



ORGANIZING INFORMAL WORKERS TO WIN

LESSONS FROM
INFORMAL DOMESTIC
AND CONSTRUCTION
WORKERS IN SIX
COUNTRIES

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CONTENTS

SECTION 1	
INTRODUCTION: ORGANIZING INFORMAL WORKERS AROUND THE WORLD	3
THREE AXES OF STRUGGLE	4
The Role of the State	6
The Role of the Employer	7
Self-Definition: As Workers, as Organizations	8
METHODS	8
THE STRUCTURE OF THE REPORT	11
SECTION 2	
INFORMAL WORKERS AND THE STATE	12
INTRODUCTION	12
RECOGNITION OF DOMESTIC WORKER LABOR RIGHTS	12
ENFORCEMENT OF CONSTRUCTION WORKER LABOR RIGHTS	14
ORGANIZATIONAL GUIDELINES	16
IMMIGRATION AND MIGRATION	17
CHANGING ECONOMIC POLICY	18
STATE REPRESSION	19
CONCLUSION	20
SECTION 3	
INFORMAL WORKERS AND THE EMPLOYER	21
INTRODUCTION	21
THE EMPLOYER AS AN ADVERSARY	21
GETTING THE STATE INVOLVED	23
GOING UP THE CHAIN	24
BARGAINING AS EQUALS	24
PARTNERSHIPS WITH THE EMPLOYER	25
TAKING OVER THE REINS	26
CONCLUSION	26
SECTION 4	
INFORMAL WORKER IDENTITIES	27
INTRODUCTION	27
DOMESTIC WORKERS	27
CONSTRUCTION WORKERS	29
WOMEN ON THE CONSTRUCTION SITE	30
IDENTITY AND EXCLUSION	31
CONCLUSION	32
SECTION 5	
MAJOR LESSONS AND SOME DIRECTIONS FOR ACTION	33
ORGANIZATIONS AT THE CENTER	33
CHANGING THE RULES	34
RESHAPING SECTORAL LABOR MARKETS	35
MOBILIZING AROUND THE RELEVANT IDENTITIES AND ROLES	36
CHOOSING ORGANIZATIONAL FORMS	37
SCALE AND MILITANCY	38
SOME TENTATIVE GENERALIZATIONS	40
CONCLUSION	41

APPENDIX A

CASE STUDIES FROM TWO SECTORS ACROSS SIX COUNTRIES... 42

CASE 1: THE TINY 22 MILLION-WORKER SECTOR — DOMESTIC WORKERS

— CHINA	42
Many agencies, few public policies	42
Self-limiting unions, constrained NGOs	43

CASE 2: FAMILY MEN, INVISIBLE WOMEN — CONSTRUCTION WORKERS

— CHINA	43
“Pay my father so he can pay my school fees.”	44
Building women	44
Informal work, informal victories	44

CASE 3: WORKERS, NOT SERVANTS — DOMESTIC WORKERS — INDIA

A long history of organizing	45
No charity needed	46

CASE 4: BARGAINING FOR POWER AS EQUALS — CONSTRUCTION WORKERS

— INDIA	46
The welfare board model	47
Women construction workers	48
“‘This cannot be specific to an employer; it has to be a relationship between the worker and the industry.’”	48

CASE 5: THE PROFESSION OF HOUSE MANAGEMENT — DOMESTIC WORKERS

— KOREA	49
“‘We are house managers!’”	49
Native-born and migrant workers	50

CASE 6: FOLLOWING THE MONEY — CONSTRUCTION WORKERS

— SOUTH KOREA	50
A new strategy	51

CASE 7: THE HOUSEHOLD WORKERS UNION — DOMESTIC WORKERS

— MEXICO	52
“‘We have the right to organize ourselves.’”	53
Por un trabajo digno (For dignified work)	53

CASE 8: GHOST UNIONS AND INFORMAL JOBS — CONSTRUCTION WORKERS

— MEXICO	54
Representation gap	54

CASE 9: SERVANTS NO MORE — DOMESTIC WORKERS — SOUTH AFRICA	55
Triumph and troubles	55

CASE 10: CITIZENS NOW AND FOREVER — CONSTRUCTION WORKERS OF THE EXPANDED PUBLIC WORKS PROGRAMME — SOUTH AFRICA

Making citizenship real	56
-------------------------------	----

CASE 11: NO RIGHTS BY DESIGN — DOMESTIC WORKERS — UNITED STATES

Black working women and homecare unions	58
Domestic work is real work	58
Victories and defeats	59

CASE 12: REGULATING INFORMALITY — DAY LABOR CONSTRUCTION WORKERS

— UNITED STATES	60
Day labor centers	60

APPENDIX B

FINDINGS AS TABLES ORGANIZED BY THEME

TABLE B1: HOW WORKERS AND THEIR ORGANIZATIONS SEE THE STATE	62
---	----

TABLE B2: HOW WORKERS’ ORGANIZATIONS SEE THEIR EMPLOYERS	65
--	----

TABLE B3: HOW WORKERS’ ORGANIZATIONS SEE THEIR WORKFORCES	67
---	----

TABLE B4: STRATEGY	69
--------------------------	----

TABLE B5: ORGANIZATIONAL STRUCTURES	71
---	----

TABLE B6: SUCCESSES	73
---------------------------	----

NOTES	76
-------------	----

BIBLIOGRAPHY	79
--------------------	----

PHOTO CREDITS	83
---------------------	----

ABOUT THE AUTHORS	84
-------------------------	----

SECTION 1

INTRODUCTION: ORGANIZING INFORMAL WORKERS AROUND THE WORLD

Every day all across the globe, hundreds of millions of workers leave their homes—or in some cases, stay in their homes—to toil in informal jobs. Informal jobs span dozens of industries and contexts and are increasingly common in many national economies around the world. Definitions of informal employment vary: the broad category includes employees of informal firms as well as informally employed workers in formal firms, some self-employed individuals, and people who work for households who do not necessarily consider themselves employers. All informal jobs are poorly or completely unregulated by the state, in contrast to lawful formal work.¹ Informal workers are thus in a difficult situation when it comes to enforcing their rights, as these rights may not be guaranteed, even in principle, by law. Despite a lack of state recognition or protection, informal workers across the world are organizing in vibrant and powerful movements to create better working conditions.

This report is the result of an unprecedented six-nation study of informal workers and their struggles for change. Researchers in China, India, Mexico, South Africa, South Korea, and the United States engaged in countless hours of interviews, examination of government data, field observations, and other forms of original research to better understand the global but diffuse informal worker movement. The project focused on two economic sectors known for informal working relations: construction and paid domestic work. The construction sector differs greatly between

nations but almost universally relies at least in part on informal working relations, often involving complicated contractual chains and multiple firms. The vast majority of paid domestic workers also work in informal jobs, generally through one-on-one relationships with their employers—the heads of households. Both employment sectors are large and informal.



The rationale for this particular set of countries and sectors was multifold. We examined countries large enough to permit multiple approaches to organizing and be conducive to fieldwork in multiple locations. We intentionally chose countries at varying income levels, from India at the low end to the United States at the high end, and with differing political systems, ranging from authoritarian to democratic, corporatist to pluralist, and centralized to federalist. Our key motivation for the sectors chosen was their distinct gendering: construction is primarily gendered male (though with exceptions, especially in India), and domestic work is primarily gendered female (again, with significant exceptions). As with our country selection, we chose sectors large enough to potentially embrace multiple organizing approaches. Finally, with one exception, we chose a set of countries and sectors where we already knew that there was some informal worker organizing going on, assuring us of cases to study. The exception, construction in Mexico, took us by surprise and proved highly informative about potential obstacles to organizing.

Workers in all 12 cases (two sector cases in each of six countries) have suffered exploitation at the hands of their employers and have experienced only spotty or nonexistent upholding of government labor standards. But in all six countries, organizations have arisen to mobilize these groups of informal workers and advocate for their rights. These organizations are devising new ways to organize informal workers, to project their voices, and to defend their rights. They also make a crucial contribution to the rest of the world, and in particular to us as researchers, by rendering domestic and construction workers' struggles, interests, agency, and potential power legible.

In this report, we compare the organizing of informal household and construction workers across the two sectors in six countries by studying specific organizations in action. Our central focus is on informal worker

organizations, their worldviews, and their strategies. Our lens on the organizations spotlights their relations with three critical sets of actors: national and local governments, employers, and the informal workers that make up the organizations' bases and constituencies. Our study incorporated six countries in order to undertake cross-national comparisons, and we draw out some comparisons where possible. Correspondingly, we directed our attention to national, regional, and local organizations, leaving aside the contributions of global networks in the two sectors. Including two very distinct occupational sectors also opened up the possibility of instructive cross-sectoral comparisons, and again, we highlight these to the extent we can. The comparative lessons we were able to draw are preliminary and limited but, we hope, will help advance the expanding set of local and global strategic discussions among the types of organizations analyzed here. At the time of this writing, the COVID-19 pandemic is raging globally, leading to new challenges for informal workers and new mobilizations and demands; however, our fieldwork was completed before the pandemic, so we do not address these new developments.

Tables 1 and 2 give an initial snapshot of our country-sector cases, summarizing some salient aspects of national law, the nature of employment in each sector, and the organizations and campaigns on which we focused.

THREE AXES OF STRUGGLE

We organized our findings around informal worker organizations' relations with the state, with employers in their sectors, and with the workers. These relations constitute three key sets of challenges and axes of struggle. Our findings are summarized briefly here, with further discussion in the following three sections.

