



**NETWORK**  
**Connection**

PEOPLE LOBBYING FOR SOCIAL JUSTICE • FOURTH QUARTER 2010

# **Jobs and Justice: On Work and Dignity**

## dear members

I am writing this in the “breathless” month of September. After months of dawdling in the Senate, it feels like all of a sudden everyone has tried to move everything—from the START Treaty, to immigration, to small business support, to TANF emergency funds! I feel like there are about 15 people trying to get through a narrow door, all at the same time. It is quite crowded, and we are feeling squeezed on all sides!

People often say to me, “I don’t know how you can lobby and not get burned out!” I know that it is in these pressured times when our agenda items are moving that hope is nourished. But it is also overwhelming! On these days when it is challenging to keep up with it all, I love it when Jean calls out the number of emails that have been sent in the action center. I am renewed when Ann shares a note of appreciation that a member has sent.

So in these pressured times, when it might be tempting to succumb to the anger of media-promoted people who just stir conflict, I rely on the sense of our members to keep us going. This is the work of faith in our midst. Thank you for the way that you ground us in reality and nourish our spirit. On the pressured days, YOU are what keep us going. Thank you!

*Simone Campbell, SSS*



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NETWORK members inspire NETWORK staff every day, bringing joy to our jobs. Thanks for all that you do!



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A National Catholic Social Justice Lobby

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## The Meaning of Labor

BY SIMONE CAMPBELL, SSS

It has been very difficult to write this article about work. I lament the high unemployment rate and the reluctance of cash-rich American corporations to create new jobs. I am preoccupied with the fact that many are paid minimum wage and do not have enough to support their families. I worry about an economy based on consumption and question the meaning of the work to create consumer goods. What sort of a society are we building when workers earn too little to support themselves or don't feel that they are contributing to the common good?

Then we see the chilling poverty statistics reported by the U.S. Census Bureau in mid-September. Poverty is up along with unemployment and underemployment. It seems a luxury for many to be able to choose meaningful work when they are desperate for ANY work. It is also worrisome that more and more families with working adults rely on food stamps (SNAP benefits) and food pantries just to meet their families' basic needs. Finally, many low-wage workers depend on government-subsidized benefits for child care and transportation because they cannot afford these costs

on the salaries that they receive. All of these are really business benefits in my book because they allow employers to pay low wages and still get workers. Without these benefits, there would not be a pool of workers to fill these jobs.

This struggle brought me to consider a recent interview we had with an applicant for a position here at NETWORK. We asked why she wanted to work here. She stated that what she most wanted was a job where she felt like she was contributing to an overall goal and was not having a lot of time to play on the computer. She wanted to make a difference in the larger picture.

For me, her statement set up the heart of what Catholic Social Teaching says about work. In the encyclical *Charity in Truth*, Pope Benedict states that workers have the right to have freely chosen work that contributes to the building up of the community, as well as to earning enough to meet their families' needs (including their children's educational needs). They also have a right to a decent standard of living when retired. Isn't this what we all seek?

While advocating for needed worker benefits, I was brought up short by the discovery of another class of workers that I had been ignoring in my lament. All of a sudden I realized that Hill staffers, White House and administration staffers, and NETWORK staffers are all workers seeking to build up our society.

Many work long hours, do creative problem solving, and labor diligently to realize the ideals of our democracy. While we might disagree politically, I realized that everyone on the Hill has some sense of working for the whole of our nation and our world. I had forgotten that we are all workers in a way that Pope Benedict described. His words are not about "them," but about "us."

This is the heart of the issue: we are all workers! As such, we must have a commitment to the common good that includes all of us. All are entitled to meaningful work, to a living wage, and to building up the community. But where do we start? Maybe a way forward is to raise up the meaning of work. Maybe we should focus on how street sweepers, coffee pourers, cash register personnel, Hill staffers, assembly line workers, TV camera people and pundits, etc., etc. all have a chance to build up our society. Maybe our demand needs to be for positive work that adds to who we are as a people and does not detract from one group or favor a special interest.

We need the sense that we are all workers in building up our society. We need to insist that everyone lives up to the task and the challenge. This is practical Catholic Social Teaching for a better society.

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*Simone Campbell, SSS, is NETWORK's Executive Director.*

# Worker Justice

By JOSEPH J. FAHEY

On March 25, 2011, we will honor the memory of 146 workers who perished in the Triangle fire in New York City. The day after this tragedy, the bodies of more than 100 young women and two dozen men were placed on Charities Pier (known as Misery Lane) in Manhattan, and thousands attempted to identify the remains of bodies that were mostly unidentifiable due to the terrible fire. The few that could be identified were those of workers who had jumped to their deaths, some holding hands as they fell. These largely Jewish and Italian workers were the special victims of

1911. Mines collapsed on them, ships sank under them, pots of molten steel spilled over their heads, locomotives smashed into them, exposed machinery grabbed them by the arm or leg or hair and pulled them in.”

In 1911, proposals for a 40-hour/five-day workweek, a living wage, safety regulations, workers’ compensation, and even bathroom breaks were regarded by employers as alien (a word that also described their workers) to American capitalism. Labor unions were also regarded as foreign imports that arrived with the anarchists and socialists from Europe.

sobering reminder that the past is present even in these more socially progressive times. Sweatshops still exist in New York City, and the slave trade continues with sex workers and other exploited immigrants who stock the cupboards of the rapacious with their sorrow, sweat and tears.

## Christians Respond

Thirty-year-old Frances Perkins, who was to become FDR’s Secretary of Labor (and the first woman Cabinet member), witnessed the Triangle fire, and it helped inspire her to campaign for the National



Firemen search a hole in the sidewalk for victims the day after the Triangle Shirtwaist Company fire of March 25, 1911; and (right) a month later, a memorial procession in memory of the 146 dead. Below right, Secretary of Labor Frances Perkins surveys the audience on December 11, 1936 before beginning her address before the Conference of Industry and Labor.

corporate greed that required them to work 60-hour/six-day weeks in conditions that were unsafe, unsanitary and unfit for human survival. The workers burned and plunged to their deaths on a Saturday, the sixth day of work.

