



Listening to workers

Child care challenges in low-wage jobs



The Ms. Foundation for Women, a national foundation that builds women's collective power through grantmaking, capacity building and advocacy support, the National Women's Law Center, an advocacy organization dedicated to the advancement of women and their families, and six worker justice organizations came together to pursue a groundbreaking research project that examines the nexus between difficult working conditions in low-wage jobs and the challenges of obtaining high-quality, affordable, stable child care.

This report was prepared by the **National Women's Law Center**, in close collaboration with the **Ms. Foundation for Women**, and with crucial participatory research contributions from the Ms. Foundation's Economic Justice Grantees:
Adhikaar for Human Rights and Social Justice
Center for Frontline Retail
Coalition of Immokalee Workers
Garment Worker Center
Restaurant Opportunities Centers (ROC) United, and
Retail Action Project.

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Introduction

Workers in low-wage jobs often struggle not only with inadequate income but also with difficult working conditions that undermine their best efforts to both provide and care for their families.¹ Women make up the large majority of workers in these jobs² and they also shoulder the majority of caregiving responsibilities.³ Given the rapid growth in low-wage jobs, and the continued strong growth projected in low-wage female-dominated occupations, there is an urgent need to examine and address working conditions in these positions that are incompatible with family life.⁴ In particular, low wages and difficult working conditions make it nearly impossible for many of these workers to access and afford high-quality child care.

The Ms. Foundation is supporting an effort by six worker justice organizations – Adhikaar for Human Rights and Social Justice, the Coalition of Immokalee Workers, the Garment Worker Center, the Retail Action Project and Center for Frontline Retail, and Restaurant Opportunities Centers (ROC) United – and the National Women’s Law Center to identify and call attention to these challenges. The worker justice organizations represent workers from a wide range of industries – retail, agriculture, restaurant and fast food, nail and beauty, domestic work, and garment work.

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The Ms. Foundation, the National Women’s Law Center, and the six organizations collaborated on a participatory survey research endeavor that focused particularly on workers’ child care needs, and how

the often challenging and sometimes abusive working conditions in low-wage jobs – including very low pay, difficult scheduling practices, lack of supports like paid sick days and family leave, and discrimination – affect parents’ ability to find and maintain high-quality, affordable child care. The research also focused on the special challenges facing immigrant workers, including language barriers and their often precarious immigration status.

All of the organizations convened in New York City in March of 2014 to discuss the findings from their research and to develop an agenda for action. While the method of gathering information and the number of participants varied widely among the organizations, the research revealed challenges shared by working parents across low-wage occupations, as well as some specific to particular industries. This interim report provides preliminary information about the organizations’ findings. A forthcoming report will describe the findings in further detail.

Parents working in these low-wage jobs confronted significant barriers to obtaining the high-quality child care they wanted for their children: very low wages and high child care costs, limited information about child care options, lack of access to assistance, and challenging work schedules. As a whole, the information workers provided paints a picture of incredible resilience – many workers were able to find some type of child care so they could hold on to their jobs, despite the formidable obstacles. But it also paints a picture of a child care system that seems totally inaccessible to many workers and fails to provide the early learning opportunities they want for their children, and of workplace policies and practices that place incredible strain on working parents and their children, who all suffer considerable stress as a result.

Across all of these industries, employers frequently shifted the risk of doing business onto low-wage workers – taking actions such as keeping employee headcount high but providing very few hours to any individual employee; requiring workers to stay past their shifts in order to keep their jobs or to be available to work on a moment’s notice if the pace of work increased; and penalizing workers when they needed to call out sick. Not only did these practices make it difficult for workers to make ends meet, but they also wreaked havoc on caregiving responsibilities and other family obligations. These problems are discussed in greater detail below.

Organizations fighting for workplace justice come together around child care

Collectively, the organizations involved in this project bring broad and diverse expertise in: worker organizing campaigns and law and policy reform to improve wages and working conditions for workers in low-wage jobs, including access to child care and other work supports; and addressing the particular challenges facing workers in key low-wage industries, including by highlighting women's disproportionate share of low-wage jobs and the implications for workers and their families.

