001. After that, a lot of factories shut down. So I changed industries to work as a home attendant.

I saw they were hiring in the

diabetes, high blood pressure, bone problems, bad bedsores. I never saw a patient like that. I was scared. I thought, how can I work with her?

There's really no time to sleep. The grandma had dementia. She would yell the whole night, 'oh my body is so itchy, help me to scratch'. She would mess herself so I would have to change her. The person in charge said, you have to turn her every 90 minutes because she has serious bedsores. So how do we have time to sleep? 24-hour work shift is no joke.

***"I was a home attendant to take care of the grandma. Now I become the grandma, I need a home attendant to take care of me."***

newspaper and went to CPC to become a home attendant. We trained for 9 weeks and then they arranged work for us. There was only 24-hour work. Many workers after the training refused the 24-hour shift so the agency would give it to the next person. They kept waiting for them to arrange non-24 hour work but they just kept waiting. Then we knew we had to work the 24-hour shifts.

With the first patient, I worked 24 hours until 2005. I worked with a patient who was in her 70's. She had so many diseases- heart problem,

These co-workers that I know who work the 24-hours, at least 50, 60% are injured.

The second patient at the beginning was an 8-hour shift. Around 2010, she started to get 24-hour care. The grandma had bad osteoporosis. Her back was bent so when she walked, she would pull your hand to walk. Later on, when I had pain in my hand, I knew it was from that. One day in July, it was really hot. We went to the doctor. She was hot so I found someone to cut her hair. I cleaned her up, washed everything,



*Mei Kum Chu, a 24-hour home care worker, testifying at Dep't of Labor hearing*

mopped the floor, cooked for her, went out, bought groceries--so many things. It was over 100° in the apartment. By 9 pm, my whole body was so tired so I told the grandma to go to sleep.

After I went to take a shower and maybe I was too tired--I fell and hurt my hand on the chair. My left hand was fine before, but after I fell, I felt a lot of pain. My right hand always hurt because I lifted the first patient a lot. It always hurt but after I fell, it got even worse.

I got an MRI and found out my tendon had ripped but it was too late to fix. I did two surgeries but still, it's not good. My hands have less and less strength. I'm not able to carry things. So I was a home attendant worker to take care of the grandma. Now I become the grandma, need a home attendant worker to take care of me. I think the 24-hour shift really hurts the home attendant's health.

# Home care workers' fight inspires bill to end 24-hour workdays

How is it that in the 21st century in the United States, home care workers are made to work 24-hour workdays? Twenty-four hours straight for three, four, five, even six days in a row. Isn't it shameful that our government, in collaboration with insurance companies, sanctions these 24-hour shifts? Is it because home care workers are mostly women? Immigrants? Women of color?

Older adults and people living with chronic health conditions or disabilities increasingly want to stay in their homes, and the medical conditions of many call for around-the-clock care. Home care agencies, and the insurance companies that receive the state monies for this care, often force home care workers to work 24-hour shifts. Many of these workers have worked 24-hour shifts for years. At all times, the workers are responsible to the person in their care.

Sileni Martinez, who immigrated from the Dominican Republic in 1991, worked 24-hour shifts for 27 years. Now she is injured. She says, "Even if they paid me for every hour, I wouldn't work 24-hour shifts



Sileni Martinez worked 24-hour shifts for 27 years



July, 2018: Home care workers protest DOL emergency rulings to continue 24-hour workdays and pay 13 hours. Now the workers say, pay for all 24 hours is not enough.

anymore. It cost me my health and my family."

Home care workers and families of those needing care think split shifts are best. Orville Newsum, who worked as a home care worker for four years and now as a caregiver for his 97-year old mother, says

***"you do from the heart...home health aides definitely need to be on top of their game when they're providing these types of services."***

Enza Itri agrees. "My mother has advanced dementia and needs 24-hour care. I can't imagine anyone doing this work for 24 hours

without collapsing. We got two 12-hour shifts. My mother doesn't seem to have any negative feelings about having different women coming. The family is happy. We have women who are on their toes. It's the



Orville Newsum

***"Even if they paid me for every hour, I wouldn't work anymore 24-hour shifts. It cost me my health and my family."***

- Sileni Martinez



24 hours which is biologically demanding that puts my mother in danger... These women do not sleep at night. Cuomo and the power elite are lying to themselves and everybody because they want to save money on the backs of women who are doing the best they can. If the patient got 24 hours [care], it is absolutely imperative that they get 12, 12 [split shifts].”