TABLE 1: SUMMARY OF RELEVANT NATIONAL CHARACTERISTICS – DOMESTIC WORK

Country	National Legal Framework Recognizes Domestic Labor as Work	National Collective Bargaining Rights	Statutory or Constitutional	Subnational Labor Rights	Purchaser of Labor (State or Private)	Unions or Associations	Ratified International Labor Organization Convention 189
CHINA	Yes	Yes, but state controls unions	Statutory	Some subnational regions have stronger approach to enforcement than others	Private	Both	No
INDIA	No	No	n/a	Some subnational governments	Private	Unions	No
MEXICO	Yes, but with little enforcement	Yes	Constitutional	n/a	Private	Both	Yes
SOUTH AFRICA	Yes	Yes	Constitutional	n/a	Private	Unions	Yes
SOUTH KOREA	No	No	n/a	n/a	Private, though in some instances with state subsidy	Associations	No
UNITED STATES	No	No	n/a	Some states and cities recognize domestic labor and grant bargaining rights when publicly funded	State for domestic healthcare; private for others	Both	No

TABLE 2: SUMMARY OF RELEVANT NATIONAL CHARACTERISTICS – CONSTRUCTION WORK

Country	Formal or Informal Employers	Collective Bargaining Rights	Unions or Associations	Primary Bargaining Partner(s)	10% or More Women Laborers
CHINA	Informal	Nominal, but controlled tightly by the state	Unions, but the state dictates union activities	State	Yes
INDIA	Informal	Yes	Both	State	Yes
MEXICO	Informal	Yes	Unions, but with no democratic control by workers	n/a	No
SOUTH AFRICA (EPWP ^a ONLY)	Formal	No	No	State	No
SOUTH KOREA	Both	Yes	Unions	Developers or general contractors	No
UNITED STATES	Both	Yes, but not practiced in informal sectors	Unions in formal sectors; associations in informal sectors	Contractors, general contractors, developers, and the state	No

^a Expanded Public Works Programme publicly funded infrastructure projects. (This was the subsector we studied closely in South Africa.)



THE ROLE OF THE STATE

Because the state ultimately defines the rights and privileges of both workers and employers, its role is central. Informal workers by definition fall through the cracks in employment law and in its enforcement. When workers are explicitly excluded from state protection as a matter of policy, getting the state to do an about-face is difficult. Informal workers have an arguably even harder challenge in changing enforcement priorities, which entails at least a tacit admission by the state that its labor protections are inadequate.

All of the case studies we examined take the state into account, though the way it figures into broader strategy varies considerably. In the domestic sector in South Korea, for instance, organizations have made the state a key partner in assisting workers looking for work and

even subsidizing employment. In the construction sector in the United States or in South Korea, vigorous use of state pathways for wage justice are accompanied by other forms of action to hold the state—and employers—accountable to labor law. In some cases, state policy change is the key area of focus, as in the domestic worker movements in Mexico and India. In the construction sector of India, creating a new semigovernmental apparatus is the organizations' primary strategy to bring some of the benefits of formality to an industry that could never truly become formal. And in some cases, just pushing the state to act and live up to its promises to workers is key, as in the construction sectors of South Africa and China. In federal systems, such as India, Mexico, and the United States, informal worker organizations sometimes direct their demands at regional and local governments as well as the national ones.

In deciding their organizational structures, movements of informal workers must consider existing structures of law as well as pressure points within the state. Some workers opt for a nongovernmental organization (NGO) or association model, driven either by members or staff—especially where existing laws and institutions make organizing a government-recognized trade union impractical or impossible. Others form unions, a process that varies widely with each country's labor laws. In some sectors, such as the Indian construction sector, workers have opted for both, and the organizations work side by side. In other sectors, such as the domestic worker movement in Mexico and India, workers have changed organizational forms at various strategic junctures. In some cases, the choice of organizational form is delineated by policy, such as the domestic worker movement in South Korea, which interfaces with a government-sponsored homecare program, though the domestic workers' decision to organize as a cooperative was not dictated by that program. And some workers may not adopt formal structures of any kind—potentially due to disinclination but more often

because of structural barriers—as in the construction sectors of South Africa and China.

No matter the strategy or structure, the state cannot be ignored. States have long rendered invisible, punished, and repressed informal workers. Coming out of the shadows of informal work requires engaging with the government’s role in redistributing resources, setting the rules of labor markets, and enforcing those rules consistently.

THE ROLE OF THE EMPLOYER

A hallmark of informal work is the obfuscation or total abdication of responsibility by the employer. Employers of domestic workers almost universally consider themselves customers rather than bosses. In the construction industry, developers or primary construction companies rely



on complicated chains of subcontracts to get the job done, often creating a wall of multiple firms between themselves and the employees who do the work. In both cases, the result is the same: employers who do not consider themselves as such and thus assign responsibility for workplace conditions to other parties, be those smaller firms or a vague concept like “the market.”

Informal worker organizations often reckon with this dynamic in surprising ways. These organizations include as core components in their strategies a clear vision for what the relationship with their employers should be and how best to enforce or maintain clear lines of responsibility for conditions.

Again, strategies vary widely by both country and industry. In the construction sector, where there is generally an immediate employer and a more distant firm, informal worker organizations take a variety of approaches, including following the money right to the top of the chain (South Korea), formalizing relationships with employers by controlling the labor supply (United States), establishing their own worker organizations as stable partners for the state in otherwise chaotic industries (India), or leveraging government contracting to press for job opportunities and labor standards (South Africa). In the domestic services sector, organizations have convinced supportive employers to document workers’ employment to support organizational goals (Mexico), partnered with employers to push for policy changes (United States), struggled to expand the official definition of employers and workplaces to include individual citizens and private homes (India), and sought external funding for employers to supplement workers’ compensation (South Korea and the United States). Although these key relationships vary widely, all movements have had to challenge employers’ notions of their role in informal economies—and in doing so, have reframed their own roles as well.



SELF-DEFINITION: AS WORKERS, AS ORGANIZATIONS

Informal worker organizations struggle for their constituents to be seen and to define how they are seen. In most countries, paid domestic work is not considered employment by governments and is undervalued as labor by employers and most of the public. The reasons for this viewpoint are rooted in the history of patriarchy and discrimination against women, who traditionally perform the vast majority of household reproductive labor. In most countries, the work is doubly discounted by racism, casteism, or ethnocentrism, as many domestic workers are migrants from particular castes, ethnically distinct subnational regions, or other countries. Finally, in many countries, paid domestic work has a not-so-distant history of slavery or near-slavery that continues to color relationships between employers and domestic workers. Construction work tends to enjoy more state protection on paper but in practice, informal construction workers are often simply overlooked. Women construction workers in particular are ignored. The end result of these

histories and policies is a set of workers who struggle to be seen as legitimate workers.

Self-definition is the key to almost all the struggles we examined. Informal worker groups have pushed against the state, their employers, the media, and society at large, challenging prejudices and preconceptions about informal work and the workers who do it.

The ways these organizations frame their workforces and their struggles vary between nations, even in the same sector. Domestic worker movement participants promote their identity as women workers (Mexico and India), as highly trained professionals (South Korea), or as migrant workers (United States). Organized construction workers present themselves as part of broader labor movements (India), as community activists (South Africa), or as struggling family men (China). The gendered dimensions of the jobs enter into these identity frames, but so do the structures of political opportunities and the roots and traditions of the organizations. While the battle for respect is a constant, the identities mobilized in that battle are quite variable.

METHODS

We investigated a set of nested case studies with three levels: (1) the six countries, (2) the two sectors within each country, and (3) one or more organizations within each country-sector combination, with organizations that ranged from trade unions, to grassroots associations and NGOs, to transitory mobilizations of workers in particular communities or work-sites. In the large majority of cases, we were able to conduct organizational case studies via some combination of interviews with key actors inside and outside the organizations, site visits or participant observation, and information from media reports or other secondary sources. We were not able to

realize this goal for domestic worker organizations in China or South Africa and thus relied on secondary literature to comment on those movements. In addition, in some country-sector combinations, we found very limited organizational activity—with the most extreme example in the Mexican construction sector where we discovered only one tiny cooperative that actually represents workers’ interests amid a barren landscape of official trade unions that do not (although as we discuss below, historical research did turn up some past examples of more representative construction unions). Table 3 summarizes the data sources for each country-sector pair.

This research was guided in part by dialogue with the U.S.-based National Domestic Workers Alliance and National Day Laborer Organizing Network, the global International Domestic Workers Federation, and at a later stage in the process, the global Building and Wood Workers’ International union federation. Academic researchers ask fewer immediate questions and follow a slower timeline than the leaders and staff of worker organizations, and with limited time and resources, our efforts to collaborate were uneven. However, the organizations gave us much useful input, guidance, insight, and feedback.

TABLE 3: DATA SOURCES FOR COUNTRY-SECTOR CASE STUDIES (DW = DOMESTIC WORK, C = CONSTRUCTION)

	China		India		Korea		Mexico		South Africa		United States ^d	
	DW	C ^a	DW	C	DW	C	DW	C	DW ^c	C	DW	C
INTERVIEWS												
-ORGANIZATION MEMBERS, LEADERS, STAFF		14	29	25	31	10	20	5		11	29	25
-UNAFFILIATED WORKERS		9					8	2	32	39		11
-GOVERNMENT OFFICIALS			8 ^b	8 ^b	4							5
-RESEARCHERS		4	1 ^b	1 ^b			1	20				2
-OTHERS		3	2 ^b	2 ^b			2	14	2	5		4
SITE VISITS OR PARTICIPANT OBSERVATION		Site visits to jobsites, NGOs, churches	Interviews held in organization offices	Interviews held in organization offices; 7 visits to construction sites	Multiple visits to 1 group		35 visits, with observation	2 visits		2 visits	9 visits	17 visits
SECONDARY LITERATURE ONLY	X								X			

^a The number of interviews and site visits in the construction sector in China was not reported.