Unfortunately, the only unusual thing about these deaths in 1911 was the large number of victims. David Von Drehle tells us in *Triangle: The Fire That Changed America* (2003): “Death was an almost routine workplace hazard in those days. By one estimate, one hundred or more Americans died on the job every day in the booming industrial years around

The vast majority of the millions of immigrants who came to the United States to pursue the American dream encountered instead a nightmare.

The reality, of course, is that the “American dream” has always been a capitalist dream that enriched the few at the expense of the masses. Most of the African, Jewish, Italian, Irish, Polish, German, Latino and Asian workers who arrived in America experienced a nightmare that found them unwelcome, underpaid and culturally despised. The fact that this assault on human dignity continues on our immigrants today is a



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Labor Relations Act in 1935. The Protestant Social Gospel championed by Walter Rauschenbusch and other progressives raged against the abuse of workers by the rich of their own denominations. The Catholic response, led by Father John A. Ryan and other scholars, laity, religious and clergy, centered on the need for a living wage and a combination of government regulations and labor unions that would secure that right.

In 1909—just two years before the Triangle fire—Father Ryan published *A Programme of Social Reform by Legislation*. Its bold proposals included the following: a legal minimum wage; an eight-hour workday; protective legislation for women and children; protection for union picketing and boycotting; unemployment insurance; provision against accident, illness and old age; municipal housing; public ownership of utilities; public ownership of mines and forests; control of monopolies; and an income tax.

These proposals also found their way into the Ryan-authored *1919 U.S. Bishops' Program of Social Reconstruction*, which was hailed as one of the most progressive documents of the day. The 1919 U.S. Bishops' statement later found its way into much of the social legislation that characterized the New Deal (indeed, Father Charles Coughlin derisively called John A. Ryan, "Rt. Rev. Msgr. New Dealer").

All Catholic proposals for social legislation rest on human rights that are found in the natural moral law that is rooted in the divine law. We do well to remember that in Catholic thought, human rights have corresponding duties and responsibilities. Hence, if workers have a natural right to fair wages and labor unions, then workers themselves *and* their employers and all in civil society have a *corresponding duty* to secure that right. The common good demands a proactive response to workers' rights—passivity and neutrality are morally repugnant postures for justice in the workplace. Faithfulness to the letter and spirit of Catholic Social Teaching



"Death was an almost routine workplace hazard in those days. By one estimate, one hundred or more Americans died on the job every day in the booming industrial years around 1911..." Above, stokers from a coal-powered steam ship, circa 1920.

calls on all of us to change attitudes and to enact legislation that will encourage and *promote* the rights of workers.

### Catholic Social Teaching on Labor Unions

It will be helpful, at this point, to recall the moral principles in Catholic teaching that serve as the foundation for workers' rights, especially as they apply to the right of association through labor unions. These principles are found in the *Compendium of the Social Doctrine of the Church* (2004), a remarkable summary of 2,000 years of official Catholic Social Teaching. To place Catholic teaching on labor unions in its proper context, you will want to study the chapters on "Principles of the Church's Social Doctrine" (pp. 71-94), "Human Work," "Economic Life," and "Political Life" (pp. 115-182). The following five principles summarize this excellent exposition of Catholic teaching on the right to free association through labor unions:

#### 1. Labor unions are indispensable for the universal common good.

Catholic teaching states that labor unions are a "positive influence for social order and solidarity, and are therefore an *indispensable element of social life*." (# 305) Further, Catholic teaching states that unions must play an active role "in the whole task of economic and social development and in the attainment of the universal common good." (#307) The Church

teaches that unions are essential to a socially just society.

#### 2. Unions are rooted in the right of free association.

In Catholic teaching, the right to form unions is neither a privilege nor a mere product of positive civil law. The *Compendium* states, "The Magisterium recognizes the fundamental role played by labor unions whose existence is connected with the right to form associations or unions to defend the vital interests of workers employed in the various professions." (#305) The Church teaches that free association is rooted in the natural law that cannot be abridged or denied by civil law. Employers may not employ a just civil law to deny a right rooted in the natural law. Hence, any attempt to deny free association is a violation of natural law that is rooted in divine law.

#### 3. Unions protect the right to fair wages and benefits.

The *Compendium* states, "Remuneration is the most important means for achieving justice in work relationships." The just wage is the legitimate fruit of work. They commit grave injustice who refuse to pay a just wage or who not give it in due time and proportion to the work done (cf. *Lv* 19:13; *Dt* 24:14-15; *Jas* 5:4). The Church further defines a fair wage as such that workers "may be furnished the means to cultivate...material, social, cultural and spiritual life and that of

his dependants...” (#302) The principle that “natural justice always is above the freedom of the contract” has led the Church to consistently reject either the payment of a “minimum wage” or a wage that, though freely negotiated, fails the higher standard of a just or living wage.

#### 4. Unions foster solidarity through participation and subsidiarity.

Solidarity—especially expressed as a “preferential option for the poor”—has long been a cornerstone of Catholic Social Teaching. Solidarity is based on “the intrinsic social nature of the human person” and the “bond of interdependence between individuals and peoples.” (#192) Subsidiarity defends “smaller essential cells of society” that serve as “intermediate associations” between the individual and the state. The *Compendium* teaches: “The characteristic implication of subsidiarity is participation... by means of which the citizen, either as an individual or in association with others, whether directly or through representation, contributes to the cultural, economic, political and social

life of the civil community to which he belongs. (#189) The Church supports unions as intermediate associations that contribute to the solidarity of all through meaningful decisions that affect the common good.

#### 5. Unions must seek cooperative relations with employers.

The *Compendium* teaches that “relations within the world of work must be marked by cooperation; hatred and attempts to eliminate the other are completely unacceptable.” (#306) The concept of “class warfare” is rejected in Catholic teaching since “both ‘labor’ and ‘capital’ represent indispensable components to the process of production.” Hence, unions must respect and work cooperatively with employers, and employers must accept unions as legitimate social entities that have a legitimate stake in the workplace. When employers and employees collaborate together in the pursuit of their individual good, the result is an increase in the universal common good.