ADHIKAAR FOR HUMAN RIGHTS AND SOCIAL JUSTICE works within New York's Nepali-speaking communities, one of the fastest growing immigrant groups, to promote human rights and social justice. The majority of the workers served by Adhikaar are recent immigrants from Nepal, India, Tibet, Bhutan, and Burma. Most of Adhikaar's members are women working in domestic services – often as nannies – or in nail salons. Adhikaar works to improve workers' rights, access to health care, and immigrant rights through direct services, policy advocacy, and community organizing. With coalition members, Adhikaar successfully campaigned for New York's Domestic Workers' Bill of Rights, a groundbreaking piece of legislation recognizing the rights of domestic workers. Adhikaar also continues to advocate for meaningful language access in hospitals and fair, humane immigration laws.⁵

THE COALITION OF IMMOKALEE WORKERS focuses on workers' rights, corporate responsibility, and sustainable food, and is a leader in the fight to end human trafficking and workplace sexual harassment and abuse. Based in Immokalee, Florida, the organization serves the large, often isolated, farmworker community, made up primarily of Latino, Haitian, and indigenous peoples. The Coalition of Immokalee Workers' Fair Food Program has created transformative change in the lives of women workers.⁶ Participating employers must abide by a human-rights-based Code of Conduct that includes zero tolerance for practices such as sexual assault and forced labor, and participating buyers help support wage increases for workers by paying a penny more per pound of tomatoes.⁷

THE GARMENT WORKER CENTER organizes garment workers – of whom there are 45,000 in Los Angeles County, California – to fight for improved working conditions and fair treatment. GWC addresses systemic problems such as wage theft, unhealthy and unsafe working conditions, and the abusive and inhumane treatment of workers. GWC hosts worker-led "Know Your Rights" workshops about wage rights, health and safety in the workplace, and collective organizing. GWC also recently partnered with the UCLA Labor Center to research current working conditions for low-wage garment workers, and then train workers on leadership development and community organizing to empower the community to fight for workplace justice.⁸

THE RETAIL ACTION PROJECT AND CENTER FOR FRONTLINE RETAIL are New York-based partner organizations made up of retail industry workers, who are primarily women, immigrants, and people of color. Working together, these organizations focus on workplace justice campaigns, particularly through their Just Hours campaign, which promotes fair work scheduling and fights wage theft. Their research highlights the problems of abusive scheduling practices. They are leaders in the effort to create city and state legislation to ensure predictable and fair scheduling for low-wage workers. They also fight for paid sick days, raising the minimum wage, ending unfair employer credit checks, and eliminating discrimination against workers, particularly women, people of color, immigrants, and people who are lesbian, gay, bisexual, and transgender.⁹

RESTAURANT OPPORTUNITIES CENTERS (ROC) UNITED is a national restaurant workers' association that focuses on improving working conditions and treatment of its members, who are largely women, immigrants, and people of color. ROC United has a three-pronged strategy, which includes organizing around workplace fairness campaigns, promoting "high road" restaurants, and consumer advocacy that leads to policy change. ROC has successfully led 13 campaigns against exploitation in high-profile restaurants, advocates for access to paid sick days, and fights discriminatory hiring, promotion, and disciplinary practices in the restaurant industry. ROC also promotes raising the current federal minimum cash wage for tipped workers, which has been just \$2.13 an hour since it was set in 1991, as well as eliminating the separate subminimum tipped wage to guarantee fair pay for these workers.¹⁰

THE NATIONAL WOMEN'S LAW CENTER works to promote equality and opportunity for women and girls in the United States. The Center has fought to pass and enforce new laws; litigated groundbreaking cases all the way to the Supreme Court; and educated the public about ways to make laws and public policies work for women and their families. The Center advances issues that cut to the core of women's lives in education, employment, family economic security, child care and early learning, and health and reproductive rights – with special attention given to the needs of low-income women and their families. Highlighting the growth in low-wage jobs held by women, and raising the floor for women in low-wage jobs by improving wages and working conditions and providing child care and other crucial work supports are central to the Center's work.¹²

THE Ms. FOUNDATION FOR WOMEN has worked for 40 years to bring attention to the real challenges facing women, especially women of color and low-income women, living in poverty, working paycheck to paycheck, or both. The Foundation tirelessly advocates for national and statewide policy change that will address these challenges, and supports more than 100 organizations throughout the country that are working for change on a grassroots level, focusing on key issues from women's health to economic security to safety from violence. The Foundation's partnerships translate into profound, tangible impacts within communities, building toward a nation of justice for all.¹¹

Survey and focus group findings

The worker justice organizations conducted surveys and focus groups drawing from a set of questions developed by the National Women's Law Center. Findings from these surveys and focus groups indicate that workers in low-wage jobs faced numerous challenges in securing stable, affordable, high-quality care, and that these challenges were compounded by difficult work schedules, employers' unwillingness to accommodate workers' family responsibilities, and, in some cases, the workers' immigration status.

