

A close-up, low-angle shot of a person mopping a light-colored tiled floor. The person is wearing dark pants and white sneakers. The mop has a long wooden handle and a circular head with brown, fibrous strands. The floor is made of large, square tiles with dark grout. The lighting is bright, creating strong shadows and highlights on the tiles and the mop head.

LIVING IN THE SHADOWS:

Latina Domestic Workers in the Texas-Mexico Border Region

A.Y.U.D.A. Inc. • Comité de Justicia Laboral •
Fuerza del Valle Workers' Center • National Domestic Workers Alliance

Organizational Descriptions



Adult and Youth United Development Association Inc. (A.Y.U.D.A. Inc.) San Elizario, Texas

A.Y.U.D.A. Inc. is a non-profit bilingual organization founded in 1992 with the aim of improving access to quality health services, ensuring the construction of adequate housing, achieving better education and promoting community leadership. Part of A.Y.U.D.A. Inc.'s mission is to organize, educate and support domestic workers to know their rights and demand that these rights be respected. A.Y.U.D.A. Inc. works in communities in El Paso and the Lower Valley, with a special emphasis on the colonias outside of the city. Learn more at www.ayudaorg1.wixsite.com/ayuda/about_us.



Fuerza del Valle Workers' Center Alamo, Texas

Fuerza del Valle Workers' Center (FVWC) was created to support the leadership of unprotected workers, to stop the rampant problem of wage theft, and to build a movement for worker rights in the borderlands and beyond. Together with Comité de Justicia Laboral, FVWC is one of the founding sites of Border Workers United. Learn more at www.fuerzadelvalle.org.



Comité de Justicia Laboral El Paso, Texas

Comité de Justicia Laboral (CJL) is a community-based organization that develops leadership of workers to construct a movement of worker families in the Texas Borderlands. CJL is dedicated to helping victims of labor rights violations and labor trafficking by 1) educating them on their rights, 2) accompanying them through the process of fighting against labor rights abuses and 3) creating strategies to resolve individual and community labor rights problems. Together with Fuerza del Valle Workers Center, CJL is one of the founding sites of Border Workers United. Learn more at www.laborjusticecommittee.org.



National Domestic Workers Alliance New York, New York

The National Domestic Workers Alliance is the leading voice for dignity and fairness for domestic workers in the United States. Founded in 2007, NDWA works for respect, recognition and inclusion in labor protections for domestic workers. NDWA is powered by over 60 affiliate organizations and local chapters and by a growing membership base of nannies, housecleaners and care workers in over 20 states. Learn more at www.domesticworkers.org.

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Living in the Shadows

Latina Domestic Workers in the Texas–Mexico Border Region

Executive Summary

In 2016, three community-based organizations that operate in the Texas–Mexico border region collaborated on a participatory research project. A.Y.U.D.A. Inc., Fuerza del Valle Workers’ Center and Comité de Justicia Laboral/Labor Justice Committee trained 36 women from the local communities as surveyors. The surveyors, most of them domestic workers themselves, interviewed 516 housecleaners, nannies and care workers for people with disabilities or for the elderly who work in private homes. The survey was conducted in Spanish and was composed of a standardized set of questions focused on work arrangements, working conditions, the impact of low pay on workers’ lives, injuries and abuse on the job and citizenship status.

This report, the result of the surveyors’ hard work knocking on doors, gaining trust and gathering data, is the very first quantitative study of a sizable number of domestic workers in the Texas–Mexico border region.¹ The data provides us with a fact-based portrait of the difficult conditions domestic workers in the region face. The report findings will be used to shape ongoing organizing and advocacy to improve conditions and end workplace abuse. Our hope is that it will also shape the thinking of policy makers and encourage further research about working conditions along the border.

Major Findings

I. Economic Hardship

Domestic workers across occupations experience severe forms of economic hardship in the border region, including hunger, housing insecurity and an inability to pay basic household expenses:

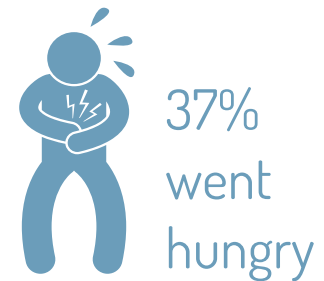
- » More than a third of domestic workers, 37%, report that someone in their household went hungry at some time in the previous 12 months.
- » More than half of domestic workers, 53%, could not pay for medical care for someone in their household who needed it.
- » 44% of domestic workers report that they were unable to pay their rent at some time in the previous 12 months.
- » 59% were unable to pay a gas or electric bill.
- » 42% could not pay a phone bill or a water bill.

Housecleaners experience even higher levels of economic hardship than workers in other occupations:

- » 57% of housecleaners were unable to pay their rent at some time in the previous 12 months, compared to 33% of elder care workers.
- » 70% of housecleaners could not pay their electric or gas bill.
- » 58% could not afford medical care for someone in their household who needed it.

Care workers for people with disabilities are the most likely to report high rates of food insecurity:

- » 44% of care workers for people with disabilities report that someone in their household experienced hunger in the previous 12 months.



II. Working Conditions

A. Contracts

- » Two-thirds of domestic workers, 67%, work without contracts.
- » Housecleaners and nannies are least likely to have contracts. Only 3% of housecleaners and 13% of nannies have contracts.
- » Of those workers who do have contracts, 9% were forced to accept the terms of the contract, and 15% did not understand the terms of the contract they signed.

B. Benefits

- » Paid sick leave, paid vacation and paid holidays are extremely rare for domestic workers. Only 2% of workers report receiving paid leave of any kind.
- » Overtime pay for domestic workers who work more than 40 hours per week is also rare. Only 3% report receiving overtime pay.



C. Irregular Pay

- » Irregular pay and wage theft are extremely common for domestic workers in the border region. Nearly a quarter of workers, 24%, report that they were paid less than agreed to for their work, or not paid at all.
- » Housecleaners are especially likely to experience this form of wage theft. One-third of housecleaners had been paid less than agreed to, or not paid at all, for work they completed.

D. Abuse on the Job

- » Domestic workers experience high rates of abuse on the job. Being yelled at or threatened is a common occurrence across occupations.
- » One-third of elder care workers have been yelled at while at work, 20% have been threatened and 11% have been pushed or physically hurt.
- » Housecleaners also report high levels of abuse at work. 28% were threatened with being reported to immigration authorities, and 19% were pushed or physically hurt by an employer or someone in an employer's home.

E. Injury on the Job

- » Working in private homes is not without risk. Nearly one-third of housecleaners and workers who care for people with disabilities report having been injured at work.
- » Care workers for people with disabilities and elder care workers are the most likely to suffer serious injuries at work. 14% of care workers to people with disabilities and 12% of care workers to the elderly were seriously injured on the job.

III. Live-in Workers

Live-in workers are far more likely to experience exploitative working conditions than workers who live in their own homes:

- » 45% of live-in workers report having been paid less than agreed to or not at all, and 60% were paid late.
- » 60% were pressured to work more than their scheduled hours and to do work that was different than what they were hired to do.