The Catholic bishops of the United States have also spoken strongly for labor unions. In *Economic Justice for All* (1986)

they stated: “The Church *fully supports* the right of workers to form unions or other associations to secure their rights to fair wages and working conditions... No one may deny the right to organize *without attacking human dignity itself*. Therefore, we firmly oppose organized efforts, such as those regrettably now seen in this country, to break existing unions and prevent workers from organizing.” (#105)

In addition, concerning “migrant agricultural workers” the bishops stated that “labor law reform is needed to meet these problems as well as to provide some timely and effective remedies for unfair labor practices.”

Finally, the bishops declared, “We vehemently oppose violations of the freedom to associate, wherever they occur, for they are an intolerable attack on social solidarity.”

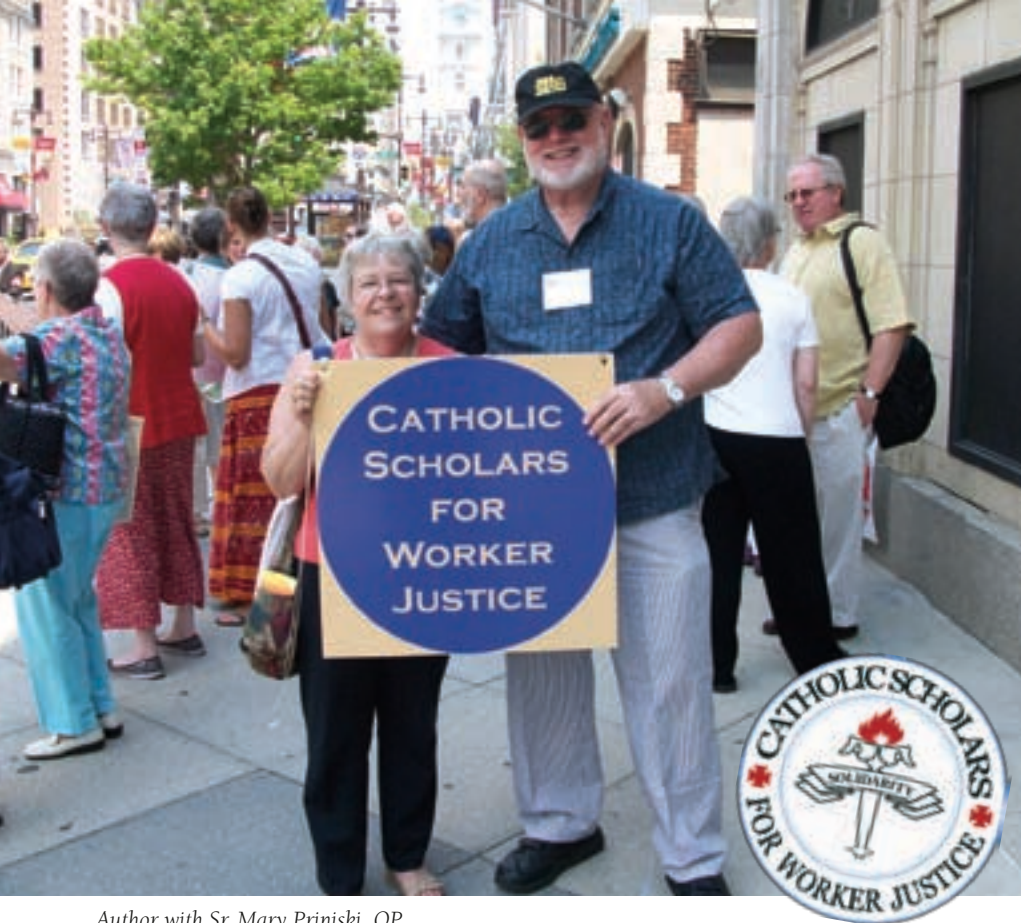
### Labor Legislation Today

The National Labor Relations Act (NLRA), passed in 1935, was the last major piece of pro-labor legislation passed by Congress and signed into law. *That was 75 years ago!* The NLRA created the National Labor Relations Board (NLRB) to administer the NLRA and to support workers as they sought to create and join labor unions. Since 1935, successive pieces of legislation (most notably Taft-Hartley in 1947) and conservative administrations have weakened and politicized the NLRB so that today many workers are extremely reluctant to turn to the NLRB because of the fear of adverse rulings or the prospect that employers can for long periods of time delay or even block elections through endless hearings and legal challenges.

When the Obama administration took office, the AFL/CIO and some major labor unions (most notably SEIU) sought passage of the Employee Free Choice Act (EFCA). The act provides for union certification if a majority of workers sign cards indicating that they want a union; strengthens the weak penalties for violating workers’ legal rights; and provides for arbitration of an initial contract if the parties cannot negotiate one on their own. A great deal of time and money was expended on EFCA in 2009, and the Obama administration prom-

A 1930s migrant field worker picks cotton in San Joaquin Valley, California. These pickers were paid seventy-five cents per hundred pounds of picked cotton. In November 1938, strikers organized under the Congress of Industrial Organizations union to demand one dollar.





Author with Sr. Mary Priniski, OP

ised to push EFCA after healthcare was passed. Obviously, that hasn't happened and the prospects of the act's passage are quite dim for the foreseeable future.

EFCA's critics argued that provision one, which allows certification cards (known as "card-check") alone to determine whether workers shall join a union, violated the time-honored secret ballot election that, they held, is sacrosanct in American life. (Card-check, however, is not new with EFCA: it has been used as a determinant for union selection since 1935.) The real opposition to EFCA was actually based on provisions two and three since they would provide sure-fire mechanisms to speed up labor contracts without the lengthy hearings and sometimes unfair labor practices in which many employers routinely engage. But by making EFCA appear to be un-American because it does not *require* the secret ballot election, EFCA's critics won a major media victory. (By the way, EFCA would allow for secret ballot elections if that is the workers' choice, but that point was lost in the debate.)

I personally believe that EFCA would have won far more popular and political support had it been named the "Employee Fair Contract Act" since that is what it is really about: *fast and fair contracts*. In addition, a provision for voluntary secret

ballot elections should have featured prominently in the act to overcome the critics who, unfairly in my view, hold that a secret ballot election is the only valid method through which workers (or anyone else) may make binding decisions in a democracy. (Also, the EFCA label lost support among some Catholics since they confused the Act with pro-abortion legislation because of the words "free choice".)