Enza Itri, whose mother receives 12 and 12 split-shift care

Reina Caba, who works 20 hours a week now, says

***“There would be more work for people. Instead of two women working 24-hour shifts for a week taking care of one patient; it would be four women working 12-hour shifts.”***

Home care workers in New York have been calling on the government to abolish the 24-hour shift, and split them into two shifts of 12 hours each. The AIW Campaign worked with professors and students of CUNY Law School to draft

a bill that would cap hours to protect the health and well-being of workers and those requiring care. Legislators have responded. Assembly Member Harvey Epstein and Senator Roxanne Persaud have introduced state legislation to prohibit 24-hour shifts. The resulting Bill S6640/A08064, would limit shifts to 12 hours in a day and 50 hours a week.

Please join us in rallying the support of our elected representatives to pass this bill. Together, we can abolish 24-hour workdays and put an end to this government-sponsored sweatshop!

***“I can’t imagine anyone doing this work for 24 hours without collapsing. We got two 12-hour shifts. The family is happy. We have women who are on their toes.”***

## **AIW Upcoming Events**

### **October 10-12, Yale University**

AIW will be presenting on caregivers leading the fight to abolish the 24-hour workdays at *Valuing Women’s Labor and Building Women’s Economic Empowerment: Celebrating the Centenary of the International Labor Organization and the Future of Women’s Labor Rights*.

### **October 2-6, Bushwick Film Festival**

“24-hour Workday”, a documentary about the home care workers’ organizing will be screened.

### **November, Canadian Labour International Film Festival**

“24-hour Workday” screening

## **Home care workers intensify organizing in light of Court of Appeals’ decision**

When the NYS Court of Appeals ruled on March 26, 2019 to overturn the lower courts’ decision that 24 hours of care should be paid all 24 hours, it lifted the fig leaf covering up this inhumane system for home care workers. The court believed the lies of the State Department of Labor (DOL) and home care agencies that home care workers should only be paid for 13 hours of a 24-hour shift because they sleep and eat for 11 hours without interruption. The decision angered home care workers so much that they stepped up their organizing, launching a statewide campaign to end 24-hour workdays, and split them into 12 and 12 hours. Workers are filing claims at the DOL, forcing the agency to listen to their reality: they cannot sleep or eat without tending to the needs of the person in their care.

Please contact us at 212-358-0295 if you work 24-hour shifts and cannot sleep at night, and would like to claim your stolen wages; or if you would like to join us in banning 24-hour shifts.

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# Workers' Wage-Theft Bill Passes Legislature!

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Home attendants hailed the historic passage of the SWEAT (Securing Wages Earned Against Theft) bill in June. Weak labor laws and enforcement in New York State has led to a wage-theft epidemic. Alvaro Ramirez is a home attendant who, like many others, has heard from the agency he's worked for, the DOL and his union, that if home care workers received pay for all 24 hours of a shift, the agencies would go bankrupt. "SWEAT helps all of us because bosses are robbing us--whether we're restaurant workers, home attendants, or whatever," Ramirez said. "SWEAT would put a brake on wage theft because they wouldn't be able to get



*Home care workers at Heckscher State Park, August 2019*

away with going bankrupt or closing their business and changing their name."

Please join us in calling on Governor Cuomo to sign the SWEAT bill, A486/S2844 into law immediately!

You can call Gov. Cuomo at (518) 474-8390 or sign onto the letter of support at <https://tinyurl.com/SWEATletter-2Cuomo>.

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## What is the Ain't I a Woman?! Campaign?

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The "Ain't I a Woman?!" campaign grew from a small group of garment workers who successfully held DKNY accountable for sweatshop conditions. This became a call for a new women's movement fighting for control over our time, health, respect and payment for caregiving work.

**Join the fight to end the 24-hour workday!**

- 1. Ask your organization to endorse the call to end the 24-hour workday at [www.aintiawoman.org/get-involved](http://www.aintiawoman.org/get-involved)**
- 2. Sign the petition to NYS lawmakers in support of the bill: [www.actionnetwork.org/petitions/call-on-nys-lawmakers-take-action-now-to-end-the-24-hour-workday](http://www.actionnetwork.org/petitions/call-on-nys-lawmakers-take-action-now-to-end-the-24-hour-workday)**
- 3. Share your story as a home care worker, care recipient or family member. Contact the AIW Campaign to get involved.**

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