^b These interviews spoke to both occupational sectors.

^c The interviews spoke to the nature of the sector but did not address informal worker organizations.

^d Two interviews and one site visit at a worker center that serves both domestic workers and day laborers were counted in both categories.



Our case studies' depth and breadth were variable as some country-sector pairs have seen more extensive organizing than others. Informal construction workers in Mexico, domestic workers in China, and both sectors in South Africa are particularly organizationally thin. Consequently, some countries and some sectors are covered more thoroughly in this report than others.

Also, we only name organizations that represent a particular sector of informal work in a given country. We learned about dozens of vibrant organizations but could not do justice to the distinct roles played by different groups with multiple organizational actors at work. The result is sometimes a generic description of organizations or movements that works to convey the variation—and some commonalities—between these national-sectoral cases.

Given the vast number of interviews and case studies, this report is based on summary reports written by the researchers in each country rather than on interview transcripts or field notes.

There is a significant amount of repetition within this report as organizations' relations with the state, employers, and their constituencies are not independent but intertwined. Sections 2, 3, and 4 provide three windows into what are in fact integrated sociopolitical processes, and this section and section 5's conclusion offer overviews covering some of the same ground.

THE STRUCTURE OF THE REPORT

What follows is one section on each of the three major themes we have identified. Section 2 explains to what degree the six national states' labor law frameworks encompass household and construction workers and how organizations of these informal workers in turn engage the state.

Section 3 surveys the varied ways that informal worker organizations confront, cooperate with, or seek to out-manuever employers. Section 4 explores how organizations frame workers' identities to demonstrate their value and win over public opinion. Section 5 then offers some provisional conclusions, including some possible directions for action.

We have also included two appendices that present a more comprehensive body of findings in a form that is more encyclopedic and less analytically structured. Appendix A comprises 12 summary case studies of the informal worker movements in six countries, separated into the domestic and construction sectors. Whereas the body of the report analyzes themes that cut across cases, appendix A provides compact versions of the cases in context. We examine the political frameworks of each sector and country to help explain why workers have made the decisions they have. Where possible, we discuss the history of informal worker movements in these sectors as a counter to any argument that informal work is a new phenomenon. We end each study with a scorecard of these struggles, including both successes and continuing challenges. These case studies form a valuable resource of both successful and unsuccessful strategies from different settings.

Appendix B consists of a set of tables that deconstruct the cases by pulling out findings from each of the 12 country-sector cases and grouping them according to six themes. The first three themes are the same as those addressed in sections 2–4: how informal worker organizations view, frame, and relate to the state, employers, and their workforce. The other three themes focus on organizational practices that cut across the first three themes: strategy, organizational structure, and major successes. Appendix B is more comprehensive, including examples that did not appear in sections 2–4.

SECTION 2

INFORMAL WORKERS AND THE STATE

INTRODUCTION

Though the six countries' governments have widely different structures and constituencies, each has a labor law framework that, among other things, determines what constitutes work and what does not and what constitutes work *worthy of protection*. In addition, each government has some degree of responsibility to enforce those rules and regulations. Informal work happens at the limits of these rules and in the cracks created by underenforcement.

Informal workers and their advocates thus face a variety of strategic decisions when thinking about the state. For some, seeking recognition from the state is key, that is, expanding the reach of the legal framework to include informal work. Others who are nominally protected by labor law push the state to live up to its promises. Still other worker movements seek redress by circumnavigating the state, engaging in direct action, or setting up new state-recognized pathways to worker power. In some instances, informal workers have transformed the state into a proxy employer in order to have an entity to bargain with.

Because labor law governs workers' right to organize, the state also has a great deal of influence over which types of organizations can represent informal workers. Trade unions typically operate under guidelines set up by collective bargaining law. Nongovernmental organizations (NGOs) can operate in a variety of contexts and tend to have more

latitude but cannot typically obligate employers to directly bargain over working conditions.

Outside of labor law, the state establishes other conditions that affect informal workers. Many, and often most, informal workers are migrants, either domestic or transnational. State controls on migration and how the state enforces those controls can dramatically affect the ability of workers to organize or survive outside of their workplaces.

The state is not a passive actor or an immutable one. Global trends toward privatization and shrinking government have helped informal sectors expand and pushed formerly stable sectors into the informal economy. Legacies of government action or inaction color informal workplace relations decades later. And in some cases, government has limited or crushed informal worker organizing through co-optation or repression, including violence.

RECOGNITION OF DOMESTIC WORKER LABOR RIGHTS

While most countries recognize construction labor as work and accord some construction workers some degree of workplace rights—typically a minimum wage at the least—most either do not recognize domestic labor as work at all or exclude it from core labor protections. Even where household work is addressed by labor law, states typically fail to assure

the rights workers are nominally entitled to. Basic rights, such as a guaranteed minimum wage, paid time off, or social security, are not granted to domestic workers under national labor law in four of the six countries in this study.

For domestic worker organizations in many countries, the answer to this problem has been to seek recognition from the state. The most successful group in our study were the domestic workers in South Africa. The South African Domestic Workers Union (SADWU) played an integral role in the fight against apartheid. When the system of racialized oppression collapsed and South Africans wrote a new constitution in 1996, domestic work was clearly and unequivocally included under South African labor law. SADWU disbanded in 1998, and a successor union, the South African Domestic Service and Allied Workers Union (SADSAWU), has continued to fight for domestic worker rights in South Africa and globally. However, SADSAWU has not been able to build the kind of power SADWU achieved, and the law lacks proactive



mechanisms for monitoring and enforcement. So the state's role has been largely reduced to handling complaints by household workers after their employment ends.²

In China, domestic work has also been included in national labor law since 2000, though not as a result of grassroots mobilization. But the state has done little to support domestic workers—or indeed any workers employed outside the state sector. And though mass organizations affiliated with China's one party and the state—above all, the All-China Women's Federation and the one legal union, the All-China Federation of Trade Unions—have established centers to assist with training and placement of household workers, the government has limited and at times actively repressed attempts at independent organizing and power-building by domestic worker organizations.³ Recognition of labor rights is often not enough to guarantee worker rights or build worker power.

Mexico has recently become an exceptional case. Household workers were included in some, but not all, of Mexico's basic labor laws from the 1930s onward but, like the majority of Mexican workers, they never actually enjoyed the laws' protections.⁴ In early 2019, however, the newly elected leftist national administration extended all labor laws to domestic workers with great fanfare, just as the small but growing National Union of Household Workers was starting to flex its muscle.

In some countries, domestic workers have been unable to change national labor law to include all forms of domestic work. Instead of conceding to this lack of rights, domestic worker organizations shifted tactics and sought recognition at local levels. This tactic, used by both NGOs and unions in India and the United States, has yielded domestic worker legislation that guarantees some worker entitlements and protections, typically from state governments and sometimes from municipal governments—victories enabled by the two countries' relatively decentralized authority in terms of labor legislation. Indian domestic workers



have had the most success with this tactic, enjoying minimum wage rates in more than half the states. These regional laws create pressure for national reform, and the national government has taken some steps toward formal recognition of domestic labor, though not enough to guarantee full rights. Additionally, Indian domestic worker organizations have had successes in forcing state governments to allow household workers to organize, even without employer recognition.

In the United States, domestic workers in eight states have achieved varying levels of recognition, including some combination of minimum wage, scheduling guarantees, overtime protections, and paid time off. Led by the National Domestic Workers Alliance (NDWA), an umbrella organization of dozens of local domestic worker NGOs, individual states have passed domestic worker bills of rights to accomplish these ends. In some states, the government has even permitted collective bargaining for state-funded homecare workers, and healthcare unions have organized domestic workers.⁵

For domestic workers, a key benchmark of state recognition is the ratification of the International Labor Organization Convention 189 on the rights of paid domestic workers. In our study group, only South Africa and Mexico have met this benchmark, ratifying the agreement in 2013 and 2020 respectively. As of this writing, 29 countries worldwide have ratified it, mostly in Latin America and Europe, though also including the Philippines and several African countries.

ENFORCEMENT OF CONSTRUCTION WORKER LABOR RIGHTS

Construction workers are nominally covered by employment law in all six countries of this study, but for large sections of the construction workforce, government inaction and a lack of enforcement have fostered deplorable working conditions. Informal construction workers faced with illegal exploitation must either appeal to the government for justice or seek redress outside of a legal framework. This section explores those worker organizations that seek redress within government-established frameworks; organizations that appeal to employers instead are described in the next chapter.

Enforcement of labor rights in construction varies widely between not only countries but also regions within the same country and even subsectors of construction work. In the United States, for example, construction work on high-end projects tends to be high-pay and low-violation, while low-end jobs, such as single-home rehabilitations, are almost exclusively worked by labor in the underground economy. In India, conditions vary state by state, an effect of the country's decentralized labor laws. In other words, informal work with no state enforcement may occur simultaneously with more formal workplace relationships that are at least nominally regulated.

Informal construction workers in several countries have made direct appeals to the state for increased enforcement. In China, workers engage in dramatic and highly visible protests to force the state to act and live up to its promises to enforce labor law or at least intervene in labor disputes.⁶ Similarly, South African construction workers who participate in the state-funded Expanded Public Works Programme (EPWP) often bypass their direct employers, appealing instead to local EPWP administrators with grievances around working conditions and, if necessary, with protest and direct action.