In any event, since this legislation appears to be dead, it is of little utility to continue this debate, especially for Catholics. What we must be about is seeking to join together to support labor legislation that is based on the Catholic moral principles outlined above. We can build on the ashes of EFCA by promoting legislation that would:

- Promote worker rights as essential to the universal common good
- Guarantee the right to free association through worker-selected employee unions throughout the land
- Establish national living wage and benefit standards
- Require that all union elections and policy decisions be conducted democratically
- Provide for speedy contracts that include arbitration provisions in case of impasse

- Provide for strong economic sanctions and recompense by employers who engage in wage theft or union officials who steal union funds
- Require that free speech be allowed in the workplace for employers, workers and labor organizers
- Legalize secondary boycotts as acceptable methods to demonstrate worker solidarity
- Recognize that the strike (including a sympathy strike) is a legally acceptable way for all workers to seek justice in the workplace
- Encourage educational programs that promote cooperation and reconciliation between employers and employees.

Obviously, this is quite a comprehensive list, and I believe a solid case can be made for these labor reforms based on Catholic moral principles (more proposals can, of course be added). Sincere people will disagree as to the wisdom or the appropriateness of one or the other (as we have with EFCA), but let us unite in a commitment to begin a vigorous dialogue on these matters. There is a raft of empirical evidence that demonstrates that the U.S. worker is in worse shape than at any time since the 1950s. We are working longer hours for less pay; we are losing our homes at an alarming rate; job security increasingly depends on the whim of our bosses; and labor unions are in the decline. Millions are mired in debt and despair, and children are growing up without hope. We must act, and we must act now.

As we gather on Waverly Place in Greenwich Village next March 25 to honor the lives of the immigrant workers who perished in the Triangle fire in 1911, let us do so with hope in our hearts and with a prayer that they did not lose their lives in vain. Let us recover the zeal of those Catholics who labored mightily for labor legislation that would remedy the ills that caused such tragic deaths. Let the deaths of these young workers motivate us once again to press for labor reforms that, though we may not live to see them, will surely happen.

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*Joseph J. Fahey is Professor of Religious Studies at Manhattan College in New York City and Chair of Catholic Scholars for Worker Justice, [www.catholicscholarsforworkerjustice.org](http://www.catholicscholarsforworkerjustice.org).*

# As the 111th Congress Draws to a Close...

BY MARGE CLARK, BVM, AND THE NETWORK ISSUE STAFF

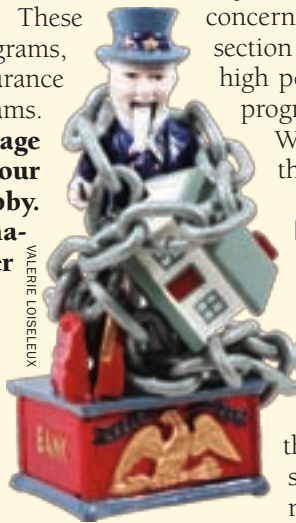
The United States Census Bureau released its newest poverty statistics on Sept. 16, and the numbers are staggering—43.6 million people in the U.S. lived in poverty in 2009, the highest number since statistics were first kept 51 years ago. As reported in the last issue of *Connection*, our new study of TANF (Temporary Assistance for Needy Families) showed that this critical program has not adequately addressed the expanding crisis.

We cannot ignore the suffering of tens of millions of our neighbors, including more than one in three of all African American and Hispanic children. As people of faith—and as citizens—we must convince our government to address poverty in new, more effective ways. During this election season, contact your candidates, listen to what they have to say about poverty, and vote accordingly. We need a Congress that will act for the good of all.

It is also important to contact your current members of Congress, whether or not they are running for re-election. Their lame duck session, scheduled for the week of November 15 (after the election), will be a critical time for considering legislation not passed before they passed the Continuing Resolution (CR) and left on September 30. Numerous human needs measures were added to the CR, keeping programs functioning until December 3. These include school meal programs, TANF, unemployment insurance and other critical programs. **Please note: We encourage you to frequently visit our website ([www.networklobby.org](http://www.networklobby.org)) for up-to-date information about these and other critical bills.**

## Housing

For more than a decade, advocates have worked to establish a National Housing Trust Fund (NHTF), which was finally autho-



VALERIE LOISELUX

rized in July 2008. Sadly, however, it remains unfunded. NETWORK and our partners continue to advocate for this program to reduce homelessness and provide livable housing for all members of our communities. Legislation has passed in the House more than once. Senate members keep trying to attach it to other “must-pass” bills. The Tax Extender bill, which will be debated in the lame duck, is a possible vehicle.

## Helping Families

The TANF program was extended in the CR until December 3, without the necessary improvements. Sadly, the TANF Emergency Contingency Program, which provided about 250,000 jobs, was allowed to expire on September 30—adding to the unemployment numbers.

## Child Nutrition

The CR allows for continuation of the school meal programs, eliminating other non-school-based programs. NETWORK will work hard to gain improvements to the program in the lame duck session, when it will again be considered in the House.

## Safety Net and Jobs

Despite the need, it has been difficult for jobs bills to get traction because of concerns about the deficit. The intersection of high unemployment and high poverty rates makes safety net programs even more critical. NETWORK continues to work for the re-weaving of the net.

## Budget and Appropriations

Congress has not been successful in passing a joint budget resolution. The House passed 2 of 12 appropriations bills and the Senate none (although some have passed out of committee). The CR was passed



and sent to the president hours before much of the federal government would have shut down. When House and Senate members return, they will need to debate and vote on the remaining appropriations bills—or combine them in an “omnibus” bill.

## Unemployment Insurance

The unemployment rate stood at 9.6% in August. In late July, the House and Senate passed an extension of unemployment benefits for the long-term unemployed whose benefits had been expired for months. This extension ends November 30 unless a further extension is enacted. NETWORK urges Congress to pass a longer extension of benefits, given the increase in long-term unemployed workers.

The unemployment rate in tandem with the poverty rate presents a grim near-term picture. Clearly, much of the increase in poverty is due to unemployment. Until significant numbers of jobs



**Need up-to-date information about legislation in Congress? Check out NETWORK's Legislative Action Center at <http://capwiz.com/networklobby/issues/bills/>. ★ To learn what happened to legislation you followed in the past, go to <http://capwiz.com/networklobby/issues/votes/> and enter your zip code in the “Key Votes” field.**



are created, it is critical that unemployment benefits continue to be extended.

