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FOR THE RECORD

December 14, 2015

New York City Council
Committee on Civil Rights
City Hall
New York, NY 10007

Honorable Gale A. Brewer
Office of the President
Borough of Manhattan
1 Centre Street, 19th Floor
New York, NY 10007

RE: NDWA Letter of Support for Int. No. 108-2014, Caregiver Discrimination Bill

Dear Borough President Brewer and Members of the Committee on Civil Rights:

We write to you to express our support for Int. No. 108-2014, proposed amendment to the New York City Human Rights Law prohibiting employment discrimination based on an individual's actual or perceived status as a caregiver. The National Domestic Workers Alliance (NDWA) applauds Borough President Brewer's and Councilwoman Deborah Rose's leadership in co-sponsoring the Caregiver Discrimination Bill, and the vote of the Committee on Civil Rights in favor of the bill this morning.

However, we take this moment of progress today to remind the Committee and Borough President Brewer, who is a long-time advocate of domestic workers, that the protections afforded to many workers under the Caregiver Discrimination Bill do not extend to the vast majority of domestic workers. This is due to the four-employee minimum threshold for employer coverage under the City's Human Rights Law, which de facto excludes domestic workers who work in private homes and whose employers typically do not have more than one or two employees. Additionally, it is the position of NDWA that in order for the Caregiver Discrimination Bill to make a meaningful difference in the lives of New Yorkers, it must ultimately ensure that employers provide reasonable accommodations to workers with family caregiving responsibilities.

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In order that domestic workers can benefit equally from this important legislation, NDWA urges the members of this Committee to vote in 2016 in favor of Int. No. 825-A, a proposed amendment to the City's Human Rights Law that would expand the definition of employer to include protections for domestic workers. The continued exclusion of domestic workers from the City's Human Rights Law is a familiar story. Historically, domestic workers have been systematically excluded from fundamental labor protections in this country. In 2010, New York State was the first state in the nation to pass a Domestic Worker Bill of Rights, which has so far led the way for five other states, Hawaii, California, Massachusetts, Oregon, and Connecticut, to follow in New York's footsteps. It is time for New York City to similarly acknowledge the value of domestic workers' labor and their particular vulnerability to harassment and mistreatment on the job. Many of us New Yorkers take pride in the fact that our city's Human Rights Law is one of the most expansive and liberal laws of its kind in the country. We have a responsibility to ensure that the law protects all workers.

Congratulations, again, to the Caregiver Discrimination Bill's sponsors and supporters on today's important step toward building more inclusive workplaces and stronger families and communities. NDWA looks forward to working together with the Borough President's Office and the Committee on Civil Rights to ensure all New York City's workers are equal under the law in the coming year.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maggie Marron', with a long horizontal flourish extending to the right.

Maggie Marron
Law & Policy Fellow
National Domestic Workers Alliance