Live-in workers also experience extraordinary levels of abuse and very high rates of injury at work:

- » 31% of live-in workers were pushed or physically hurt by an employer on the job, compared to 7% of workers who live in their own homes.
- » 45% were injured on the job, a rate twice as high as that of other workers.



24%
experienced
wage theft



60% worked
more than
scheduled

IV. Citizenship Status

A minority of domestic workers surveyed, 43%, has secure documentation status in the form of U.S. citizenship or permanent residency.² More than 80% of housecleaners are unauthorized to work in the United States. Elder care workers are more likely to have secure status: 67% are U.S. citizens or permanent residents. Insecure citizenship status makes some domestic workers particularly vulnerable to substandard working conditions:

- » 15% of U.S. citizens and 11% of green card holders were paid less than agreed to or not at all, compared to 35% of unauthorized workers.
- » 14% of citizens and 8% of green card holders were pressured to work more hours, compared to 44% of domestic workers without regular documentation.

Undocumented domestic workers are subjected to far higher rates of abuse than U.S. citizens and permanent residents:

- » Workers with insecure status are more than twice as likely to be threatened by an employer: 25% of unauthorized workers were threatened, compared to 10% of U.S. citizens and green card holders.
- » Unauthorized workers were three times more likely than U.S. citizens to be pushed or physically hurt.

Domestic workers with insecure status are also injured on the job at substantially higher rates than U.S. citizens and permanent residents.

- » 33% of undocumented workers report on-the-job injuries, compared to 22% of U.S. citizens and permanent residents.

Domestic workers across the nation experience poor working conditions and struggle to cover basic expenses. Domestic workers in the Texas–Mexico border region are substantially less secure economically and at higher risk of encountering substandard conditions on the job.



35% of
unauthorized
workers were
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agreed to



Introduction: Characteristics of the Texas–Mexico Border Region

For hundreds of years, domestic workers have been an integral part of economic and social relations in what is today the Texas–Mexico border region. Well before the 1848 U.S. conquest of northern Mexico, households in the region and throughout the Southwest relied on the labor of Mexican and Native American women to cook, clean, do laundry and care for children and the elderly.

Today, domestic workers include the people who provide support for the elderly and for people with disabilities to live in their homes in safety and with dignity; the nannies who help raise children, providing them with the affection, attention and nutritious meals crucial to healthy development; and the housecleaners who apply their skills to the absolutely necessary but repetitive and generally thankless tasks of keeping households tidy, clean and organized. Domestic work, whether paid or unpaid, is the work that makes all other work possible.

The demand for in-home cleaners and care workers is growing rapidly as baby boomers age and harried workers seek ways to relieve the pressures of long hours and long commutes.³ At the same time, work that takes place in private homes is far less regulated than it is in other industries. Workers are too often subjected to substandard conditions and outright abuse, and they have very few options when faced with an exploitative employer. There is no human resources department to complain to, few workers have contracts, and where informal work arrangements prevail, employers' expectations and demands can shift without warning.

Domestic work in the border region shares many of the characteristics of domestic work elsewhere in the country: long hours, low pay, low status and, because of the privacy of the workplace, the need to negotiate relationships that can be simultaneously intimate and cruel. The work is intensely gendered, with women being the vast majority of domestic workers. It is also often the site of inequities related to race, class and citizenship status.⁴ All of these conditions prevail, to one degree or another, throughout the United States. Texas and the border region have, in addition, distinct characteristics that underscore and reinforce the vulnerabilities associated with domestic work.

The international border between the United States and Mexico winds 1,933 miles along the southern borders of four states – Arizona, California, New Mexico, and Texas. The Texas stretch of the border, from the Gulf of Mexico to El Paso, comprises nearly two-thirds of the boundary. The area on the two sides of the border includes major metropolitan areas, small towns, rangeland, farmland and expanses of desert.

The U.S.–Mexico border region is substantially, though asymmetrically, interdependent economically, culturally, socially and ecologically. The long history of U.S.–Mexico relations and the flows of commercial goods, capital and people throughout the region – together with currents of cultural and linguistic practices and transnational family formation – are expressions of the interdependence. The asymmetries of those flows are framed, in part, by the ongoing need for labor north of the border and the need to escape poverty south of it.⁵

The interdependencies of the region are bifurcated physically by the border itself and politically by border and immigration policies. This dissection affects issues of mobility, citizenship status, family separation and fearfulness in communities throughout the region.

Over the past 170 years, there have been many policies, programs and bilateral agreements meant to regulate the circulation of money, goods and people in the U.S.–Mexico border region. Until 1965, however, there were few restrictions on Mexican migration to the United States. While the 1965 comprehensive immigration reform bill opened doors that had previously been closed to immigrants from Asia and Africa, it also capped at 20,000 the number of Mexicans allowed to legally migrate to the United States.⁶ While labor markets continued to draw migrants northward across the border to work in agriculture, manufacturing, construction and domestic work, by the 1990s immigration had become a federal policy priority. Budgets for border patrol agents, fencing and surveillance technologies skyrocketed. These trends were only reinforced in the wake of 9/11, with a hardening and unprecedented militarization of the border increasingly associated with territorial safety and integrity.⁷



Given the ongoing demand for labor in the north and globalization's squeeze on workers and farmers from Mexico and Central America, the flow of migrants did not stop. Rather, it was diverted from traditional routes near metropolitan areas to far more hazardous desert and tunnel crossings. Ironically, the hardened border is probably the primary cause of the accumulation of unauthorized immigrants in the United States. Seasonal flows of transnational workers northward for jobs and back southward for work in Mexico and time with family have been disrupted. Having crossed successfully, fearful workers stay put in the United States rather than risk returning to their home

country and then being apprehended (and criminalized) if they attempt to cross without documents.⁸ The thickening of the border exacerbates these fears. The border patrol's mandate extends 100 miles inland, so checkpoints and traffic stops are a feature not only of the border itself, but of a wide swath of interior territory, including roads leading north.⁹ Consequently, unauthorized workers are hemmed in, their mobility circumscribed by the prospect of poverty in Mexico on one side of the border and the intensive policing of their citizenship status on the other. Workers whose mobility and options are highly circumscribed are, not surprisingly, targets for workplace exploitation and abuse.

Texas also has the distinction of being a leader among states that have passed legislation specifically designed to discourage and limit immigration.¹⁰ SB4, signed into law in May 2017, directs local governments and law enforcement to assume greater responsibility for immigration control and forbids municipalities, colleges and universities from adopting sanctuary policies. The intent of the law is to subject immigrants to heightened surveillance by transforming traffic stops and routine policing into occasions for "show me your papers" inquiries about immigration status. The likely impact is to increase racial profiling of Latina/os, native born and immigrant, documented and not. The law is an indication of the salience of anti-immigrant sentiment in state politics.

Unauthorized workers are hemmed in, their mobility circumscribed by the prospect of poverty on one side of the border and the intensive policing of their citizenship status on the other. Workers whose mobility and options are highly circumscribed are targets for workplace exploitation and abuse.