### Immigration

Once again, a session of Congress is ending without action on comprehensive immigration reform. The closest we got to immigration action was the effort by Senator Durbin to pass the DREAM Act by including it on the Defense Authorization Bill. There is a glimmer of hope that this can be done during the lame duck session. Keep your eyes open for the emailed updates that will let you know if this happens.



### Peacebuilding

The drawdown of troops in Iraq has happened. NETWORK continues to advocate for robust U.S. diplomatic and development efforts in order to bring stability to this war-torn country. It is a challenge to accomplish this because all efforts must be done in conjunction with the Iraqi government. There is no government at this point, as they have not worked out a coalition following the March, 2010 elections. This very fact is creating grave instability in the region. Additionally, NETWORK is investigating information about some refugees trafficking children and women because of their desperate economic plight. We do not have firm data on this yet, but we are trying to raise our concerns with the State Department and the White House. We will let you know when we have more information.

### A New START

On September 16, the Senate Foreign Relations Committee voted 14 to 4 to approve the New Strategic Arms Reduction Treaty (“New START”) that President Obama negotiated with Russia and signed in April. Senators Richard Lugar (R-IN), Bob Corker (R-TN), and Johnny Isakson (R-GA) joined all the Democratic senators on the committee in voting to approve the agreement. The treaty must now be taken up by the full

Senate, where 67 votes are required for approval. It appears that New START has significant bipartisan support, but there is no guarantee that it will be given time on the Senate floor for a vote.

New START represents a critical step toward a world free of nuclear weapons.

The treaty will reduce the number of deployed nuclear weapons in the arsenals of the U.S. and Russia from 2,200 to 1,550 each. It will reinstate inspection and verification processes, by which the U.S. can confirm Russia’s compliance with weapons limits. New START has the overwhelming support of military and national security experts of both parties, including current and former commanders of our nuclear weapons, Colin Powell, Henry Kissinger and many others.

Unless Senate leaders make New START a priority and bring it to the floor



*The Crossed Swords (Arches of Victory) in Baghdad, Iraq.*

for a vote, this opportunity could be lost entirely. The failure of New START would also hurt the chances of future non-proliferation and disarmament efforts. NETWORK intends to pressure the Senate to vote on New START before the end of this year.

### Healthcare

We continue to celebrate passage in March of healthcare reform, the life-saving Patient Protection and Affordable Care Act. As it reached its six-month anniversary, some important changes took effect:

- Children are protected from denial of coverage because of preexisting conditions.
- Lifetime limits on coverage are banned, and annual limits restricted.
- Preventive services are covered.
- Young adults can stay on their parents’ insurance up to age 26.
- Small businesses receive tax credits for providing insurance for their employees.

Some legislators who opposed the bill are working to dismantle it. In the last several weeks, amendments that failed in the Senate would have eliminated the funding for preventive care—in order to offset the cost of child nutrition improvements.

*Marge Clark, BVM, is a NETWORK lobbyist.*

### Selected U.S. Census Bureau Poverty Statistics, 2008–2009

	2008	2009
Poverty Rate	<b>13.2 %</b> 39.8 million	<b>14.3%</b> 43.6 million
Poverty Rate – Single Female Head of Family	<b>28.7 %</b>	<b>29.9 %</b>
Poverty Rate – Single Male Head of Family	<b>13.8 %</b>	<b>16.9 %</b>

Your state’s data for percentage of people in poverty, using two- and three-year averages (2006–2007 and 2008–2009), is available at: [www.census.gov/hhes/www/poverty/data/incpovhlth/2009/state.xls](http://www.census.gov/hhes/www/poverty/data/incpovhlth/2009/state.xls)

**Want timely information about key issues in Congress? NETWORK members can sign up for our weekly email legislative hotline. Send your name, zip code and email address to [jsammon@networklobby.org](mailto:jsammon@networklobby.org).**

# Justice for Domestic Workers around the World

BY MANUELA TOMEI

Domestic workers may cook, clean, and take care of children, the elderly or people with disabilities, and even domestic animals. While they are overwhelmingly women, many of them migrant workers, men are also employed as gardeners, guardians in private homes, or family chauffeurs.

They may work for one or more employers on a fulltime or part-time basis. They may also be self-employed with substantial control over the terms of their work, or they may provide services in individual homes while being paid by licensed institutions. These workers, especially fulltime migrant domestic workers, may also live in the employers' homes.

aged by the HIV/AIDS pandemic.

Changes in the organization and intensification of work and the marked rise in female labour participation rates, which has reduced women's availability for unpaid care work, are responsible for this rise. Besides, the ageing of societies, intensified national and international female migration, and the decline in State provisioning of care and social services have made it increasingly difficult for families to reconcile paid work with family responsibilities. As a result, reliance on domestic work has increased everywhere across the world as a private strategy to counter mounting work-family tensions.

to verbal and physical violence. There are frequent media reports on such violence, including suicides and homicides in the worst cases.

Serious decent work deficits facing domestic workers are a consequence of their legal and social vulnerability. Domestic workers are excluded either de jure or de facto from the effective protection of national labour law and social security regimes—both in industrialized and developing countries. Domestic workers, for instance, have limited access to the kind of protections that could ensure them safe and healthy pregnancies and births, a replacement income when they are on maternity leave, and the right to return to their jobs. In some countries, the law allows the dismissal of domestic workers in case of pregnancy. Elsewhere, this practice is unlawful, but anecdotal evidence suggests that pregnancy-based lay-offs still occur and are more frequent among domestic workers than among other categories of workers.

Another flagrant case is the exclusion of domestic workers from the scope of occupational safety and health legislation in most countries, as the household is erroneously perceived as safe and non-threatening. Access to social security benefits is more likely to be granted under general social welfare systems that provide universal and egalitarian access to health-care and age-based pension entitlements, but unemployment insurance coverage is an entitlement which only a few countries provide to domestic workers.

If decent work is to become a reality for them, their specific characteristics must be acknowledged and understood. It is indeed common for general labour and social security legislation to overlook specific characteristics of domestic work relationships and to leave them to individual employers to resolve.