In other areas, workers use state pathways as a tactic for redress or to pressure employers, rather than as a general strategy. Some informal construction worker centers in the United States, for example, use the legal system to seek redress in cases of underpayment—a passive state pathway that doesn't increase enforcement but may guarantee full or partial restitution for affected individuals—or at least force a conversation with scofflaw employers. This tactic, combined with direct action or other forms of protest, may pressure bad employers to pay what workers are owed and create a limited deterrent against future offenses.

Indian construction unions, on the other hand, have fundamentally altered the way they interact with the state. Unions have assessed that the government will never be able to police the vast underground economy of informal construction work in India, which we estimate to be more than 99% of jobs in the residential construction sector alone. Beginning in the 1980s, construction workers' organizations fought for a nationwide implementation of state-based welfare boards, tripartite organizations that include government, worker, and industry representatives. Through this new state-sanctioned apparatus, unions pay out benefits to informal workers, bypassing the workplace as the site of benefit allocation entirely. Since the establishment of the welfare boards in the 1990s and 2000s, new construction workers' unions and NGOs have emerged to administer the benefits. The system has been so successful in construction



that domestic workers in India are attempting to create similar boards in states where they have formed unions and have some labor rights. However, the current right-wing government is pushing to dismantle the welfare boards across sectors.

But we reiterate that simply having rights under the law doesn't necessarily mean those rights will be enforced. The case of South African domestic workers and Mexican construction workers underscore this point. In both cases, workers are nominally entitled to minimum wages, paid time off, and various benefits, but these conditions are almost entirely ignored in the marketplace. And in both cases, the lack of formal worker organizations seeking to enforce these rules basically ensures zero state oversight.⁷ In the United States, unions have opted to focus

their efforts on high-end work in major markets, leaving the rest of the industry to bottom-feeding contractors. For the large majority of construction workers who do not participate in a union or worker center, abysmal conditions reign.

ORGANIZATIONAL GUIDELINES

Workers must consider many strategies and political conditions when choosing between unions and other types of organizations (associations, NGOs, or cooperatives). One of them is state policy. Governmental regulation ultimately dictates whether workers have the option to form unions. When workers have no legal right to collectively bargain, employers have little incentive to negotiate. Thus, government action or inaction can shift worker advocate strategy into either a union or a nonunion associational structure. As state recognition of informal workers' right to bargain increases, workers are more likely to participate in unions rather than NGOs or nonunion associations.

Domestic workers in particular struggle with forming unions in places where they are not recognized under labor law, in part because there is no party with which to negotiate that has any sway over sectoral conditions. In most of the United States, domestic workers have used membership organizations and NGOs to seek regional recognition of labor rights. But in a few states, home healthcare workers have created a bargaining counterpart through policy change at the state level. For government-funded homecare for older adults and people with disabilities, state governments set wages through negotiations with unions and pay workers directly. Unions' policy advocacy has resulted in the establishment of state entities for the purpose of collective bargaining. In India, domestic workers can form unions and participate fully in labor negotiations in some states and

have used welfare boards modeled after the construction sector as a way to build power, something that wouldn't be possible under labor laws in other countries we studied.

This degree of state recognition has not inevitably led to the creation of unions. In South Korea, domestic workers also consolidated funding and working conditions through government policy, but workers there have preferred to remain in an NGO in the form of a cooperative. In Mexico, household workers formed unions that were active in the 1930s–1950s, but tightening state domination in Mexico's long-standing one-party, corporatist system folded these once-militant organizations into a tame association whose activities were limited to job placement, much like in China. With most Mexican unions locked into corporatism, new domestic worker organizations in the 1970s and 1980s took the form of associations and NGOs. It was only in 2015, after the Mexican state itself had abandoned corporatism, that a new independent domestic worker union formed.

In China, both in the construction and domestic work sectors, worker unions are a part of the state through their links with the Communist Party. Unions promote workplace stability, which may or may not coincide



with worker rights. Because the state prohibits independent union activity, organizing workers must either attempt to use NGOs outside state-sanctioned frameworks or engage in decentralized actions that seek to get the state involved in enforcement.

IMMIGRATION AND MIGRATION

Informal workers often come from marginalized communities, including those who have migrated either within or between countries and who are subject to state regulation, and in some cases, state repression for their status as migrants.

Controlling who can enter a country and on what terms is one of the core functions of the state. In the two wealthiest countries we studied, the United States and South Korea, international migrants make up substantial portions of the informal workforce. In the United States, both informal construction and domestic workers are often undocumented immigrants. National law thus limits their labor rights, prevents them from seeking out formal employment, and can lead to their incarceration or deportation. Workers and their advocates have at various times been deeply engaged in struggles for immigration law reform, coming out of the shadows and publicly telling their stories of life on the margins of the economy. However, these public displays of solidarity and bravery have increasingly been met with state violence.

In South Korea, ethnically Korean migrants from China are very active in domestic work. Unlike in the United States, state policy allows Korean Chinese people limited employment rights in the country. Nonetheless, there is significant friction between native-born and foreign-born Korean domestic workers, and some of the most active NGOs restrict membership to native-born South Koreans⁸. Even without



active state repression, workers have divided themselves along state-established lines.

In some of the less wealthy countries, internal migrants make up the majority of informal workers. In China, internal migration is ostensibly strictly controlled, but growing inequality between regions has led many from the interior to seek employment in the wealthier coastal regions. Our study showed that many construction workers in the informal sector were such internal migrants, and other research indicates this is likely the case in the domestic work sector as well.⁹ Unlicensed internal migrants' quasi-legal status has many spillover effects in their working lives. Because state policy limits access to housing for unauthorized migrants, Chinese construction workers often end up sleeping at jobsites between

shifts. Workers also cannot access many other state benefits and thus rely more exclusively on their wages for support.

In India and Mexico, internal migrants perform much of the informal labor in both domestic and construction work, but internal migration is authorized. While internal migrants can face considerable cultural and social ostracism, the state itself is more or less silent on the issue. Indian construction workers, however, are now demanding that state governments allow welfare board benefits to cross state lines and continue to protect workers, even when they migrate to other states.

CHANGING ECONOMIC POLICY

Since the 1990s, changes in market approaches throughout the world have shifted millions of previously formal jobs into the informal economy. Many of these changes are backed or even initiated by the state. Neoliberal reforms, including privatization, shrinking state regulation of employers, and the rolling back of union rights, have all led to increases in informal workplaces or the shifting of workers from formal working arrangements into new informal sectors.

Construction work has borne the brunt of these trends in all the countries we studied. In China, and to a lesser degree in Mexico, the state was historically the primary actor in construction, only recently abdicating this role by varying degrees to the private sector. And even where the



state never played such a central role, governments have deregulated and reduced their implementation of existing regulations.

In contrast, in South Africa, the state has become more involved in job creation since the private market failed to live up to promises of a postapartheid society. But the state has usually managed to create only precarious temporary sub-minimum-wage jobs. Over the same time

period, the government has liberalized trade, leading to reductions in formal sector jobs in previously sheltered sectors.

In the United States, a concerted effort by employers and the political Right to scale back unionization has devastated construction unions, which have declined in size and influence for almost 40 years. And construction unions have deliberately abandoned most construction subsectors to focus on controlling high-wage jobs in key markets, frequently jobs that receive government funding. Informal workers, left behind by construction unions and often at loggerheads with them, have instead self-organized into membership-based organizations.

In South Korea, neoliberal economic reform after the 1997 Asian financial crisis reoriented the domestic work sector. Historically, paid domestic workers in South Korea were young and poor internal migrants, and only wealthy households hired domestic workers. When millions of workers lost their jobs during the crisis, the government's neoliberal policy response led to permanent downsizing of former export industries and no safety net. Middle-aged women bore the brunt of this policy decision, as the government did not prioritize supporting sectors like manufacturing where they were overrepresented in the workforce. Meanwhile, younger women workers increasingly sought careers as a result of changing attitudes and because one salary was increasingly insufficient to support a family—creating a need for household help to care for children and aging parents. The two demographic realities meshed in a rapid expansion of paid care work staffed by recently unemployed middle-aged women.



Aging populations in both South Korea and the United States have led the state to actively intervene in support of domestic work. In both countries, state welfare programs are funding home healthcare providers as a cost-effective alternative to long-term stays at hospitals or other types of long-term care facilities for older adults. In these cases, domestic work is replacing formerly formal jobs through active state subsidy.

STATE REPRESSION

Workers in China face far and away the worst state repression and violence of any of the six countries. Chinese construction workers in particular have had numerous confrontations with Chinese police during

aggressive street actions. The state has played both sides of the table in informal worker-employer disputes, on the one hand, pressuring employers to settle claims, and on the other hand, backing employers with force when worker protests are perceived as too out of hand. The Chinese state has also stifled domestic worker organizing by blocking foreign funding of domestic worker NGOs or simply shutting them down when they are too active or independent.¹⁰

Workers in other countries also deal with state violence. Informal construction workers in the United States began organizing in many cities specifically for mutual protection against harassment and brutality from local police forces or immigration officials. And these workers continue to engage in collective negotiations with local governments around police crackdowns and cooperation with immigration authorities.¹¹ In South Korea, militant construction worker action has also led to occasional confrontations with police.¹²

CONCLUSION

In the six countries in our study, the state is the enabler of the informal economy, allowing for its creation through active policies or lax enforcement. The state also dictates to some degree how workers can organize, and it may step in and mediate, even acting as a proxy for the employer in collective bargaining. Alternately, the state can use violence on behalf of the employer class, either by directly oppressing organized shows of worker militancy or by terrorizing informal workforces. The state can also establish a nominal monopoly on representing workers themselves, making it difficult or even illegal for workers to exercise an independent voice.

