

Senate Bill 1015

The 2016 Domestic Worker Bill of Rights Senator Connie M. Leyva (D-Chino)

SUMMARY

Senate Bill 1015 would continue the success from AB 241 (2013), which granted overtime protections to California's privately hired domestic workers. This bill would remove the sunset provision and make the law's provisions permanent.

BACKGROUND

In California, there are over 300,000 domestic workers who serve as housekeepers, nannies, and caregivers in private homes. Domestic workers are primarily immigrant women who work in private households in order to provide for their own families as the primary income earner. Domestic workers are essential to California as they enable others to participate in the workforce and continue living independently in their homes.

Without these domestic workers, many Californians would be forced to forgo their own jobs to address their household needs, thereby harming the wellbeing of many California families and the economy as a whole. However, despite the importance of their work, domestic workers have historically received wages well below the poverty line and were excluded from some of the most fundamental labor protections that other California workers enjoy.

When the Industrial Welfare Commission promulgated the first wage order regulating household occupations in 1976, (Wage Order 15), it provided minimum wage, overtime, meal and rest breaks and other protections to household employees, such as housekeepers and cooks. However, the Order excluded coverage of those who provide care for children, elderly and those with disabilities, stating that these employees did the work merely for "supplementary income" and "as a source of rewarding activity." In other words, workers who cared for the property of their employers were entitled to greater protection than those workers who cared for human beings.

In 2013, the California Domestic Workers Coalition sponsored AB 241 to provide these much needed and deserved labor protections. The legislation had a narrow focus granting rights to daily and weekly overtime for domestic workers and was approved by the Legislature and Governor Brown.

Since then, domestic workers have reported an improved ability to advocate for dignified standards in their jobs.

PROBLEM

The original Domestic Workers Bill of Rights is set to sunset on January 1, 2017. Without taking action to make the law permanent, these much needed state protections will no longer apply to this historically exempted section of the labor force.

SOLUTION

SB 1015 removes the sunset date from California Labor Code Section 1453, thereby making the 2013 Domestic Workers Bill of Rights permanent.

STATUS

Introduced – February 11, 2016

SUPPORT

California Domestic Workers Coalition (Sponsor)

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