## Domestic Work Characteristics

Domestic work differs from other types of work in many respects.

First, domestic work does not take place at a factory, office, street or farm, but in the home. It therefore escapes the

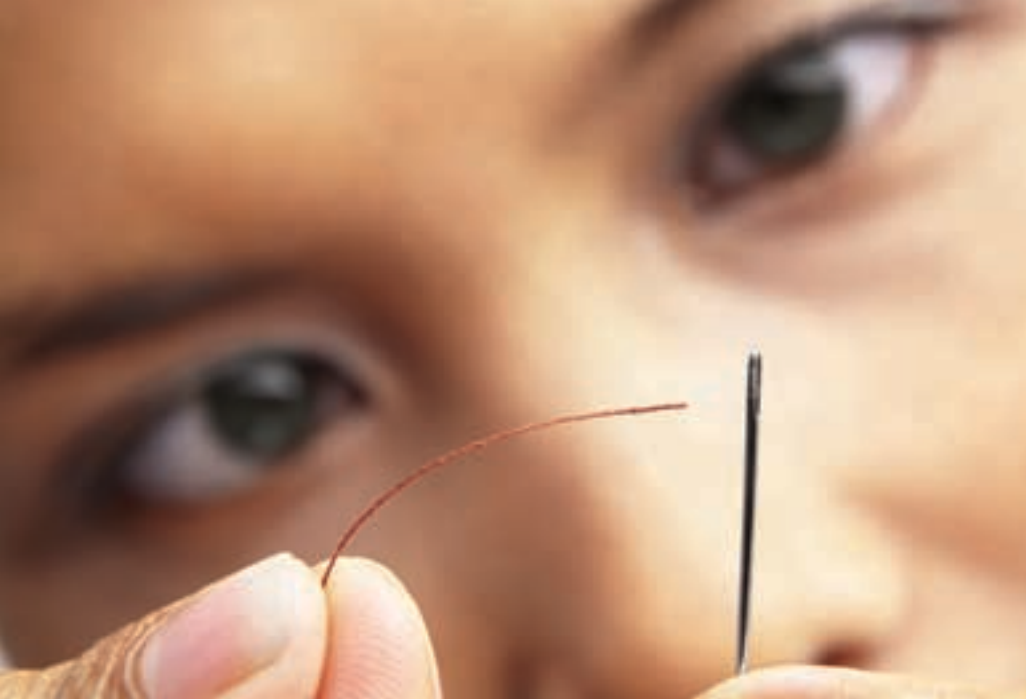


JAMIE WILSON

Composition of the domestic workforce changes by country over time, but their numbers have been growing everywhere. It has been suggested that the increase of domestic work in industrialized countries is associated with widening income inequalities [R. Milkman, E. Reese and B. Rother: "The macro-sociology of paid domestic labour," *Work and Occupations*, Vol. 25, No. 4, pp. 483-507], while in low-income agrarian/informal economies, domestic work has acquired further prominence—especially in countries rav-

## Decent Work Deficits of Domestic Work

Despite its growing social and economic significance, domestic work has traditionally been—and still is—one of the most precarious, low-paid, insecure and unprotected forms of employment. Abuse and exploitation are common, especially when children and migrant workers are involved. Because of their young age or nationality, and the fact that they often live in the employers' households, they are particularly vulnerable



## Towards International Labour Standards

Internationally, the situation does not differ much. Existing international labour standards do not offer adequate guidance on how to ensure meaningful protection to domestic workers because they either fail to address the specific context in which domestic work takes place or allow for their explicit exclusion. This led the International Labour Office (ILO) Governing Body to agree to include a standard-setting activity on decent work for domestic workers on the agenda of the 99th Session (2010) of the International Labour Conference (ILC). In 2010, the ILC is focusing on the desirability and form of a possible international instrument dealing with the subject, and a final decision will be made in 2011.

RUDWANTO WIJANA

outreach of conventional mechanisms of control such as labour inspection services, which face legal and administrative obstacles to inspecting private premises.

Moreover, it involves a degree of physical proximity to the employer and her family as well as some emotional attachment, especially when childcare or care of the elderly is concerned. While the establishment of ties of mutual trust and affection is rewarding for both worker and employer, this may, nonetheless, dilute employment relationship boundaries and may result in arbitrary treatment, especially if specific, adequate regulation is lacking.

Second, domestic work mirrors unpaid work traditionally performed by women without a wage, and is thus perceived as lacking in value and outside the “productive” economy. This explains why domestic workers commonly earn low wages, and are often either underpaid or not paid at regular intervals. Moreover, the fact that domestic workers typically comprise women belonging to disadvantaged groups, with lower than average years of education, keeps a downward pressure on wages.

Third, domestic workers have limited bargaining power as they are an “invisible” (working inside the household, out of public sight) and isolated workforce, with no peer workers to turn to for support or guidance on what is to be considered a reasonable request or unacceptable treatment. When migrant workers are involved, their isolation may be even greater, for they often do not master the national or local language

and have no family or other supportive networks to rely on.

This, alongside low pay and often unpredictable household demands, makes it challenging for domestic workers to mobilize and organize for better working conditions. At the same time, the home being the worksite, trade unions’ traditional organizing strategies prove inadequate to address the specific circumstances of domestic workers. But even when domestic workers do manage to organize, national law may raise further obstacles to their right to enter into collective agreements on the grounds that, for the purpose of unionization, the employer cannot be considered an “enterprise” since domestic work is non-commercial and non-productive.

All these characteristics reinforce the perception of domestic work as not constituting “real” work, thus contributing to its further undervaluation and neglect.

There have been, nonetheless, some encouraging legal and policy developments in a number of countries that have tried to address the distinctive circumstances of domestic workers by devising regulations tailored to their specific contexts. For instance, countries such as Belgium and France have sought to ensure payment of minimum wages and to improve the social security entitlements of domestic workers by making it easier and cheaper for employers to comply with the law through simplified payment procedures and fiscal incentives.

To be effective, a specific international norm for domestic workers would need to reaffirm the protections to which domestic workers are already entitled under existing ILO standards, while recognizing their special employment relationship and providing for specific standards to make these rights a reality.