Despite the wide variety of government forms, degrees of centralization, and general levels of economic development, all informal worker movements we studied actively considered the state a key player in their sectors and adjusted their organizing plans accordingly. It seems there is no single best practice for dealing with the state other than taking into account where workers have bargaining power, strategizing about where the state can be forced to step up, and determining when it's best to bypass the state altogether.

SECTION 3

INFORMAL WORKERS AND THE EMPLOYER

INTRODUCTION

How workers are affiliated with their employers is a central factor in any worker organizing strategy, and the informal economy is no exception. But informal workers face unique challenges. In a traditional workplace, one employer may have hundreds or thousands of employees. In construction, subcontractual relationships have reduced this number, leaving only smaller and highly specialized temporary workforces, often comprising fewer than 10 workers. In domestic work, it's rare that a household would employ more than a few workers and often, it's just one. Thus, traditional forms of collective action against a common employer are not possible for most workers in informal sectors.

Workers have dealt with this challenge in a variety of ways. Directly targeting the employer has been easiest in the construction sector. In other cases, worker organizations have tried to bypass the employer entirely, or at least direct the central focus of organizing efforts elsewhere. Our study revealed two primary strategies for accomplishing this goal. One used in several construction sectors is to focus higher up the contractual chain, organizing against the money behind a project rather than the immediate employer. Another, noted in the previous section, is to persuade the state to take on the role of employer or to treat the state as a de facto employer, or at least guarantor of labor standards, and bargain directly with government through formal or informal means. Bypassing

employers to negotiate with the state is particularly common among domestic worker movements.

Some of the organizations we studied have opted to work with employers, recognizing that industry stability may have some benefits for them. This strategy can take the form of including employers in sectoral bargaining with the state over benefits, providing funding to incentivize better behavior by employers, and even partnering with some employers to accomplish common policy goals.

Finally, some organizations have taken on roles traditionally performed by employers: setting wages and working conditions, assigning work, evaluating worker performance, and providing worker training. By usurping the employer in these areas, these organizations have been able to mitigate the depredations of the informal economy on their members.

THE EMPLOYER AS AN ADVERSARY

Almost all the organizations we studied place some of the blame for poor working conditions on the employers, but this only sometimes translates into strategies and tactics directly targeting employers.

In domestic work, assigning employer responsibility is uniquely challenging because many employers do not consider themselves such. In many countries, state law supports this illusion by denying that private



citizens can be employers or that private households can be places of profit or employment. Domestic work is steeped in legacies of servitude in most societies, including to varying degrees all six of the countries we studied. Even those more enlightened employers who do not regard domestic workers as servants often consider themselves purchasers of a service, rather than employers.

While all of the domestic worker organizations we studied rejected the notion of domestic work as a service, they approach the question in different ways. Several avoid direct confrontations with individual employers where possible and instead focus on industry-wide concerns, addressing employer issues and working conditions in the aggregate. Because of the vast imbalance of power between a domestic employer and a single domestic worker and because domestic workers typically lack legal rights or only have rights on paper that are rarely enforced,

employer retaliation is a major concern. This dynamic plays out to varying degrees in India, South Korea, Mexico, and the United States. While organizations do sometimes confront individual employers, when possible, organizations address working conditions for the whole industry or use specific stories of exploitation to push for broader industry change.

Domestic workers in South Africa have the most militant history of organizing directly against employers, since the sector was deeply tied to the racist power structures of apartheid; most employers were (and are) White, and most domestic workers were (and are) Black. Domestic worker organizations were a powerful force against racial segregation, and workers often went on strike or otherwise engaged in direct actions against their employers. In the years since the fall of apartheid in 1994, however, domestic worker organizing has been much more restrained. SADSAWU, the current domestic worker union, has played a key role in rights advocacy and in founding the International Domestic Workers' Federation but in terms of workplace interventions, it mostly assists workers with individual claims against employers.¹³

In India, organizations have appealed to more progressive employers to join forces with worker organizations in seeking increased healthcare from the state and protection against domestic violence for women workers within their own homes. In both cases, worker organizations leverage employers to increase workers' bargaining power. However, these efforts have not met with widespread success.

In the construction sector, direct confrontation with employers is much more common. The most militant actions against employers were in China, with groups of construction workers frequently engaging in dramatic protests, including strikes, street blockades, and jobsite take-overs. These actions, though ostensibly focused on employers, are also to some extent attempts to make the state live up to its promise to

workers. Similarly, in South Africa, workers in the Expanded Public Worker Programme (EPWP) sometimes engage in direct actions against their employers but often seek intervention or adjudication from state officials, a more direct version of the Chinese strategy.

In the United States and India, informal construction workers also frequently engage in direct action or legal claims against employers who fail to pay promised wages on time or at all. And in South Korea, direct action against employers remains common in some areas, while in others, construction workers have innovated ways of negotiating with nonemployer parties to set working conditions.

GETTING THE STATE INVOLVED

Several informal worker organizations in our study have bypassed direct confrontation with employers by seeking state intervention. Tactics vary widely between country and sector.

In domestic work, this strategy has sometimes taken the form of bargaining over working conditions directly with the state itself. Although the state is not an immediate employer of domestic workers, and most often domestic workers have no labor rights, in several cases in the United States, worker organizations have been able to convince government agencies to negotiate collective bargaining contracts and create industry standards. This tactic has been restricted to the home healthcare sector in a limited number of states where domestic workers are represented by

unions. However, these gains have been threatened by recent Supreme Court decisions undermining union financing mechanisms. U.S. organizations have also lobbied for broad state-level legislation affirming the rights of all domestic workers. Such laws, passed in eight of the largest states, are in principle more comprehensive than home healthcare collective bargaining agreements but lack effective monitoring and enforcement mechanisms. South Africa has similarly broad domestic work legislation at the national level, and in China, household workers are technically included in all labor laws, but as in the United States, there are serious shortfalls in implementation.

In several construction sectors we examined, worker advocates have also negotiated directly with the state or pressured the state to get



involved in negotiations on behalf of the workers. In South Africa, workers in the government-funded EPWP frequently eschew confrontation with their employers, taking grievances directly to the EPWP.

As noted above, in China, construction workers' direct actions against their employers are actually targeted at the state itself. The Communist Party ostensibly represents all workers in China through its allied unions but frequently turns a blind eye to labor standards violations, and construction contractors are some of the worst offenders. Chinese workers intend to essentially shame the government into action, forcing them to live up to promises made to workers by forcing employers into some kind of settlement when disputes over wages or working conditions arise.

Today, Mexico's construction unions do little or nothing to protect workers, but it was not always so. From the 1960s through the 1970s, the Welders' League engaged in aggressive collective bargaining with and hard-fought strikes against the government as the employer, notably of the state-owned oil company.

India's welfare boards, extant for construction and domestic workers in a patchwork of state jurisdictions, represent a particularly distinctive form of state involvement. As noted above, they create a tripartite structure, primarily government-funded, that provides welfare and social insurance benefits.

GOING UP THE CHAIN

Using a less common strategy that also involves bypassing the direct employer, South Korean construction unions in some provinces have begun to target the original contractors. In South Korea, as in many countries, construction work is marked by heavy degrees of subcontracting.

Workers may receive payment from direct supervisors, who in turn are the bottom rung of a three- or four-contract structure. Low-rung contractors themselves are squeezed by parties higher on the ladder, who profit the most from the arrangement. In the case of labor dispute with a specific subcontractor, the higher-level contractor can simply shed the targeted firm and bring on a new one, resulting in no change to labor conditions—and all the protesting workers losing their jobs.

To avoid this outcome, some South Korean construction unions have begun to negotiate directly with lead building contractors at the top of the ladder, employing tactics that are more disruptive to the project as a whole rather than attempting to confront individual bad actors. Through this practice, South Korean construction unions have been able to raise standards industry-wide, and in some areas, gain enough power and presence to engage in sectoral bargaining. Though this strategy is common in many other sectors, South Korean construction workers were the only ones in our study who sought to go up the chain. To some extent, however, the strategies of South African EPWP construction project workers and U.S. home healthcare unions are kindred: in these cases, government entities are the top of the ladder, essentially the final customers.

BARGAINING AS EQUALS

In India, the uniquely powerful position of construction unions gives them significant sway over the sector as a whole. Indian law is generally favorable to unions, and the chaotic nature of the informal construction sector makes unions a more reliable partner for the state than the fragmented set of employers. Construction unions struggled hard to enact welfare boards, through which unions can negotiate with government officials and



the two sides are far from equal in reality, since there is an excess supply of construction workers, and government capacity and will to enforce labor standards are limited at best.

PARTNERSHIPS WITH THE EMPLOYER

Some informal workers have been able to establish productive relationships and work for common policy goals with employers in their industries.

In the United States and South Korea, domestic worker organizations have partnered with NGOs that represent employers to seek state subsidies for workers, particularly home healthcare providers. These new sources of funding for employers increase domestic workers' pay and make it easier for them to earn a living wage. Government subsidies also result in better labor practices.

industry representatives about welfare benefits for informal workers who don't get them on the job. Unions labored to enact new legislation as well, such as the Contract Workers' Law, to regulate the structurally informal nature of construction jobs. Unions have also struggled to hold employers accountable for on-time payment of wages and the provision of certain facilities on-site, such as food, water, and toilets. The unions thus function as a bargaining partner with the industry and as a key factor in maintaining stability in the economy. Not surprisingly, however, the powers of

In South Korea in particular, the National House Managers' Cooperative (NHMC) and other domestic worker NGOs have been able to ensure that subsidized positions go to their members or members of other organizations that provide the same levels of pay and working condition requirements.

