

AIN'T I A WOMAN!?

AintIaWoman.org

Spring 2019 Newsletter

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Disability Education & Advocacy Network Joins AIW

As a disabled person, member of the disability rights movement for the past 30 years, and more recently the cofounder and co-director of the Disability Education and Advocacy Network of Western New York (DEAN of WNY), I am so glad to share publicly why our organization joined the Ain't I a Woman?! Campaign to end 24-hour shifts for in-home support staff and replace them with split shifts. Split shifts mean less burnout for both staff and people with disabilities and allow for more flexibility in scheduling. For too long, policymakers and others have attempted to present (and fund) issues related to in-home support and community living in ways that are meant to divide disabled people and their support staff. The issues that we face – issues related to dwindling state resources, inadequate

training, inadequate and often overlooked safety measures, long work hours, low pay, little job security, high turnover rate, etc. – are not separate or competing concerns for disabled people and the people they employ. They are issues that affect all of our lives, and they are issues that we must confront together. The AIW campaign is an important first step in creating a safer more equitable work environment and a more socially just world.

“...policymakers and others have attempted to present (and fund) issues related to in-home support and community living in ways to divide disabled people and their support staff.”

It is well-known that most in-home support work is done by women, especially women of color, and by

family members. This work, which will expand in the coming decades as the number of disabled and older Americans continues to rise, is vital to our national well-being. Yet it like other work that historically has been defined as “women’s work” (teaching, nursing, pediatrics, social work, etc.) does not receive the same kind of respect and compensation as other types of employment. All workers lives are precarious, but those workers who perform the “reproductive labor” that is so important

to the functioning of our communities are especially vulnerable. Campaigns like the Ain't I a Woman?! Campaign and organizations such as

DEAN of WNY are working hard not only to protect, but also to empower those workers and the disabled people with whom they work.

National Organization for Women Joins AIW Campaign

I learned of the appalling working conditions and wages of the home attendants for those covered by Medicaid when I needed home care for both my mother and father. I had been shocked to learn that when my father was added to the case, thereby doubling the home attendant’s workload, her salary was only increased by \$0.50/hour! When my mother’s condition deteriorated and she qualified for 24-hour coverage, I was informed that instead of 2-12 hour shifts it would be a 24-hour shift, of which only 13 hours would be paid. In other words they had to

work an additional 11 hours a day for zero wages. I thought about the lack of sleep and the not getting paid and wondered what kind of care such exploitation would result in. And how could I be a party to this injustice? I declined the service.

I joined the Ain't I a Woman?! campaign and learned of additional abuses these workers suffered: that their so-called breaks weren't breaks at all since they couldn't leave the premises and had to be on call throughout the “break”, that they were scheduled 24 hour shifts on consecutive days and when they refused were threatened with ter-

mination from their agency, that, in order to maintain the fiction that they slept uninterrupted for 5 hours, they were told to ignore the patient’s needs during that time, and more.

Besides being a labor issue this is clearly a women’s issue. It occurred to me that because the majority of these workers are immigrant, minority women they were easy to exploit, that if this was a job done mostly by men this would not have been tolerated. I helped NOW create a Domestic Worker’s Task Force and NOW is working with the campaign to fight this modern day wage slavery.



Home Care Workers Fight Sexism and Super-Exploitation

Last month, more than 50 home attendants and other workers from the Ain't I a Woman?! Campaign braved a winter storm to travel to Albany, NY to hear opening arguments for two cases, in which home attendants are seeking to recover all 24 hours of pay for a 24 hour workday.¹ Workers filled the courtroom and listened while attorneys for home care agencies, the Governor and the home attendants made their case to the NYS Court of Appeals.

Since 2014, home attendants have been coming together to challenge the “13-hour” policy². They have encouraged their co-workers to join lawsuits, petitioned their union to support their efforts, testified at government hearings, and inspired countless home attendants, patients and their family members and other workers to stand united to end not just the 13-hour practice but the 24-hour workday all together.

Their efforts have not been in vain. At the hearing, judges questioned why these workers would be categorized as ‘live-in employees’

by agencies and the Dep’t of Labor when they have their own residences. They also questioned why home attendants would not be paid for night hours when they are on call and ready to assist those in their charge. One judge asked, “[firefighters are] there when you need them and they’re required to be there. Aren’t [home care workers] the same?”

To a reporter, one worker said, “Firefighters are on call 24 hours and they get paid. Are we home attendants special because we’re women? We are also on call. Why shouldn’t we get all our pay?”³

There are 239,500 home health aides in NYS. 93% are women and 79% are immigrants.⁴ The work of providing care has long been seen as women’s work. For a just society, this is the most important work but in our current society, it is undervalued if recognized as work at all.

Ending this exploitation won’t be accomplished tomorrow, but we can take steps now by eliminating a system that is held up on the backs of working women. More and more

workers and groups are coming together to demand an end to an inhumane 24 hour workday. Workers are educating the public and our legislators on why split shifts are necessary for quality care. In the face of threats to workers’

livelihoods and cuts to the meager services we have now, home attendants are leading the way, courageously taking on the system to demand humane treatment for themselves and those they care for. Are we ready to follow their lead?

Notes

1. Andreyeva v. New York Health Care and Moreno v. Future Care Health Services, Inc.
2. NYS Dep’t of Labor memo exempting home care workers from basic wage laws by assuming workers get 5 of which are uninterrupted and meal breaks.
- 3 and 4. http://gothamist.com/2019/02/19/home_health_aide_workers_toil_day_a.php

Upcoming Events

3/7, 5pm - Screening & Discussion
@ Binghamton U. Union Undergrnd

3/8, 5pm - 8M Women Strike NYC,
Int’l Working Women’s Day
@ Union Square

Follow @aiwcampaign on Facebook and Twitter for more events!

Join the campaign to end the 24-hour workday:
aintiawoman.org
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