The decision to discuss such a norm on decent work for domestic workers reflects the ILO’s commitment, as embedded in its Decent Work Agenda, to bring workers once deemed to be outside its constituency into its mainstream work. It recognizes that domestic workers are real workers and takes account of the fact that the overwhelming majority of domestic workers in the globalizing economy are women.



INTERNATIONAL LABOUR OFFICE, GENEVA

*Manuela Tomei is the director of the ILO’s Conditions of Work and Employment Programme.*

*This article was adapted (with her permission)*

*from her article, “Decent work for domestic workers: Towards new international labour standards,” which appeared in the April 2010 issue of World of Work, a publication of the International Labour Office (ILO) in Geneva, Switzerland. An example of an ILO guidebook for domestic workers can also be viewed at [www.ilo.org/asia/whatwedo/publications/lang--en/docName--WCM\\_041809/index.htm](http://www.ilo.org/asia/whatwedo/publications/lang--en/docName--WCM_041809/index.htm)*

# The Right to Migrate, or Not, for Everyone

BY MICHELE R. PISTONE AND JOHN J. HOFFNER

Connection readers no doubt are aware that the Catholic Church is a strong proponent of the right to migrate. The roots of this position are deep. Biblical support is plentiful—Exodus 23:9 and Matthew 25:31-46 are favored passages—and the basic social teaching, from *Rerum Novarum* on, has been stated with unusual clarity. John Paul II’s encyclical *Laborem Exercens* fairly summarizes this social teaching by stating that a person “has the right to leave his native land for various motives—and also the right to return—in order to seek better conditions of life in another country.”

There is, as you might have guessed, a catch, as in the following statement from a 1969 international meeting of the Sacred Congregation of Bishops: “Especially in underdeveloped areas where all resources must be put to urgent use, those [persons] gravely endanger the public good, who, particularly possessing mental powers and wealth, are enticed by greed and temptation to emigrate. They deprive their community of the material and spiritual aid it needs.”

The predominant concern, in other words, is with the phenomenon commonly known by the loaded term “brain drain,” or at least that portion involving the migration of skilled and educated persons from developing to developed countries. Indeed, the U.S. bishops’ 1976 statements expressly invoked the term, and of course their call for immigration restrictions was limited to the migration of the skilled and educated.

There is great intuitive appeal in the Church’s position on “brain drain,” and perhaps you are now saying to yourself, “Well, yes there is, and rightly so, because brain drain is...different.” Do the differences, and there are some, justify singling out this type of migration for restriction? Our view is that they do not, and that it is time for the Church to reevaluate and change its position—on general policy from a position of opposition to one of neutrality, and on the level of the individual migrant from a position of implicit criticism to one of understanding and respect for individual agency.

Such changes are warranted for many reasons. For example, recent developments in larger considerations in Catholic Social Teaching itself have

made it easier to justify migration, even by the educated, away from societies that, intentionally or not, deny their own people the opportunity to exercise their talents. Special note is due here to the recognition of “the right to economic initiative” as essential to human dignity.

Globalization, technological developments, and increasing recognition of the importance of remittances also have undermined the policy against migration by the skilled and educated. Indeed, far from necessarily causing a failure to fulfill their duty to serve the common good of their homelands, today’s globalized economy means that many of the most important contributions that migrants can make to their homelands are possible only because they have migrated. Catholic Social Teaching has yet to reconcile itself to the import of these developments, which have combined to undermine the current policy, however much sense it made under the conditions existing five decades ago.



ANDREW GENTRY

Not everyone agrees. Opposition stems from many quarters, even from groups expressly claiming to articulate a Christian point of view. One such group bemoaned migration, stating that it can imperil fulfillment “of the duty to serve the common good, especially in developing countries,” and has issued a call for it to be “restricted.”

What group would make such statements? You may know them as the United States Conference of Catholic Bishops, and yes, it is *that* Conference of Catholic Bishops. What’s more, these statements, issued in 1976, have never been repudiated and accurately reflect a position now held consistently for more than 50 years not only by the U.S. bishops, but also by Catholic bishops worldwide.



Michele R. Pistone, a professor at Villanova University School of Law, and John J. Hoeffner, an attorney, are authors of *Stepping Out of the Brain Drain: Applying Catholic Social Teaching in a New Era of Migration* (Lexington Books 2007) and an essay

included in *And You Welcomed Me: Migration and Catholic Social Teaching* (Lexington Books 2009).

# Honor the Dignity of Work and Rights of Workers

***“We inherit the work of the generations before us, and we share in the building of the future of all those who will come after us. All this should be kept in mind when considering the rights that come with work or the duty to work.”***

Pope John Paul II, *On Human Work* (Donders translation), #16, 1981

On Labor Day, the United States Conference of Catholic Bishops (USCCB) released a statement emphasizing that we must build a new social contract by honoring work and workers. That contract must be built on a foundation that focuses on the common good of the entire human family.

Honoring the dignity of work and rights of workers is a key tenet of Catholic Social Teaching, and one that we must strive to fulfill through our daily interactions, our buying habits, and in the means through which we advocate for systematic change.

One way we can work toward building greater dignity for workers is through organizations like the National Farm Workers Ministry ([www.nfwm.org](http://www.nfwm.org)), which:

- Identifies itself as the means through which people of faith can work with farm workers and their supporters to heed Cesar Chavez’s 1960 call: not for charity, but for the promotion of farm worker justice

- Works with congregations and individuals to achieve worker protections such as the right to productive work, just wages and decent working conditions
- Reaches younger activists through YAYA, its Youth and Young Adult National Farm Worker Ministry ([www.nfwm-yaya.org](http://www.nfwm-yaya.org)). YAYA empowers young people with the tools they need to create better working conditions for farm workers—many of whom are young adults like themselves.

NETWORK members can make their voices heard by contacting their members of Congress and asking them to support AgJOBS (more information on AgJOBS on the next page). The AgJOBS legislation would grant undocumented workers temporary immigration status and the chance to become permanent residents of the U.S. by continuing to work in agriculture and meeting additional requirements.