In the United States, India, and Mexico, less formal partnerships with employer organizations or even progressive individual employers have been established with similar goals. As better conditions for household

workers often result in better work performance, workers have brought employers to testify to this at policy debates or other public forums. In Mexico, a small organization of supportive domestic worker employers called Home, Fair Home has formed. In addition, Mexican law requires an employer-signed contract for workers to join the domestic workers' union, which has created new opportunities for discussions between domestic workers and their employers.

In the construction sector, the only example we found of cooperation with employers was a historical case in Mexico. The May 1st Union, active from the 1960s to the 1980s in the central western state of Guanajuato, engaged in collective bargaining with a small number of progressive, supportive employers.

TAKING OVER THE REINS

In a few organizations we studied, workers have attempted to guarantee parity across chaotic informal sectors by taking on some of the functions traditionally held by employers.

In the United States, informal construction workers and their advocates have set up day labor centers in some major markets. At these centers, workers agree among themselves on minimum wages and daily rates, working conditions, and how to allocate limited work hours among themselves—tasks typically reserved for employers. Some employers have opted to hire at these sites rather than seek workers on unorganized street corners, because the quality of work is guaranteed, and disputes over wages are less frequent. When workers are not hired, they often take

the opportunity to train each other, either in organizing and advocacy skills or in the job skills needed to effectively bid on higher paying work.

In India, informal worker unions and associations exert considerable influence over the tripartite welfare boards that serve as mini-welfare states for informal occupations.

In South Korea, domestic workers organized as a cooperative (the NHMC) have also been able to corner a portion of the sector by establishing strict governmental guidelines for worker training, especially for those who care for older adults. In order to receive state funding, employers must hire workers with specific skill certifications. Through this system, South Korean domestic workers can more effectively control the labor supply in the sector and cut out competition from underground sources of labor—primarily from Korean Chinese migrant workers.

CONCLUSION

While the nature of employment relations and the institutional context vary widely across the countries and sectors we studied, decentralized workplaces and relationships with employers that are more personal than businesslike, are common. Consequently, informal worker organization strategies vary widely, sometimes contradicting and sometimes complementing each other. Particular organizational strategies, which depend above all on the relationship with the state, inform how workers view themselves and present their fights to the public.

SECTION 4

INFORMAL WORKER IDENTITIES

INTRODUCTION

How workers identify themselves is a key issue for informal worker organizations. Since informal workers are often invisible, just being recognized as workers with rights and privileges may be incredibly difficult. Almost all the organizations we studied have strategic narratives for presenting their struggles and their members to the public, whether in discussions with employers, policy makers, or potential allies. Building up workers' identities allows them to reclaim their labor in ways that often buck centuries of tradition and expose long-standing exploitative relationships. These identities also serve as organizing tools, bolstering cooperation between members and building a collective consciousness that brings people together and assists in garnering public support.

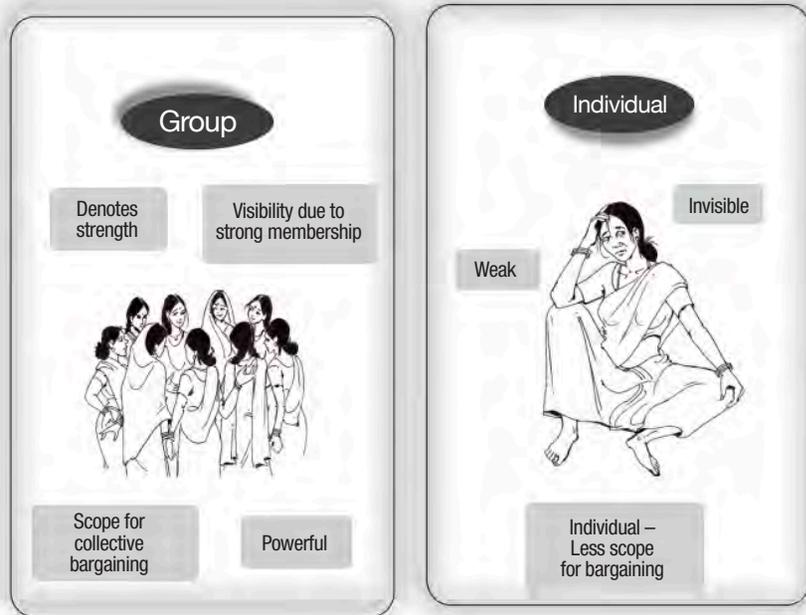
In no other area is there as little overlap between our two sectors. Each sector has a more common sense of identity across national boundaries than within any single country, very unlike the nationally variable ways organizations interact with employers and the state. In brief, domestic laborers generally see themselves as women who seek to be recognized as workers rather than servants. Construction workers, on the other hand, generally see themselves as highly skilled, hardworking, male providers.

In practice, worker identities are much more complicated than these stories that workers and their organizations tell. Strong collective identity can leave some workers out of the picture and reinforce informal aspects of the sector by pushing some people further underground.

DOMESTIC WORKERS

The single biggest challenge domestic workers face is convincing others to value their labor as genuine work. In all the countries we studied, domestic work was traditionally performed by either unpaid female members of the household or undervalued servants who were usually underpaid or paid in-kind. Labor law frameworks in most countries, including four of the six in our study, do not recognize domestic work at all, and legislation that does regulate household work is rarely implemented. This lack of legal protection, one, reinforces the sexist notion that domestic work isn't a real job and is instead an extension of women's natural role; and two, relegates household labor to service status, more like getting a manicure or a haircut, rather than an employment relationship.

Workers and their organizations have challenged this consensus in most of the countries we studied. In South Africa, where domestic work was intertwined with racialized modes of servitude under apartheid, workers began organizing by pushing back hard against racial segregation itself.



When apartheid fell, domestic workers found they had a new struggle: to convince their bosses to respect new, hard-won rights. After the once-powerful South African Domestic Workers Union collapsed, the successor union, the South African Domestic Service and Allied Workers Union, had more limited capacity. So despite a postapartheid law affirming household workers' rights, South African domestic workers have largely had to negotiate one-on-one with employers.¹⁴ Their identity as workers remains underdeveloped in the eyes of others and even themselves.

The domestic work sectors in India and Mexico have similar histories of servitude. In both countries, domestic workers tended to be young migrant women who lived in employers' homes full-time, may not have received formal compensation besides room and board, and were wholly

subject to the whims of the heads of households. The system was so prevalent in each country that even lower-middle-class households included domestic workers, a condition considered an entitlement by many Indian and Mexican families. The caste system in India and the subordinate status of Indigenous peoples in Mexico compounded their exploitation. But economic change has shifted domestic work in recent years. In both India and Mexico, domestic workers today are far more likely to be middle-aged women commuting from their homes in metropolitan areas, though some live-in arrangements continue (but in dramatically diminished numbers, especially in Mexico). Additionally, in Mexico, although Indigenous internal migrants still make up a large proportion of household workers, few are recent migrants. These shifts in demographics have helped domestic worker organizations in both countries successfully make the case that these laborers are indeed workers. Domestic workers clearly present themselves as workers in each of these countries as a way to contrast present-day conditions with historic arrangements. Indeed, Mexican domestic worker organizations—similar to their counterparts across Latin America—have chosen to label their members as “household workers” rather than “domestic workers,” to explicitly break with the history of servitude.

Until recently in both South Korea and China, domestic work was mostly unpaid and performed by female members of households in all but the wealthiest families. In South Korea, domestic workers have portrayed themselves not just as workers but as experts in home management skills that many urban professionals lack and as highly skilled caretakers for older adults. In China, the paid domestic work economy is very new, and household worker organizations' efforts to present this group as workers rather than “aunties” has made limited progress.

Throughout the vast majority of U.S. history, domestic workers came from African American households. During the nation's last major labor

law reform era in the 1930s, domestic work was specifically left out of U.S. labor law to accommodate segregationists. Today, however, domestic work is largely performed by immigrants. Most organizations representing domestic workers portray themselves as immigrant women workers first and foremost. These organizations have also generally allied themselves with other immigrant worker organizations and communities trying to end state violence against immigrants in the United States, clearly presenting their members as immigrants first and foremost. Many chapters of the National Domestic Workers Alliance also participate in feminist and anti-racist struggles.

In all of the countries we studied, domestic workers are almost entirely women. Only India has a substantial but decreasing percentage of male domestic workers, who typically work as drivers or groundskeepers. Even in India, domestic worker organizations are dominated by women, and the public domestic worker identity is distinctly feminized. In several countries, especially Mexico, India, and the United States, domestic worker organizations have linked with broader feminist struggles for equal rights and treatment under the law, including head-on confrontation on issues of sexual harassment and assault on the job.

CONSTRUCTION WORKERS

Construction labor is recognized as work in all six countries, so the corresponding worker organization narratives and sense of identity differ dramatically from domestic workers. Whereas domestic workers have a more or less common message, construction workers have situated themselves differently in different countries.

In China, construction workers have pushed back against a state-media-driven narrative that construction work is the domain of unsuccessful and

potentially dangerous young men. Construction workers have portrayed themselves as family men by bringing their children to direct actions and emphasizing the effects on workers' wives and children when employers fail to pay. By defying a dominant conception about construction work, organizing workers resituate their plight squarely within the cultural norms of masculinity and family responsibilities. While this narrative is oversimplified, it has been effective in pushing the state to resolve disputes in many cases.

In India, construction unions present themselves as a key bulwark of stability in an industry that the state recognizes they cannot effectively control and as crucial to the one industry that is managing to offer jobs—albeit unprotected and unregulated jobs—to the nation's mass workforce



that is increasingly underemployed. This stabilizing role has won unions the right to share control of benefit provisions that would typically be the purview of employers or the state itself as a backstop, with the tripartite welfare boards the key example.