Child Care Options Limited by High Costs and Other Barriers

The child care options used by parents in low-wage jobs varied greatly across industries, but some common problems emerged.

High cost of care. The average annual cost of full-time care for one child can be nearly \$4,000 to over \$16,000, depending on the type of care, the age of the child, and where the family lives.¹³ For many workers in low-wage jobs, child care costs are simply unaffordable. Although the workers surveyed by the organizations – based in different locations around the country – reported paying varying amounts for child care, many workers spent 30 percent or more of their income on child care. This matches the percentage of income spent on child care by families in poverty nationwide who pay for care (30 percent), and is significantly higher than the percentage of income spent on child care by families at all income levels who pay for care (7 percent).¹⁴ The high cost of care limited the child care options for many workers; a number of participants said they would change their care arrangements if cost were not an issue.

Provider accessibility. Provider location was also important for many families, particularly when workers had limited access to transportation or little time to travel long distances for child care. For example, in one focus group, a retail worker mentioned that she wanted her son to participate in the

7%

**THE PERCENTAGE OF
INCOME SPENT ON CHILD
CARE BY FAMILIES AT ALL
INCOME LEVELS
NATIONWIDE WHO PAY
FOR CARE**

30%

**THE PERCENTAGE OF
INCOME SPENT ON CHILD
CARE BY FAMILIES IN
POVERTY NATIONWIDE
WHO PAY FOR CARE**

Source: U.S. Census Bureau, Survey of Income and Program Participation (SIPP) Data on Child Care (2013).

prekindergarten program in their neighborhood, but the program was full and had a long waiting list. She had the option of enrolling her son in another program much farther away, but the added time and cost of a longer commute was not feasible with her work schedule.

Lack of stable care or back-up care options. Some workers reported that their children were cared for by multiple providers throughout the week, depending on who was available during the hours they were scheduled to work. The very low wages received by many workers meant they were unable to pay for alternative back-up options or hold a regular spot in a child care center that might go unused if they were not scheduled on a particular day.

Care during nonstandard work hours. Many workers reported that they needed child care during night and weekend hours, and that there were particular challenges associated with care during these times. Provider rates were generally higher during these hours, and working late at night was especially difficult. For example, one worker reported that she had a long subway commute from work late at night to pick up her child, followed by another commute by bus with her sleeping child. For some, working the night shift allowed them to share child care responsibilities with a spouse who worked the day shift. While this was a cost-saving measure and allowed children to be cared for by family members, it meant that parents spent very little time together.

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Given these constraints on their child care options, many workers relied on informal (family, friend, and neighbor) care. Parents turned to this type of care because it was affordable and offered the necessary flexibility. Trust was also a key factor in choosing care, particularly when the provider was a family member. Some participants, including those interviewed by the Garment Worker Center, emphasized that shared language and cultural understanding was highly valued among potential providers.

While informal care had these advantages, some parents using informal care expressed concerns about the quality of care in these settings. For example, some workers reported that their children had missed medicine and been left in soiled diapers or high chairs for long periods. A number of parents, including those interviewed by the Coalition of Immokalee Workers, said they had no choice but to rely on informal providers who cared for many children – up to 15 – at one time. Some parents whose children were in

informal care expressed the desire for a more educational experience for their children, particularly for children who were preschool age.

Child Care Assistance Inaccessible for Most

Workers interviewed by all of the organizations indicated that they encountered significant barriers to accessing government programs that could help them afford high-quality child care and early education. Few participants from any of the organizations received child care assistance or participated in other publicly funded early care and education programs, such as Head Start.

Lack of information. Overall, workers seemed to have very little information about the types of publicly funded early care and education programs. They were also unaware of the assistance that might be available to them, where they should go to get help, and whether they would qualify.

Eligibility concerns. Even if workers did know about the programs, they often assumed they could not qualify for help. For some, verifying income could be a challenge because of changing or unstable work hours. For others, concerns about immigration status prevented them from seeking assistance. Adhikaar's participants were particularly concerned about the possible long-term effects of receiving government assistance; some workers (incorrectly) believed that child care assistance could affect their children's college opportunities or lower their family's credit score.

Additional barriers to assistance. Other barriers identified included a mistrust of government, language barriers, and the amount of time involved in applying for and maintaining assistance.