The survey on which this report is based was conducted in 2016, before the election that put Donald Trump in the White House. Anti-immigrant and anti-Mexican rhetoric was central to Trump's campaign, encapsulated in his pledge to impede immigrants/criminals from entering the United States with his much vaunted, Mexican-funded wall. Trump's rhetoric and promise, whether fulfilled or not, demonstrate how central the issues of the U.S.-Mexico border region are to national politics and how the asymmetries of the region's interdependence can be exploited for political advantage.

All of these dynamics are at play in the Texas-Mexico border region. In addition, Texas is a low-wage state. More people are paid at or below minimum wage in Texas than in any other state in the union. A substantial majority of those underpaid workers, 62%, are women.¹¹ Texas is second only to California in the size of its undocumented population, numbering 1,650,000.¹² Unauthorized immigrants make up more than 8% of the workforce in the state as a whole. The counties in the border region have even higher concentrations of unauthorized immigrants. A majority of these immigrants is female, with many living below the poverty level. For example, in El Paso County, 56% of unauthorized immigrants are women, 46% of the unauthorized live below the poverty level and 65% have no access to health care. In the Rio Grande Valley, Cameron County, which includes the cities of Brownsville and Harlingen, 55% of unauthorized immigrants are women, 75% have no access to health insurance and 55% live below the poverty level. In each of these counties, 80% or more of unauthorized immigrants have been in the United States five years or more.¹³

Many of the women who agreed to be surveyed for this research live in *colonias*. Colonias are unincorporated settlements just outside metropolitan areas or in rural or semi-rural locations. Colonias have proliferated over the past several decades as low-income, low-wage residents, immigrant and native born, sought affordable housing. There are more than 2,000 colonias in Texas. Many of these communities have limited infrastructure. They may lack sidewalks, paved roads, streetlights, potable water, adequate sewage systems or safe housing.¹⁴ While colonias are locations for community building, resilience and mutual assistance, they are also characterized by concentrations of poverty and food insecurity, with single mothers, children and older adults among the most at risk.¹⁵

This is the political and economic context that shapes the labor market for Latina domestic workers. The report findings provide evidence that workers whose lives are systematically circumscribed, vilified and surveilled, and who have limited access to political power, are at a tremendous disadvantage in the workplace.



Findings

This report is based on data collected by 36 domestic workers who were trained to recruit and survey housecleaners, nannies and care providers in El Paso and surrounding areas and in the Rio Grande Valley. A total of 516 surveys was collected from 185 housecleaners, 96 nannies, 185 elder care workers and 50 care workers for people with disabilities.¹⁶ (See Appendices A, B and C for demographics and research methodology.) The report documents the economic hardship facing Latina domestic workers in the Texas–Mexico border region, as well as the prevalence of wage theft, substandard working conditions and abuse on the job.

Economic Hardship

The majority of the domestic workers in the Texas–Mexico border region work full time, averaging 37 hours per week. Some work punishingly long hours. Yet low wages across all occupations mean that these workers experience high levels of economic hardship. Over 86% report that low pay is their greatest concern in the workplace. Twenty-five percent of workers also experience wage theft. The combination of low pay and wage theft traps many domestic workers in poverty and makes it very difficult to consistently provide basic necessities for themselves and their families.

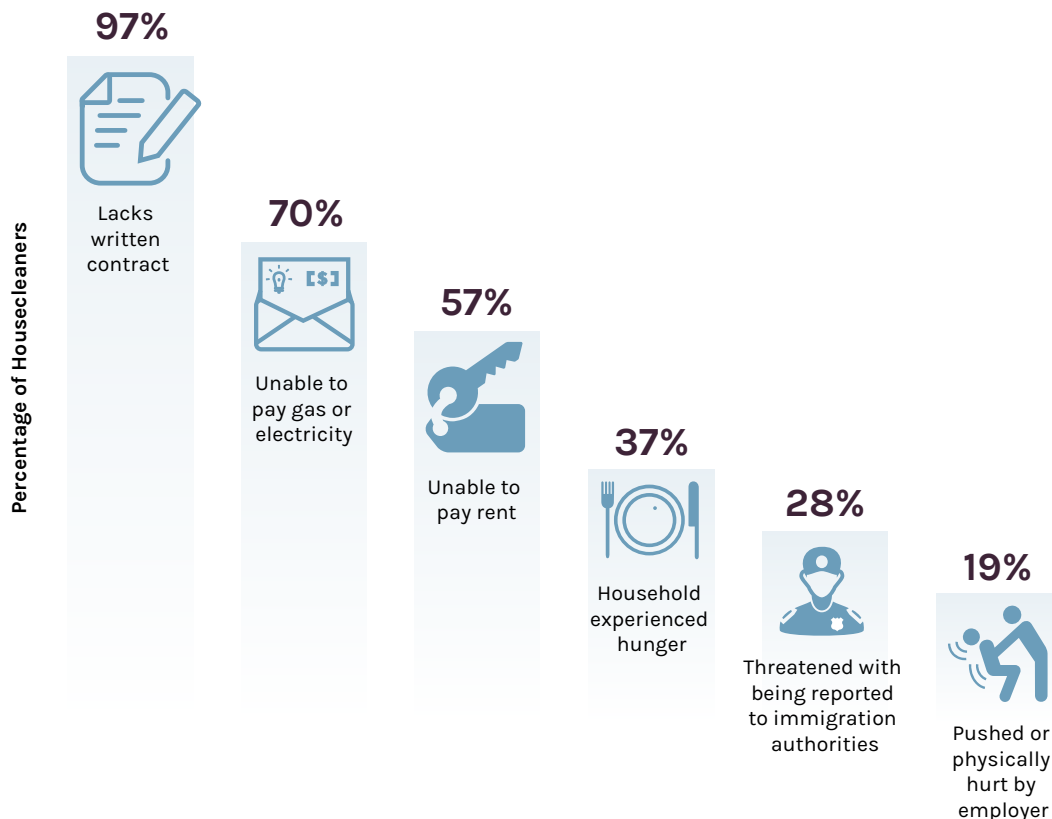
A. Food and Housing Insecurity

Both food insecurity and housing insecurity, major indicators of poverty, are prevalent for women in the domestic work industry in the region. More than one-third of workers' households, 37%, experienced hunger because there was not enough money to buy food at some time during the 12 months prior to the survey. This is triple the rate of food insecurity in the country as a whole and more than double the rate in Texas.¹⁷

Low pay also results in high rates of housing insecurity. Forty-four percent of workers reported that they were unable to pay the rent or mortgage at some point during the previous year. Additionally, domestic workers have difficulty covering other housing costs, with 60% unable to pay their gas

Figure 1: Housecleaners

Housecleaners experience severe levels of economic hardship and abuse on the job.



Source: Analysis of 2016 Survey Data

or electric bill. With so much pressure on their limited paychecks to cover bare necessities, it is not surprising that domestic workers are unable to access adequate health care. More than half of workers and their families forgo necessary medical care due to their inability to pay for it.

While economic hardship is prevalent across the domestic care industry, particular subsets of workers experience these challenges at higher rates than others. Among the different occupations, housecleaners are particularly vulnerable to economic insecurity and hardship. These workers struggle to make ends meet, with 57% unable to pay their rent or mortgage, 70% unable to pay their gas or electric bill, and 58% unable to pay for medical care in the year prior to the survey.