In South Africa, workers in the EPWP state-contracted community improvement projects have situated themselves as citizens claiming an entitlement under the postapartheid system. When apartheid fell, all South Africans were supposed to have equal rights in the market-based economy, but the majority have failed to see real economic benefits. The EPWP, designed to provide work for those who would be unable to find jobs under unfettered market conditions, provides sub-minimum-wage employment with few benefits. When workers rise up in protest against wage disputes or working conditions, they frame themselves as South African citizens who deserve the same workplace rights as anyone else.

In the United States, informal construction workers who organize through day laborer NGOs present themselves as reliable workers, often in contrast to unorganized workers at the same street corner or parking lot. When hiring out of a day labor center, a potential employer can reliably expect an efficient worker who accurately represents his or her skills. Led by the National Day Labor Organizing Network (NDLON), U.S. day labor organizations also situate themselves squarely within the broader movement for immigrant rights, emphasizing that their members are undocumented and unafraid. Many day labor centers have also participated in struggles against racism, particularly racialized police harassment and brutality.

In South Korea and Mexico, construction workers' main struggles are over power asymmetries with employers, not identities or public representations. The two countries differ in that, in Mexico, the majority of construction workers are natives, though many migrate from the cities'

hinterlands; in South Korea, a substantial group are Korean migrants from China, who face particularly difficult struggles because their rights are tightly circumscribed.

WOMEN ON THE CONSTRUCTION SITE

In all six countries, construction work is presented as highly masculinized. However, in two countries, substantial numbers of women work in construction. In China, we found evidence that women are increasingly choosing to migrate for construction jobs. Because construction workers often live on the jobsites in China, these women end up performing double labor as productive construction workers *and* reproductive workers cooking and maintaining living quarters for others. Construction worker



movements we studied have not included these women or their concerns in protest demands.

India has an even higher percentage of female construction workers, a trend that has lasted for decades. Women workers there are almost always relegated to basic manual labor jobs and rarely get opportunities to train for more highly skilled work. Most women arrive as “helpers” to their husbands, reflecting a migration and recruitment structure that enables families to move and live together in new locations. Women also perform unpaid reproductive labor on-site for male construction workers. Women construction workers in several states have founded NGOs to push for a feminist agenda in the construction sector, including addressing sexual harassment, providing adequate gender-segregated facilities on jobsites, providing childcare and some maternity benefits, and creating pathways for women who want to move into higher-skilled, higher-paid work. Though state-sanctioned construction worker unions are wholly male-dominated, quite a few of them have recently found it strategic to add women’s issues to the mix in bargaining. On the other hand, large construction projects sponsored by the government, such as transit systems and highways, include an increased use of technology that has resulted in the hiring of fewer women workers.

IDENTITY AND EXCLUSION

In several of the cases we studied, a strong sense of identity has led to the exclusion of some classes of workers. Besides the cases of gender exclusion in the construction sector reported above, several other sets of workers have established a strong sense of in-group status, which has come at the expense of other informal workers.



In South Korea, the National House Managers Cooperative and other NGOs have fought to establish strict guidelines for domestic work, particularly for eldercare. These organizations enforce these guidelines by providing some form of state subsidy to workers who participate in sanctioned training programs. Professionalizing a previously devalued form of work, while benefiting some, has cut a large portion of domestic workers out of state-managed programs. Ethnically Korean migrants from China, of whom there are many in the domestic work sector (as in construction) in Korea, have so far been left out of state-approved programs, and the National House Managers Cooperative in particular makes public claims about risks associated with hiring Korean Chinese domestic workers. The stability of labor control has effectively come at the expense of minority workers, pushing them into the underground economy of homecare work.

Similarly, in the United States, construction day labor centers implicitly portray nonparticipating day laborers as unreliable, dubiously skilled, and potentially quarrelsome. Because the primary strategy of the day labor center is to control minimum labor standards, those selling their labor for less pose a threat to wage stability. However, the relationship between in-group and out-group tends to be less acrimonious than in the South Korean domestic sector, and in fact many day labor centers routinely outreach to unorganized workers to bring in new members. Moreover, the line between organized and nonorganized day laborers does not map by ethnic group or other categories. In contrast, U.S. construction trade unions have had highly confrontational and occasionally racially charged interactions with day labor centers, accusing them of undercutting wage standards—though in recent years some unions have collaborated with day labor organizations.

Sometimes forms of exclusion stem from organizing challenges. In India, domestic workers traditionally lived full-time in-home. Although this form of domestic work is gradually becoming less common, many workers still live in the homes where they work. Most Indian domestic worker organizations have not managed to organize live-in workers and instead see their base as commuting domestic workers, who are easier to reach. Similar challenges face India's construction unions in organizing workers who live on construction sites for short periods before moving on to other sites. While some unions have managed to organize these workers, more common is the mobilization of day workers who live in local slums.

CONCLUSION

By firmly and unequivocally claiming who they are and who they are not, informal workers are able to forge collective identities that create space for solidarity and bids for public support. These identities frequently challenge popular notions of who informal workers are or have been historically. Domestic workers in particular almost universally stress that they are indeed workers and that paid domestic labor is in fact work.

A strong sense of self can also create exclusionary tendencies along gender, ethnic, or other key lines of exploitation, which can complicate worker organizing or create obstacles to worker solidarity. Nonetheless, by clearly defining themselves, worker organizations are able to build a common space where they can mobilize together for their rights.

SECTION 5

MAJOR LESSONS AND SOME DIRECTIONS FOR ACTION

Across the world, informal workers are organizing. They do so despite the myriad challenges posed by inadequate policy frameworks, lackluster enforcement by the state, ill-defined relationships with employers, and difficult working conditions. The cases we have examined from two sectors in six countries demonstrate that, despite these obstacles, solidarity and direct action can win. Though these struggles differ widely between nations, sectors, and historical contexts, some key patterns emerge that can help informal worker organizers in their own milieus.

The critical role of informal worker organizations cannot be stressed enough. While there are similarities in those organizations' strategies, there are more differences, and some are more effective than others. These strategies all provide lessons in the potential for informal worker organizing.

ORGANIZATIONS AT THE CENTER

Grassroots organizations are central to raising labor standards and defending the rights of domestic, construction, and other informal workers. Where state action is involved, informal worker organizations are often the force behind reforms ranging from India's welfare boards to Mexico's new labor legislation. These NGOs play an essential role in



educating informal workers about their rights and ensuring that laws are enforced; where organizations are scarce or have more limited capacity, laws are less likely to be implemented. Grassroots organizations are the most common bargaining participants with indirect employers, like lead building contractors and government agencies in South Korea, South Africa, and the United States. Where direct employers are sympathetic, NGOs mobilize them, as in the case of Mexico's domestic worker organizations or the May 1st Union of construction workers. Where direct employers are intransigent, NGOs confront them, as in India. These

organizations campaign to change stereotypical, marginalizing perceptions of the workers they represent and lift up worker identities that can help win sympathy from allies and the public. The victories are still limited, scattered, and incomplete, but the organizations that we studied are doing a great deal with very limited resources. This project's most important lesson is to underline the value of investing in building more and stronger informal worker organizations.

CHANGING THE RULES

Informal workers labor in sectors with vaguely defined policies or in the lacunae of labor and employment laws, and many of these sectors are unrecognized by law entirely. More than a mere oversight or symptom of changing social values, these omissions reflect deep-rooted legacies of racism, casteism, gender discrimination, nativism, and slavery.

Through its monopoly on setting the legal framework for informal workers, the state is complicit in their exploitation. While lack of enforcement is an issue, when there are no laws to enforce, workers have even fewer options for recourse. Workers can, in some contexts, change this framework; codifying rights, even if unenforced, can provide new organizing opportunities.

The most obvious examples of this type of effort are the long-term efforts of domestic workers to be included in labor and employment law frameworks. Most countries' legal systems are either silent on the question of paid domestic labor or explicitly exclude it. The passage of the nonbinding International Labor Organization Convention 189 provided an opportunity for domestic workers to appeal to their nation-state or local levels of government to incorporate paid domestic work into broader employment and labor rules.

Domestic workers in South Africa had the greatest success in this area. Following the collapse of apartheid, they successfully included paid domestic work in the country's labor laws, on more or less equal footing with all work. The broad social movement of domestic workers, integrally involved in the country's massive political shift, left no possibility for exclusion as new laws were being drafted. The United States and India have seen successful efforts on a smaller scale, through inclusion in regional legal frameworks, but success at the national level continues to be elusive.

Sadly, the example of South Africa also demonstrates the biggest pitfall of this strategy. A legal framework alone does not guarantee better working conditions. Some South African domestic workers continue to suffer exploitation in the homes of their employers, just like their counterparts in many other nations. The collapse of the social movement that enabled the change in the legal framework also resulted in a collapse in enforcement. The state can be a powerful ally, but it is at best an unreliable one and at worst an adversary. Rights have to be seized and continually protected. Many construction industries dominated by informal labor face similar problems, including in the United States and China. Though workers in these fields technically have rights, it is only through vigorous legal maneuvering and sometimes intense street action that the laws become reality.

While legal frameworks alone don't solve the problem, they do enable workers to make claims that are widely accepted by the public. Indian domestic workers continue to mobilize and struggle for a national policy on domestic work, despite the increasing reality of underenforcement. With the law on their side, a bad employer is transformed from a jerk into a law-breaker, a shift that can give workers a moral high ground in the public eye and a leg up in courtrooms or negotiations.