Rigid, Unpredictable, or Unstable Work Schedules Profoundly Complicate Parents' and Children's Lives

Work schedules had a significant impact on workers' ability to access and maintain child care. Although work schedules varied significantly across industries, some common problems emerged. Whether full-time or part-time, workers often dealt with unpredictable schedules and extreme variations from day to day or week to week in the amount of hours they were scheduled to work. The ability to have some control over work schedules was highly coveted by parents,

although many workers reported that their work schedules were extremely rigid, and that they had little to no control over them. Many parents said they feared retaliation if they asked for changes to their schedules. Some even expressed a willingness to put up with employers' abusive practices, including wage theft and unsafe conditions, in exchange for having a modicum of control over their schedules. Some workers reported that in response to requests to not work certain shifts, their hours were cut drastically. Many reported juggling additional part-time jobs because they could not get enough hours or earn enough in their primary job. Workers across industry sectors noted that they often did not have paid sick or vacation days. Workers on nonstandard schedules who worked nights and weekends often had a particularly difficult time arranging child care.

Common scheduling challenges

- Unpredictable and unstable hours**
- Little worker-driven flexibility**
- Involuntary part-time work**
- Nonstandard schedules**

In addition to these shared challenges, workers in each industry reported scheduling problems that were specific to their industry:

Retail workers. Workers who spoke with the Retail Action Project said that they often received their schedules only one or two days in advance, and sometimes the same day, which meant they had to cobble together child care and transportation at the last minute. These unpredictable schedules also made it difficult to hold down a second job or go to school.¹⁵ In addition, workers reported extreme variability in the number of hours they were scheduled to work from one week to the next, which left them without sufficient income to afford a spot in a child care center.

Farmworkers. The farmworkers interviewed by the Coalition of Immokalee Workers generally worked full-time hours, rising very early to be picked up and taken out to work in remote fields, and then returning very late. Because workers were driven out to the fields by their bosses, there was often no way to return during the work day in the event they needed to tend to a sick child or attend a doctor's appointment, for example. Farmworkers seeking child care assistance also reported financial eligibility problems, as they often were paid in cash and lacked paycheck stubs required to verify employment. Workers' incomes also varied greatly depending on the season, causing their eligibility for assistance to change frequently.

Garment workers. Garment workers work very long hours, beginning early in the morning and coming home late at night, and many work six days a week. Wage theft and payment of wages below the minimum wage are common problems in the industry.¹⁶ Workers reported that they often were required to work many more hours than were officially reported. Among those workers interviewed by the Garment Worker Center who asked for schedule changes, half had their requests denied. Some parents brought young children with them to the factories because of the high cost of child care and lack of other alternatives.

Restaurant workers. ROC United participants reported erratic or unpredictable schedules, and they often struggled to find child care for last-minute shifts. The cost of care, particularly for tipped workers making the current federal minimum cash wage of only \$2.13 an hour plus tips, was a major concern for those in the restaurant industry. In addition to unpredictable and unstable work hours, many workers said that their caregiving responsibilities prevented them from being scheduled for desirable shifts in the evenings and on weekends, when child care was more expensive. Workers also had long commutes between home, child care, and work that averaged nearly an hour one way. Two out of five women reported having last-minute shift changes that impacted their child care, and nearly a third of workers reported that they had been required to stay past the end of a scheduled shift and, as a result, paid fines to child care providers for picking their children up late.¹⁷

Nail and beauty, child care, and other domestic workers. Adhikaar reported that the demands of difficult schedules across the low-wage industries in

which their members worked – including nail salons, child care, and other domestic work¹⁸ – combined with the high cost of care for their own children, led some workers to send their young children back to their home countries to live with grandparents until they were in middle school. Others interviewed by Adhikaar reported that these demands led them to exit the workforce entirely, which resulted in financial hardship.

Employers' Practices Frequently Disadvantage Working Parents and their Children

Workers showed incredible ingenuity and resilience in finding child care for their children, even when it required long commutes, last-minute calls to family, friends, and neighbors, or costs well beyond what they could reasonably afford. But despite their best efforts, they were sometimes unable to arrange care.

Negative consequences at work when child care fell through. Having few or no back-up options for child care was a widespread problem, and parents generally relied on family members or missed work if their child care arrangements fell through. When this happened or when other caregiving responsibilities arose that took them away from their jobs, workers experienced negative consequences at work. Some parents reported that they ultimately left their jobs because of schedules that made it too difficult to care for their children or arrange child care. Others, including those who spoke with ROC United, said that they received less desirable shifts or fewer hours when caregiving responsibilities led them to arrive late or leave early.