Immigration status is also an important factor in determining which domestic workers are most likely to experience economic hardship. The households of workers with insecure citizenship status, particularly those who are undocumented, are consistently more likely than their native-born or documented counterparts to experience hunger and the inability to cover basic living expenses.

Domestic workers in the border region work hard cleaning homes and caring for others. Low pay means that far too many of these workers live lives of extreme economic hardship, struggling daily to make ends meet and worrying whether they will have the resources to keep food on the table and a roof over their heads.

Table 1: Economic Hardship by Occupation

	Housecleaners	Nannies	Elder Care Workers	Care Workers for Person with a Disability	All Workers
Food insecurity – unable to buy food	37%	37%	34%	44%	37%
Housing insecurity – unable to pay rent	57%	40%	33%	42%	44%
Unable to pay for gas or electricity	70%	49%	56%	48%	59%
Unable to pay for medical care	58%	47%	53%	50%	53%

Source: Analysis of 2016 Survey Data

Claudia’s Story – Live-in Elder Care Worker

Claudia is a live-in care worker for a senior living with Alzheimer’s, diabetes and other health issues. Claudia does her work with "a lot of heart." She starts working before her client wakes up in the morning so that breakfast will be ready and waiting. Then she bathes her client, dresses her and brings her to the table to eat. After breakfast, she starts on laundry. Because her client suffers from incontinence, Claudia washes several loads a day.

Her client’s health condition is complicated. Claudia finds it challenging to keep track of medication schedules, check blood sugar levels and administer medication without ever having received clear instructions on how to do so. She has no formal training other than a first-aid course she took years ago, but she learns a lot by asking questions at her client’s many doctors’ visits. Her client’s Alzheimer’s is advanced, and there are times when she doesn’t sleep for days on end. As a live-in worker, this means that Claudia doesn’t sleep either.

Claudia’s employers pay Claudia \$200 per week to provide round-the-clock, live-in care for their mother. Sometimes her pay comes several weeks late. When she was first hired, her employers said they would provide their mother’s food and household supplies, but in three years they have rarely stopped by. Claudia uses her \$200 to buy food for her son and herself, her client’s food and medications and household cleaning supplies. She has had to borrow money from others to cover the basic costs of her client’s care.

The stress and exhaustion have taken a toll. Recently, her client’s doctor told Claudia that it looked like she, herself, was the one most in need of care.

Working Conditions

The exclusion of domestic workers from federal and state labor rights and protections leaves those working in the industry vulnerable to exploitation and substandard working conditions. This is compounded by the isolation that domestic workers face as they work in private homes with no regulatory oversight. Border-region domestic workers, most of whom work without contracts, report a range of problematic, abusive and exploitative working conditions.

A. Contracts

Contracts are valuable tools for workers and employers alike to set and enforce expectations and standards in the workplace and to offer recourse when one party does not honor the agreement. Without contracts, and with little to no regulation of workplace conditions, domestic workers have few options besides quitting when they are mistreated.

Two-thirds of domestic workers in the border region, 67%, do not have contracts. However, there is wide variation across the occupations in terms of which workers have a contractual relationship with their employers. The workers most likely to have contracts are those in occupations that typically access jobs through an agency, such as care workers for the elderly and for the disabled. Sixty-three percent of elder care workers and 66% of care workers for the disabled work under a contract. In contrast, only 3% of housecleaners and 13% of nannies are protected by written contracts.

Workers without contracts are more likely to experience abuse on the job such as wage theft, being threatened or pushed and being asked to perform duties outside of their agreed-upon job responsibilities.

Table 2: Working Without a Contract

	Has Written Contract	Has No Contract
Pressured to work more than scheduled hours	11%	37%
Paid less than agreed to or not at all	16%	28%
Paid late	15%	39%
Pushed or physically hurt	8%	15%
Threatened	14%	21%
Complained to employer about working conditions	33%	12%

Source: Analysis of 2016 Survey Data

Having a contract is certainly no guarantee that workers will be treated fairly, and some workers report that they didn't understand the terms of their contract or that their employers set the terms. Nonetheless, workers without contracts are three times more likely to be pressured to work more than the hours they were scheduled for and far less likely to complain about working conditions.

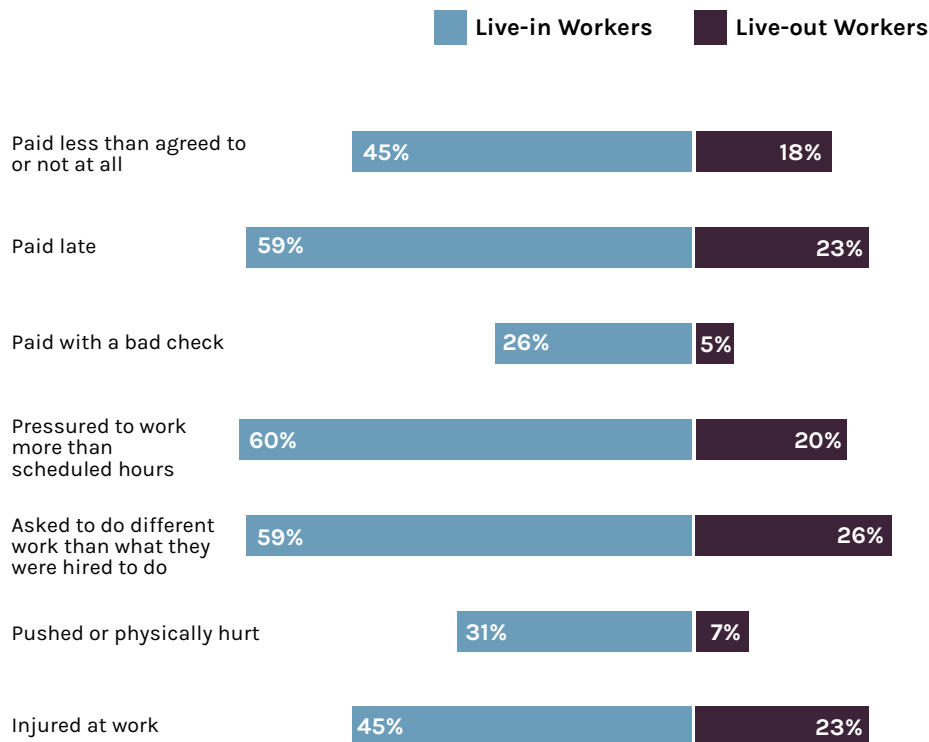
With or without contracts, the vast majority of domestic workers have no access to basic workplace benefits such as paid sick leave, health plans or retirement benefits. Despite working full time, only 2% of domestic workers receive paid time off, including sick leave, national holidays and vacation days. This figure is striking when compared to the overall private-sector workforce in Texas, where a majority of workers, 55%, have paid sick leave.¹⁸ Lacking paid time off means that domestic workers' already tight budgets take a big hit when they have to stay home to recover from an injury or nurse a sick child back to health.