## Honoring the Dignity of Work and Rights of Workers

***“In a marketplace where too often the quarterly bottom line takes precedence over the rights of workers, we believe that the economy must serve people, not the other way around. If the dignity of work is to be protected, then the basic rights of workers must be respected – the right to productive work, to decent and fair wages, to organize and join unions, to private property and to economic initiative.”***

—Office for Social Justice, a division of Catholic Charities

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# Ensuring Justice...

## Farm Worker Facts:

- ✦ There are 2-3 million workers in the orchards and fields hand-picking our fruits and vegetables.
- ✦ 85% of the fruits and vegetables we get from groceries and fast food eateries are hand-harvested by farm workers.
- ✦ Farm workers endure long hours of labor for extremely low wages.
- ✦ Workdays are uncomfortable and stressful due to heat and pesticide exposure.
- ✦ Farm workers do not receive protections from laws that protect other workers.
- ✦ They often lack health insurance, workers compensation or disability insurance.
- ✦ Every year, farm workers die from heat and dehydration working in the fields.



JOAN KIMBALL

## Congress should act! Here's one way they can help:

### AgJOBS—Agricultural Job Opportunities, Benefits and Security Act

The AgJOBS Act (H.R. 2414 / S.1038) will allow undocumented agricultural workers to earn legal permanent resident status. This will help prevent their unjust treatment by giving them the confidence to speak out against abusive working and living conditions. It will also allow for their families to stay together by permitting status adjustment for spouses and minor children.

There is a two-step process in AgJOBS:

1. First, undocumented farm workers and H2A guest workers (temporary workers) will receive “blue cards,” temporary resident status, with the possibility of permanent status by continuing to work in agriculture
2. Second, after receiving a “blue card” and working a certain amount of hours for up to four or five years, farm workers can apply for permanent resident status.

## How You Can Make a Difference:

- ✦ Contact your members of Congress and urge them to support AgJOBS.
- ✦ Sign up to get National Farm Workers Ministry and the Youth and Young Adult Network Action Alerts.
- ✦ Organize with your congregations, schools and other communities to educate people about farm worker justice.

Written by NETWORK Associates Andrea Pascual and Casey Schoeneberger

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# “Find a job that you love and you’ll never have to work a day in your life.”

BY JEAN SAMMON

Here’s what I love about my job: communicating with NETWORK members, who never cease to inspire me. I asked our members for help with this article and was delighted by the response. One person gave me the title quote (from Mark Twain), another gave me the closing quote (don’t look yet), and many told me stories about jobs they loved, with examples of how to help others. Several referred to *On Human Work*, the 1981 encyclical by Pope John Paul II.

So let’s start with the pope. According to his encyclical, the *purpose of work* is to: 1) enable us to do God’s work and grow spiritually; 2) allow workers to provide for their families without unduly stressing them (with excessive hours, too little pay, no sick time, etc.); and 3) offer means to contribute to the well-being of humanity as a whole. (Thanks to Joan Albano for that summary.)

How are we measuring up to that ideal?

I heard from many individuals whose jobs met some of the criteria. They tended to work in parish social ministry, social work, counseling, teaching or healthcare. The commonality

in their stories was that they felt their work was a “ministry,” “calling” or “vocation” and was making a difference in their lives and the lives of others. (Unfortunately, space does not allow me to include all the names and stories. I hope to post more on our website.)

I heard about other groups who are making a difference. Some of these can be examples for others.

- Some parishes in Illinois gather parishioners with experience in career counseling with unemployed people in

the area. Development of this kind of small community has many advantages beyond assisting in the job search. One parish received a grant from the Archdiocese of Chicago for a project to connect jobless people in the parish with those needing handiwork done around their homes. Both sides are benefiting and helping each other.

- The Brown County Homeless Coalition in Green Bay, Wisconsin, held a continuing education panel for human resource professionals and others to help them understand difficulties connected with homelessness and joblessness. One organizer, Steve Herro, is now “out there” as an advocate for hiring at-risk persons, and is making contacts with firms and individuals who could possibly make this happen.

- The Career Renewal Ministry at Saints Simon and Jude Church in Huntington Beach, California, has weekly workshops for the unemployed and underemployed. Once a month, a speaker gives a presentation, and the rest of the evening is focused on networking. Other weeks focus on the “8 Steps to a New Job” program, teaching people skills needed to find work. Many of their attendees have found new work. ([www.ssj.org/ministries/ssj-ministries/career-renewal-ministry.html](http://www.ssj.org/ministries/ssj-ministries/career-renewal-ministry.html))

- Caroline Center in Baltimore provides tuition-free Certified Nursing

Assistant, Pharmacy Technician, and Life Skills training for low-income women, and has a good record of job placements and job retention. ([www.caroline-center.org](http://www.caroline-center.org))

- Sustainable Works, a project of Sound Alliance in the Seattle area, puts people to work retrofitting houses for energy efficiency. This addresses unemployment, sustainability and poverty issues in low-income communities. (<http://soundorganizing.org/sw/>)
- The Little Sisters of the Assumption in Roxbury, Massachusetts sponsor Project Hope. Its mission is to partner with families on their journeys beyond homelessness and poverty. They have helped many find housing and jobs, as well as

emotional support, and they stay connected with people through these transitions in their lives. ([www.prohope.org](http://www.prohope.org))

- Homeboy Industries in Los Angeles employs many former gang members, giving them job training as well as a sense of purpose and hope. (Please see [www.networklobby.org/blog/2010-9-16/blog-shocking-poverty-statistics](http://www.networklobby.org/blog/2010-9-16/blog-shocking-poverty-statistics) for NEWTORK Associate Mary Georgevich’s experience there as a Jesuit Volunteer.)

Since I’m about out of space I’ll end with this: “When I stand before God at the end of my life, I hope that I would have not a single bit of talent left and could say, I used everything you gave me.” (Erma Bombeck)

Jean Sammon is NETWORK’s Field Coordinator.



**Adult Faith: Growing in Wisdom and Understanding** by Diarmuid O'Murchu, Orbis <http://www.maryknollsocietymall.org/description.cfm?ISBN=978-1-57075-886-7>



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*Get involved:* Sign up for **Legislative Updates** and **Alerts** for more opportunities to work for justice.

*Give a membership:* Give the gift of change this year. A gift membership is a great way to help others discover ways they can foster change in the United States and world.

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