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Discriminatory hiring and discipline. Some parents said they had dealt with employers who simply would not hire workers with families. Retail workers reported being disciplined for missing work, arriving

late, or being unable to work last-minute overtime because of child care challenges. Some retail workers also expressed a fear of experiencing retaliation or other adverse actions because of their caregiving responsibilities.

Immigration Status Leaves Some Workers More Vulnerable

Concerns about immigration status entered into many parents' calculus about whether to apply for government assistance and how to interact with employers.

Mistrust of public assistance. Some parents believed – often incorrectly – that their immigration status or the status of family members would make them ineligible for child care assistance.

Fear of retaliation. Parents expressed concerns about challenging employers' scheduling practices because they feared that employers would respond in ways that might jeopardize their immigration status. Some parents, particularly garment workers, were members of mixed-status families, and many non-citizen workers had children who were U.S. citizens.

Policy, practice, and organizing solutions

Workplace justice for workers in low-wage jobs requires access to high-quality, affordable child care, and improved working conditions including: decent wages, starting with increasing the minimum wage and tipped minimum wage; establishing fair work scheduling practices; providing paid sick days and family leave; ending harassment and workplace discrimination, particularly against caregivers and pregnant women; and addressing the occupational segregation of women into female-dominated jobs, which are often low-paid precisely because they are done by women.

At this convening, representatives from each of the organizations discussed a number of potential recommendations and strategies to achieve some of these goals. An overview of those initial recommendations is below.

Child care recommendations. Providing substantial additional investments and designing child care assistance policies so that they respond to families' diverse needs would help low-wage workers obtain stable, high-quality early care and education for their children. From defining policies' work requirements so that they are more flexible for nonstandard schedules – e.g., basing eligibility on average monthly work hours rather than hours worked each day or each week (which can fluctuate often), or allowing subsidies to be used to cover parents' overnight work hours and sleep time during the day and support for providers who offer more flexible child care – to simplifying the application process for assistance, improved policies could make these programs much more accessible for parents in demanding low-wage jobs. Other important strategies include supporting informal (family, friend, and neighbor) child care providers to ensure more high-quality care and funding full-day preschool programs to give children an early learning experience during the day regardless of their parents' work hours. Implementing these policies and initiatives requires a sufficient investment of resources in child care and early education.

Labor and employment policy recommendations. Raising the minimum wage and tipped minimum wage, enacting paid leave and paid sick days, and prohibiting discrimination against caregivers are essential to allowing workers to both care for their families and hold down a job. Strategies to curb abusive scheduling practices are also crucial. These include requiring employers to: provide advance notice of work schedules; disclose at the time of hire the minimum number of hours that will be assigned to a particular employee on a weekly or monthly basis; provide reporting time pay to employees who are called in and sent home from work without working their scheduled shifts, or who are assigned on-call shifts but not given any work; and accommodate scheduling requests without retaliating against workers by cutting hours or taking other adverse actions. Policies that strengthen workers' ability to form unions so that they can bargain collectively for wages and working conditions that accommodate family life are also crucial.

Organizing recommendations. A number of organizing strategies could amplify workers' voices with policy makers and employers – and help prompt policies and practices that would enable workers to

have greater access to affordable, high-quality child care, improve working conditions, and have a better quality of life for themselves and their families. Organizers offered a range of innovative strategies used in other areas of their work that could be applied to the problems of unaffordable and unstable child care and working conditions that are often incompatible with family life. Some of the possible strategies discussed included: campaigns to raise the minimum wage and tipped minimum wage; advocacy for employer codes of conduct and shareholder resolutions pertaining to fair work schedules, paid leave, paid sick days, and child care; consumer education and engagement campaigns; and collective bargaining provisions pertaining to fair work schedules, paid sick days, paid leave, and child care.

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Conclusion

Working conditions in low-wage jobs make it profoundly difficult for parents to both succeed and advance at work, and care for their families. The jobs held by the workers who participated in the surveys and focus groups not only paid low wages, but they also often involved difficult work schedules, as well as limited access to sick and family leave. On its own, any one of these conditions of low-wage work would be stressful. Together, they can make it nearly impossible for workers in low-wage jobs to access and maintain the affordable, high-quality child care that they need to maintain employment and for their children to thrive. These are among the most urgent problems facing workers today. A forthcoming collaborative report will draw on the participatory survey research conducted by the organizations to further highlight these problems and present a more detailed agenda for action.

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