B. Wage Theft

Given that domestic work takes place in a largely informal sector of the labor market in which workers lack contracts and other legal protections, wage theft is widespread. Wage theft takes different forms, including paying workers less than agreed to or not at all, paying with a bad check and refusal to pay overtime. Twenty-four percent of workers had been paid less than agreed to or not at all by an employer in the prior 12 months. Housecleaners are even more likely to experience this form of wage theft. A full 33% had been cheated by an employer. Non-payment of overtime is also a pervasive form of wage theft. Only 3% of workers who clock more than 40 hours in a given week receive overtime pay at 1.5 times their hourly rate. Workers who live in the homes of their employers are often expected to be on call virtually 24 hours a day. Exceedingly long hours combined with lack of overtime compensation rob live-in workers of their wages. Private-pay employers are not required to pay live-in workers overtime, putting these workers at particularly high risk of being both overworked and underpaid.

Figure 2: The Cost of Living In

Workers with insecure documentation status are the most likely to live in. Nearly one-third of undocumented workers live in, while fewer than 10% of U.S. citizens do. These workers are doubly vulnerable, both unauthorized to work and dependent on their employers for housing.



Source: Analysis of 2016 Survey Data

C. Irregular Pay and Schedules

Working within employers' homes (private spaces by definition) and without contracts can lead to ambiguous boundaries and expectations between employers and employees about the work to be performed. Workers may be pressured to work longer hours than they agreed to or to perform work beyond what they were hired to do. Housecleaners are more likely than other domestic workers to face irregular schedules, issues with irregular pay and expectations to perform additional work.

Irma's Story – Live-in Nanny and Housecleaner

An immigrant from a small town in Veracruz, Mexico, Irma worked for four years as a live-in nanny and housecleaner for a family in the border region of Texas. Irma lived in a small room and was expected to be on duty practically around the clock. At 6:00 a.m., she would wake up to prepare breakfast for the family's three children. Once she saw the oldest two off to school, Irma would care for the baby while also cooking, cleaning, doing laundry and ironing. When the older children came home from school, she gave them dinner and got them bathed and ready for bed. Her work continued well into the night because her employers would often stay out until midnight or even later, leaving the children in her care. Irma never had a written contract, and expectations would shift without any adjustment in wages. From time to time, Irma had a Sunday off, but free time was rare.

Reflecting on those years Irma says, "I hardly ever saw the sun, except for when I was taking out the trash or picking up the newspaper." For her 'round-the-clock labors, Irma was paid \$160 per week. She eventually got a raise to \$180.

As an undocumented worker with only a tourist visa, Irma feels that her immigration status emboldened her employers to violate her rights. They knew that work was hard to come by in Mexico and that Irma's need for stable employment was great. Irma says, "When people know about your immigration status, that's when they start taking advantage of you. They don't value you the same way they would someone with papers."

Forty percent of housecleaners report that they were pressured to work more than their scheduled hours, twice the rate of domestic workers in other occupations. Housecleaners are also more likely to be pressured to perform additional duties outside the work they were hired to do: 45% of housecleaners were asked to do so compared to 28% of nannies and elder care workers.

Insecure immigration status is strongly associated with wage theft, irregular pay and pressure to work long hours. Thirty-five percent of workers who were undocumented or whose status was insecure were paid less than agreed to or not at all. Workers without documents are three times more likely than U.S. citizens to be paid late and are routinely pressured to work more than the hours they were scheduled for. Workers whose documentation status is irregular or insecure are unable to exercise their rights or defend the most basic labor standards on the job.

Table 3: Irregular Pay and Schedules by Immigration Status

	U.S. Citizen	Permanent Resident	Undocumented or Insecure Status
Not paid or paid less than agreed to	15%	11%	35%
Paid with bad check	8%	3%	15%
Paid late	15%	10%	46%
Pressured to work more than scheduled hours	14%	8%	44%

Source: Analysis of 2016 Survey Data

D. Workplace Injuries

Domestic work is not generally considered hazardous. Construction sites and factory floors, not private homes, are thought of as the locus of workplace injuries. Yet 28% of the domestic workers surveyed have been injured on the job, with 10% reporting that they sustained a serious injury. This issue is particularly significant considering that the majority of domestic workers forgo medical care because they cannot afford it, and only 2% have paid sick leave.

Several characteristics of the domestic work industry contribute to unsafe work environments and expose workers to hazardous conditions. These include prolonged exposure to harsh household chemicals, long working hours, lack of rest breaks and the physical demands that come with caring for clients and their homes. Domestic work is physically demanding. Workers are nearly always on their feet and are frequently required to bend over for long periods of time to lift and move heavy objects or to lift children or adults, depending on the workers' respective occupation. For housecleaners, the lack of industry regulation and accessible information on the risks of long-term exposure to hazardous chemicals means that domestic workers are rarely provided protective wear when working with chemicals and cleaning supplies. Workers performing duties that are physically strenuous and that involve chemical exposure experience accidents, injuries, illnesses and chronic pain as the result of their job duties.

Housecleaners report the highest rate of injuries on the job at 32%, followed closely by care workers for clients with disabilities at 30%. Care workers for people with disabilities also experience the highest rate of serious injuries: 14% sustained a serious on-the-job injury.

E. Abuse on the Job

Domestic workers in the Texas–Mexico border region are low-income women, many of them undocumented, who face serious constraints in terms of their options in the labor market. Far too many employers exploit workers' disadvantaged position and subject their employees to mistreatment and abuse that would be unthinkable or illegal in other industries.

Twenty-seven percent of domestic workers have been yelled at on the job, 19% have been threatened in some manner and an unacceptable 12% report that they were pushed or physically hurt by their employer or someone in their employer's home.

Table 4: Workplace Abuse by Occupation

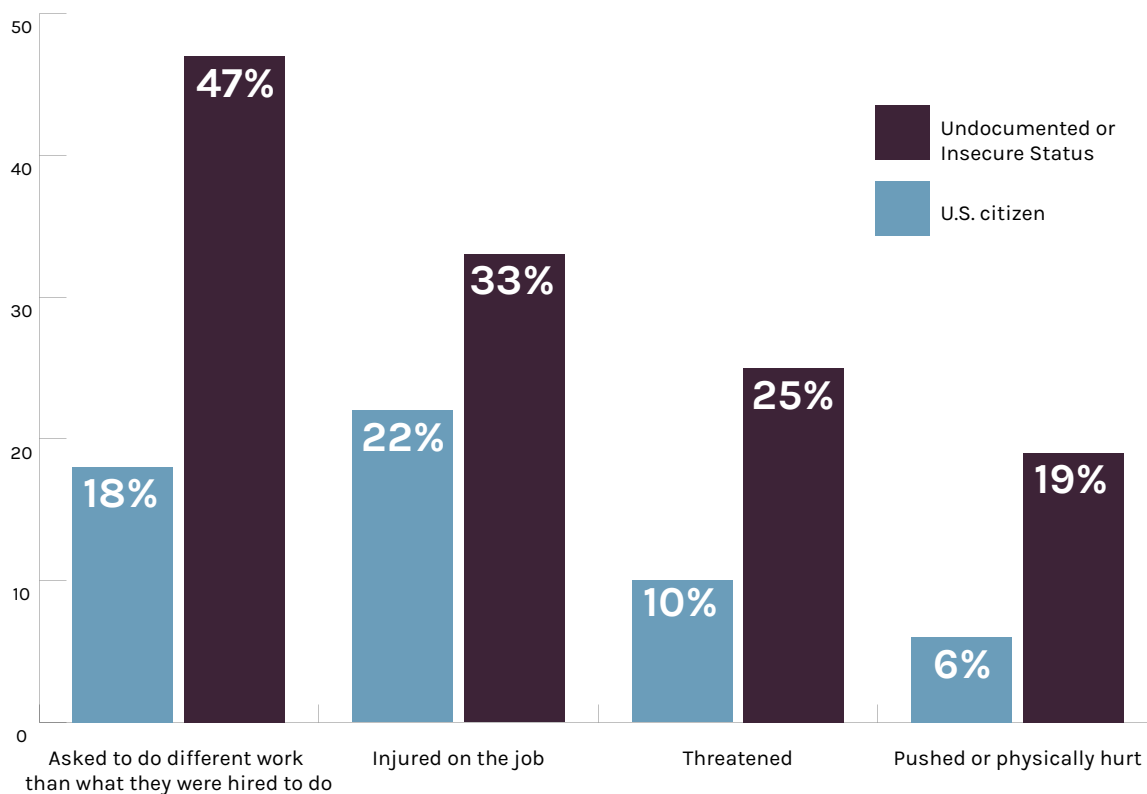
	Housecleaners	Nannies	Elder Care Workers	Care Workers for Person with a Disability
Yelled at	25%	25%	33%	18%
Threatened	21%	16%	20%	12%
Pushed or physically hurt	19%	7%	11%	4%
Touched in a sexual manner	3%	3%	6%	2%

Source: Analysis of 2016 Survey Data

One in five housecleaners is pushed or physically hurt by her employer, a considerably higher rate than in other domestic work occupations. Care workers to the elderly are more likely than other domestic workers to be yelled at or to be touched in a sexualized way. One-third of elder care workers have been yelled at while at work, 20% have been threatened and 11% have been pushed or physically hurt.

Figure 3: Immigration Status Impacts Working Conditions

Undocumented domestic workers experience unacceptably high rates of workplace abuse – double and triple the rates of U.S. citizens.



Source: Analysis of 2016 Survey Data

Consistent with other workplace issues, workers without legal authorization experience abuse at higher rates than their documented counterparts. They are significantly more likely to face physical abuse, with 19% of undocumented workers reporting that they were physically assaulted in the workplace. Employers use workers' immigration status to instill fear, coerce and threaten them. Thirty-two percent of undocumented workers report that their employers threatened to report them to immigration authorities.

The emotional and physical abuse of domestic workers by employers in the border region is far too common. Workers may feel that they have no choice but to tolerate the abuse as best they can in order to keep their jobs and protect their income. But no worker should have to put up with threats and assaults just to make a living.

No worker should have to put up with threats and assaults just to make a living.

F. Working in Fear

Domestic workers are unlikely to complain to their employers about hazardous, substandard, exploitative or abusive working conditions. They simply steel themselves and show up. If conditions become truly intolerable, they seek another position. Not surprisingly, undocumented workers are least likely to complain. Despite pervasive wage theft, pressures to overwork, high injury rates and emotional abuse, only 12% of workers with insecure immigration status had ever complained to an employer. Workers keep their complaints to themselves for good reason. First, they know that conditions are unlikely to improve. But the broader context for their silence is that they work and live in fear. Forty-five percent of workers declined to complain because they feared losing their jobs, and 29% feared having their hours cut. Economic necessity traps workers in unsafe environments. An astonishing 26% of workers with irregular immigration status feared that their complaints would be met with violence while half were afraid of being reported to immigration officials. In the current anti-immigrant environment, those fears are magnified.

Further, there are strong indications that some domestic workers are essentially enslaved or victims of trafficking. Eight percent report that an employer told them they could not leave their job even if they wanted to, and 6% report that an employer kept their passport, visa or other immigration papers.

A workforce that is depended upon by tens of thousands of Texas families and individuals, and that is an integral though unacknowledged element of the region's socioeconomic landscape, literally lives and works in fear.

Maria's Story – Housecleaner

"The lady said she was going out and that I needed to have the kitchen done when she came back. I started to do the work, but I felt someone watching me. I realized that her son, who was maybe 25 years old, was watching me while I worked. He said that he wanted me to go clean his room and I said no, that his mother had given me the task in the kitchen. He said, 'No, I need you to clean my room.' So I went into his bedroom with my broom, but then he came back and went straight into his bathroom. I tried to leave the room but he closed the door and grabbed me by the hair and said that he wanted to have sex with me. I said no, but he grabbed me again and knocked me down. He started to hug me and hold me down. I said I was going to tell his mother when she got back. He said that no one would believe me because I didn't have papers and that he would tell his mother that I was stealing things. I had never stolen anything.

I was able to get away and as I was running out of the room I slammed the door and caught some of his fingers in it. I managed to get away but he said, 'You're going to pay for this.'

I didn't know that there were organizations out there that could have helped me. I was so ashamed and I was so afraid because I was undocumented, and I still am.

So I decided to leave and try to put this behind me and look for work elsewhere. But now I did it with even more fear. I would get out of the car with nothing but my key, ready to run because you never know when you're going to have to run. If my employers were home I'd say, 'I'll come after you've left for work.' They would wonder why I didn't want them to be there and would assume that it was because I wanted to steal things, but it wasn't because of that. It was because I didn't want to have any run-ins with them, especially with the men. I just wanted to work, get paid and leave."

G. The Border and the Nation

Domestic workers across the country face difficult working conditions and experience economic hardship. Several factors in the Texas–Mexico border region combine to heighten the risk of extremely low pay and substandard working conditions for domestic workers. Texas is a low-pay environment. The state has the largest number and highest proportion of low-wage workers in the country.¹⁹ Nearly a quarter of Texas workers are paid minimum wage or below. Downward pressure on wages is pervasive in Texas, even more so for vulnerable workers.

Far higher proportions of border-region domestic workers have insecure citizenship status than is the case nationally, and more domestic workers live in the homes of their employers. As we have seen, these two factors put domestic workers at higher risk of being exploited and abused. More than one in five domestic workers surveyed are live-in workers, compared to 11% nationally. Sixty-five percent of domestic workers in the country are U.S. citizens; only 14% of the Latina domestic workers surveyed in the border region are.²⁰ Given these risk factors, it comes as no surprise that domestic workers in the border region face more difficult conditions than domestic workers elsewhere.

Table 5: Border Region and National Comparisons

	Texas–Mexico Border	National
Food insecurity – household experienced hunger	36% (45% of undocumented)	20%
Housing insecurity – unable to pay rent	44% (60% of undocumented)	37%
Has paid sick leave	2%	18%
Live-in workers pressured to work beyond job description	60%	40%
Undocumented workers pressured to work beyond job description	44%	31%

Source: Analysis of 2016 Survey Data and 2011–12 National Domestic Workers Survey



Texas has the largest number and highest proportion of low-wage workers in the country.



Recommendations

The low pay and substandard conditions that are pervasive in the domestic work industry are largely products of the historical and current devaluation of work done in the home, largely by women of color and immigrant women. They are maintained by public policies that exclude domestic workers from basic workplace protections and make immigrant workers vulnerable to exploitation. Improving the conditions outlined in this report requires action at the federal, state and municipal levels, as well as the transformation of attitudes and behaviors in the private homes that serve as places of employment for domestic workers.

Public policies that raise wages and standards across the low-wage labor market will positively affect the lives of domestic workers. This is especially true in Texas, the state with the most workers paid below minimum wage and where "right to work" legislation hampers workers' ability to collectively advocate for better working conditions.

At the Federal Level

Many of the laws that regulate wages and conditions in the workplace simply do not apply to domestic workers. Some domestic workers find no protections or remedies in federal law for employment discrimination, unsafe working conditions or constraints on their right to organize and bargain collectively. At a minimum, federal policies should be enacted to:

- » Provide domestic workers with the right to associate freely, join organizations that advocate for workers' rights, choose representatives and create frameworks to bargain collectively.
- » Expand federal overtime protection to include workers classified as "companions," live-in domestic workers hired directly by individual employers and "casual babysitters."
- » Provide domestic workers with the right to meal breaks and rest breaks.

- » Ensure that domestic workers and all other low-wage workers have the right to paid sick leave and family and medical leave.
- » Protect domestic workers from discrimination, abuse and harassment by expanding federal anti-discrimination and harassment protections to include workplaces with one or more employees.
- » Include domestic workers in federal health and safety protections.
- » Ensure that all low-wage workers have access to affordable health care, regardless of the number of workers in the workplace and the workers' immigration status.

In addition, federal immigration policies must be changed to:

- » End militarization of the border region, including interior checkpoints and funding for a costly and ineffective border wall.
- » Preserve the family-based immigration system.
- » End family detention and overhaul the immigration detention system to protect due process and human rights.
- » Prevent immigration enforcement actions against survivors of gender-based violence.
- » Provide protections for victims of crime and trafficking, including removal of barriers to accessing T and U visas, and reauthorization of the Trafficking Victims Protection Reauthorization Act (TVPRRA).
- » Reauthorize the Violence Against Women Act (VAWA), a safeguard for immigrant women and their children.

At the State Level

Reforms to Texas state policies are needed to:

- » Raise the state minimum wage and eliminate the exclusion of domestic workers from state minimum wage protections.
- » Include domestic workers in all of the state's workers' compensation, state disability and unemployment insurance programs.
- » Eliminate the exclusion of domestic workers from basic anti-discrimination and harassment protections, including extending such protections to include workplaces with one or more employees.
- » Include domestic workers in state health and safety protections.
- » Vigorously enforce wage and hour protections, including rapid action by the Texas Department of Labor to prioritize, investigate and adjudicate cases of wage theft experienced by domestic workers.
- » Ensure that domestic workers and all other low-wage workers have access to paid sick, family and medical leave.
- » Create portable benefits solutions so that all workers, regardless of immigration status, have retirement income to meet their basic needs.
- » Ensure that when domestic workers assert their workplace rights, they are fully protected against employer retaliation, including reporting to immigration and law enforcement and threats thereof.
- » Ensure that all workers have the right to a notice of termination and are entitled to severance pay based on years of service to their employer.
- » End all programs that entangle state and local police with immigration enforcement, including Texas SB4.

At the Municipal Level

Counties and municipalities can do their part to improve the working and living conditions of domestic workers by taking actions to:

- » Ensure adequate public transportation that allows domestic workers to travel safely to and from their places of work, reducing the need for workers to live in their employers' homes due to poor transportation options.
- » Invest in affordable housing for low-income families, regardless of immigration status.
- » Combat racial profiling by law enforcement in low-income communities.
- » Provide funding for community-based organizations to support domestic workers, especially those who have experienced workplace abuse and wage theft.

Guidance for Employers

Employers have an extremely important role to play in improving wages and working conditions for domestic workers. Employers should become familiar with all of their responsibilities under the law. In addition, employers can commit to going beyond the limited protections that the law currently affords. Actions that employers can take to ensure that their homes are fair workplaces include the following:

- » Provide clear, written agreements or contracts and ensure that workers have a voice in setting the terms of these agreements.
- » Calculate and pay a living wage based on an assessment of the local cost of living.
- » Offer annual raises.
- » Provide paid sick and/or personal days, paid holidays and paid vacation time.
- » Offer health and retirement benefits.
- » Provide employees with less-toxic cleaning products and any necessary protective gear.
- » Respect live-in workers' privacy and ensure that they have comfortable living quarters, including facilities to prepare their own meals.
- » Institute a zero tolerance policy for discrimination and harassment, including sexual harassment.
- » Practice respectful communication at all times.

Building a Caring Economy

Families work hard to manage the competing priorities of home, work and family. For many families, domestic workers are an essential part of the solution. Their household labor connects the economics of the home and the economics of the workplace. Policy makers and employers who commit to improving the wages and working conditions of domestic workers also commit to building an economy based on dignity and care.

Employers have an extremely important role to play
in improving wages and working conditions
for domestic workers.



Conclusion

The data in this report represents the first quantitative appraisal of the living and working conditions of Latina domestic workers in the Texas-Mexico border region. The demand for workers to do the cleaning and caring work that households depend upon is high. There is no indication that this demand will slacken in the years to come. More likely, in the border region as well as in the rest of the country, the need for workers will rise in response to demographic shifts.

Yet, as we have shown, much of this workforce is treated abysmally. The hard work, commitment and skill that workers bring to their jobs are poorly rewarded. Workers in the border region are in occupations that are rife with legacies of inequity based on gender, race and nationality. At the same time, they are in a region characterized by very low wages, lax worker protections and intensified scrutiny of immigration status. Latina domestic workers in the border region – especially those with insecure status – are at heightened risk for the substandard conditions and abuse endemic to the industry.

Improving the conditions domestic workers face is high on the agenda of the three organizations that sponsored and fielded this research project, and of the National Domestic Workers Alliance. Each group organizes domestic workers, encouraging and supporting them to conquer their fears and to know and assert their rights. The power of organized domestic workers has been demonstrated across the country with the passage of eight statewide Domestic Workers Bills of Rights that extend labor protections to this long neglected sector of the labor force. This report, and the ongoing organizing in the Texas-Mexico border region, should serve as notice to employers and policy makers alike that the workers who play such a critical role in private households and in the economy as a whole must be treated with the fairness and respect they deserve.

Appendix A: Demographic Profile of Latina Domestic Workers Surveyed at the Texas–Mexico Border

Sex	Female Male	99% 1%
Occupation	Housecleaner Elder Care Worker Nanny Care Worker for Person with Disability	36% 36% 18% 10%
Live-in/Live-out	Live-out Live-in	78% 22%
Country of Birth	Mexico United States Honduras El Salvador or Nicaragua Guatemala	87% 8% 2% 2% 1%
Citizenship Status	Non-citizen Citizen	85% 15%
Documentation Status*	Undocumented Documented Application in Process Other/No Response	51% 44% 4% 1%
Race/Ethnicity	Latina/Hispanic Other	99% 1%
Marital Status	Married Separated Single Widowed Divorced Living with Partner Other	31% 20% 18% 12% 10% 8% 1%
Age	18–30 31–45 46–64 65–80 No Response	11% 45% 39% 3% 2%

*Documented workers include all those with U.S. citizenship, a green card, or refugee or temporary protected status. Undocumented workers includes all those who identified as such, as well as those with border crossing cards or tourist visas, i.e., those unauthorized to work in the United States.

Appendix B: Methodology

This report is based on data collected during the summer of 2016. Three community-based organizations — A.Y.U.D.A. Inc., Comité de Justicia Laboral and Fuerza del Valle Workers' Center — were central to the process of developing the survey instrument, recruiting and training surveyors and fielding the survey. Over 60 domestic workers were trained to survey housecleaners, nannies, care workers to the elderly, and care workers to people with disabilities. Thirty-six of these workers then spent several months surveying their peers. The survey was fielded in El Paso, San Elizario, Socorro and surrounding colonias. In the Rio Grande Valley, workers were surveyed in Brownsville, Edinburg and San Benito, as well as in nearby colonias. A total of 516 completed surveys was collected.

NDWA staff and staff from the three community-based organizations designed the survey instrument in a collaborative process. It was designed to collect information about economic conditions facing domestic workers and their households, conditions on the job, workplace injuries and demographic information, including citizenship status.

Surveyors recruited neighbors and acquaintances to participate in the survey. Potential respondents were eligible to be surveyed if they had been employed as a domestic worker in someone else's home in the previous month and if domestic work was their main source of income. Surveyors used snowball sampling to recruit additional participants, asking respondents to identify and refer friends, relatives and acquaintances who were also domestic workers. No financial incentives were offered to either surveyors or respondents. Surveys were completed in face-to-face interviews that were conducted in Spanish.

In addition to the surveys, seven semi-structured interviews were conducted with domestic workers, by phone and in person, to explore selected themes more deeply. These themes included live-in work, homecare work mediated by agencies and the exposure of undocumented workers to abuse on the job.

Appendix C: Impacts of the Research Process

When this project was first imagined, long before data was collected, staff from the four organizations met to discuss their goals. All agreed that shining a light on the conditions of domestic workers in the Texas-Mexico border region was the primary goal for this research project, but it was far from the only one. All envisioned a process that would also transform the three local organizations and their communities, leaving them in a stronger position than before to win domestic workers' rights and dignity.

Each of the local organizations had an existing core of members whom they wished to engage and develop as leaders. Through participatory design of the survey tool, trainings on research methodology and interview practice sessions, the 36 members of the survey team were cultivated as community-based researchers, a role that virtually none of them had played before. Members of the survey team have since reported that their participation in the project deepened their capacity to lead in their communities. One surveyor said, "Before, I was very timid and didn't talk much. Now people come to me and ask me for information because they know that I have important things to share." Another commented, "Having won the trust of the people I was interviewing, I now feel like I can help millions more."

All three organizations hoped that the project would also increase their domestic worker membership base. They developed a separate "community survey" to collect the contact information of workers who were interested in staying in touch after the formal, anonymous survey was completed. The majority of survey respondents completed this additional community survey. As a result, the organizations have been able to reach out to hundreds of potential new members and invite them to meetings and other activities. Membership in the organizations has swelled.

An additional goal was to ensure that domestic workers — especially those most isolated — had access to information and support to defend their rights. Before heading out into the field, the survey teams reflected on their own experiences as domestic workers and shared ideas on how to find workers and win their trust. As a result of these efforts, many members of the team reported that they were able to survey workers who had never before talked about the conditions they endure on the job. They were willing to be surveyed only because the surveyor was a member of their own community. Several cases of labor trafficking were brought to light, a testament to the surveyors' ability to access the most hidden and vulnerable populations. As ambassadors for their own organizations — both during and after the formal data collection process — the survey teams were an invaluable sounding board for their peers, and they connected domestic workers with vital resources to break free from abuse.

The three local organizations and NDWA are grounded in the belief that domestic workers themselves are best equipped to identify solutions to the challenges they face. With this principle in mind, the project created a platform for the voices of domestic workers to be heard and their goals to be communicated. As soon as the initial data had been compiled, it was presented at a series of community events to the survey teams and many of the workers they had surveyed. Participants at these events identified the most important findings to be included in this report and shared personal stories that brought the data to life. Together, they envisioned solutions and the ways that this research could impact their communities. Members of the three organizations celebrated the resilience of domestic workers in the face of the frequent exploitation and abuse. At all of these events, the three organizations also acknowledged the support and collaboration of other community institutions that had helped facilitate connections with workers to be surveyed. The events illuminated a growing network of domestic workers who are experts on the dynamics of their own industry and organizations that have committed to work together to combat abuse in the sector.

This work will undoubtedly continue to have a profound impact in the lives of domestic workers and their communities, as workers see themselves reflected in both the data and the leadership of those who collected it. One surveyor commented, "This project was like a window for domestic workers who live in the shadows. It has given them the opportunity to be seen and recognized as human beings not as machines."

Maria's Story — Housecleaner and Surveyor

"It helped me a lot to be a member of the survey team because I realized that this is a huge problem that we all have. I decided to participate because I hoped that my own story would help other workers....

I did about 25 surveys for this project. I interviewed some domestic workers I already knew, others I found at the community center and others at workshops that we did out in the colonias. I would talk with them and tell them a little bit about my own experience. I told them that we don't gain anything through our silence.... I would tell them, 'I've been through all the same things you have, and I want to make a change.'

The first few interviews were hard. Interviewing other domestic workers made me relive my own experiences. But then after that, doing these interviews started helping me heal. I'm still healing, step by step. It has changed me a lot. I like to talk but sometimes I'm reserved. This has taught me that I'm strong and I should be stronger, and that the most important thing is to learn in order to be able to help others."

Endnotes

1. A recent dissertation focuses on ethnographic research about domestic workers at the border in Laredo, Texas. Ariadne Alejandra González, *El Trabajo Duro: Mexican Immigrant and Transnational Domestic Workers Negotiating Work, Identity, and the Texas Border* (Doctoral Dissertation, 2016). <http://oaktrust.library.tamu.edu/bitstream/handle/1969.1/157755/GONZALEZ-DISSERTATION-2016.pdf?sequence=1>, accessed 11/01/17.
2. Of the workers surveyed, 15% were U.S. citizens and 28% were permanent residents or green card holders. Fifty-five percent of the workers identified as undocumented or as otherwise unauthorized to work. Some of these workers had applied for residency; others used border crossing cards or tourist visas to enter the United States for domestic work jobs. The remaining 2% of workers had refugee/asylee or temporary protected status, or declined to answer the question.
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