Changing policy is not easy. Organizers must engage in deep power analyses of decision makers, the degree of organization of the opposition,

and the general political context. Informal workers are not necessarily less powerful than their employers. The diffuse nature of employment in the informal sector, which weakens workers in the workplace, can actually make them stronger than employers in the policy arena. Strong mass-movement worker organizations may actually have more political leverage than their opposition. In several places in the world, for example, domestic worker organizations are more organized, better resourced, and more powerful than any organization of domestic worker employers.

RESHAPING SECTORAL LABOR MARKETS

Informal worker organizations follow two main paths to build collective power. One is pressuring the state to reform labor markets through policy change. The other is pressuring businesses high up in the supply chain that have the power and financial resources to change employer-employee relations.

Worker organizations have had great success in changing their roles in relation to the state—as power brokers and parties worthy of negotiation—in ways that strategically restructure labor markets. The clearest example is in India, where unions worked with the government to establish worker-controlled welfare boards. Through these organizations, worker representatives are able to access informal workers, provide benefits, and monitor the industry as a whole. Other examples are in the United States and South Korea, where domestic workers have negotiated with the state to provide government support for domestic worker employers, and in South Africa, where domestic workers established a key role for themselves in negotiations for the structure of the postapartheid republic.

Several of the movements we examined found their greatest successes by looking at business actors beyond their immediate employers. Informal

workers generally do not have traditional employers, either because they have one-on-one relationships with employers, switch jobs frequently, work for family members or close friends, or work for employers who have tenuous contractual relationships themselves. But the lack of a traditional employer does not mean that no one is making money off the labor of informal workers. Many of the informal worker campaigns we examined have been successful because workers followed these networks of profit and took the fight to those who profit the most.

The most prominent example of this strategy is the South Korean construction sector. Rather than confront small-time construction subcontractors, workers and their organizers identified the true profiteers in the bustling construction sector—developers—and pushed for regional agreements across the entire construction sector. Another example is construction workers in South Africa, who often appeal to local government officials about workplace issues rather than fighting with individual contractors. In this case, the government is the contracting agency who ultimately benefits from the low wages of the public work program. Some U.S. domestic worker struggles also look beyond heads of household employers and instead create change through placement agencies.

These two primary approaches are not the only ways that informal worker organizations have altered labor market structures. For example, unions traditionally set the value of labor through collective bargaining, but there are many other ways of doing so. Informal day laborers in the United States fix the value of their labor through informal hiring sites. South Korean domestic workers have established a certification process with associated terms of hire. These two creative strategies allow workers to determine the value of their skills and time, not as individuals contending with a vaguely defined set of market forces, but collectively as skilled professionals.

MOBILIZING AROUND THE RELEVANT IDENTITIES AND ROLES

Most informal workers are marginalized through multiple systems of oppression. The women who perform the vast majority of paid domestic work worldwide contend with patriarchy and gender discrimination. Both construction and domestic workers are frequently migrants, either internal or international, and subject to both structural and individual discrimination. Many have no legal migration authorization, as in the case of construction workers in China or day laborers in the United States, which adds to their difficulties. Legacies and present realities of racism, social caste discrimination, and xenophobia shape working conditions for informal workers as well as their lives outside of the informal workplace.

While these conditions of extra-economic oppression can make worker struggle more difficult, the vast majority of the organizations we studied have used their oppressed identities as an organizing asset. Rather than attempting to hide or diminish the importance of their socially marginalized identities, informal worker organizations have generally promoted and discussed these issues in their public campaigns, thus shining a light on those systems of social exploitation. A shared identity also creates opportunity for organizing and solidarity, as workers create spaces of their own around shared experiences in the workplace and beyond.

Almost every case in this study includes an example of this phenomenon. In the United States, both day laborers and domestic workers have embraced the struggle for just immigration reform and publicly announced their undocumented migrant status. In China, construction workers present themselves in the media as fathers who have come to urban areas to provide for their families, contesting the stereotype of male, low-wage workers as unattached, irresponsible, and dangerous. Domestic worker organizations in Mexico, the United States, and India all stress the valuable historic role of women as providers of domestic labor,



both paid and unpaid. South Korean day laborers take this a step further by pushing the state to recognize that many women were left behind in the industrial changes after the 1998 financial crisis and demanding special consideration from the state. In South Africa, domestic workers in the new republic stress the doubly exploited nature of Black women under apartheid.

The slogans and organizational names chosen by workers to define themselves in public illustrate this strategy. For example, several domestic worker organizations in the United States do not include the words “domestic” or “worker” in their names, opting to focus instead on their shared national background or the gender of their members (e.g., Women Working Together USA, Brazilian Women’s Group, or Mujeres Unidas y Activas [Women United and Active]). This tactic also reminds members that they are not defined by their workplaces. In a different strategic approach, in Mexico, organizations choose to present themselves as “household workers” rather than “domestic workers” in order to claim the dignity inherent in their work and leave behind a centuries-long history of servitude.

Shared identity builds collective power, challenges narratives of exploitation, and helps informal workers gain a sense of power. Unlike workers in more traditional working environments, organizations working with informal workers cannot focus narrowly on workplace relations and ignore the broader contexts of social exclusion.

CHOOSING ORGANIZATIONAL FORMS

Across sectoral configurations and policy frameworks, informal worker movements have fluctuated between formal, legally recognized labor unions and other forms of NGO or worker association structures. Several of these efforts have shifted from unions to NGOs and back again, created new types of organizations with government imprimatur, or used multiple parallel organizational forms in concert.

Trade unions are powerful tools for workers because union rights, privileges, and obligations exist within well-defined legal frameworks in most



countries. These frameworks are not static, however. Even in countries with little change in labor law over long periods of time, like the United States, the role and status of unions is constantly shifting. In countries where labor laws change more often, the entire framework governing unions can shift.

Unions typically allow workers to bargain collectively to set their own wages, but that isn't the only way to establish the value of their labor. Informal construction day laborers in the United States or domestic workers in South Korea, for example, also set the terms and conditions for their labor through worker-led associations or NGOs that have similarities with unions but take distinct organizational forms. In the former case, workers could attempt to form a legally recognized union but have opted to fix the value of their labor through worker centers instead of traditional, legally circumscribed collective bargaining. In the latter case, the avenue to formal recognition is officially closed by labor law. Consequently, NGOs have established what workers expect to be paid and make this clear up front—based not on some vague market wage but on the amount workers collectively determine. Though not achieved through traditional collective bargaining, the wage-fixing effect is the same.

Different types of organizations can coexist within the same sector, often resulting in a stronger movement. Paid domestic workers in the United States and India have formed either unions or NGOs in different subsectors, depending on the nature of the work and the applicable policies. These very different organizations can cooperate on efforts to expand worker rights. In California, United States, for example, unions and NGOs cooperated to pass state recognition and protection of paid domestic labor.

In other countries, organizational types shift frequently. Construction workers in India are increasingly looking to an NGO model to expand

their powers in the informal industry. At the same time, their sister organizations in the paid domestic sector are shifting away from an NGO model toward formally recognized unions. Mexican paid domestic workers first organized into unions after the Mexican Civil War, shifted into NGO structures from the 1970s to the 2000s, and now have formed a national union. The organizational form is a tactic, not an end goal—a means to an end based on the best strategies for building power.

Whatever the format, some kind of formal organization is necessary. The biggest limitation of the robust efforts of Chinese construction worker organizing is the lack of a formal structure to carry their movement beyond individual site fights. Organizations help workers fundraise, provide a recognizable voice for policy makers, and give legitimacy to threats of direct action.

These cases demonstrate that being firmly wedded to a specific organizational form because of history, tradition, or the export of best practices, may be short-sighted. While officially sanctioned unions may be ideal in some cases, associations or NGOs with true worker leadership can accomplish similar outcomes and may be able to do some things unions can't. The organizational format itself is less important than the movement, the mobilization, the strategy, and the goal.

SCALE AND MILITANCY

While many of these organizations have been successful, some have benefited only limited groups of workers. Others, as in the case of India, have enjoyed substantial successes but are now facing new challenges under increased state repression. By the nature of diffuse workplaces and rapidly shifting employment relationships, growing to scale can be a major challenge for informal worker organizers.



Some of the most successful organizations in this study—particularly the Indian domestic and construction unions, the South African Domestic Workers Union (at the height of its power), domestic homecare unions in the United States, and the construction union in South Korea—all either had or were able to create policy avenues that encouraged growth. But size alone doesn't guarantee success. The domestic worker union in South Africa collapsed when it proved ill equipped to organize in the new postapartheid economy. In the United States, domestic homecare unions continue to face significant challenges from rapid policy changes aimed at destabilizing their organizing models; U.S. Supreme Court cases, triggered by lawsuits brought by anti-union political organizations, have banned unions from requiring

nonmembers covered by the collective bargaining contract to pay agency fee contributions.¹⁵ The struggle to stay at scale has its own strategic challenges.

Other smaller organizations may be successful but limited in their reach. Construction day laborers in the United States and domestic workers in Mexico provide two examples. The former set up centers to control and enforce labor prices, but the vast majority of day labor workers are left out of the model. In Mexico, the organization of paid domestic workers remains small and based in only a few parts of the country, though a core of militant activists were able to create a nationally recognized union that is attempting to negotiate far beyond its membership. Both the U.S. and Mexican cases count among the most

militant within this study. While militancy is no substitute for a mass movement, it can be enough to move the needle or open up new pathways for organizing.

SOME TENTATIVE GENERALIZATIONS

The goal in designing a study examining two sectors across six countries was not simply to uncover variety but also to develop some general conclusions about informal worker organizing.

When comparing the domestic work and construction sectors, two major differences are their gender composition and their status under the law. Domestic work is overwhelmingly female, and construction work is overwhelmingly male in every country but India—and even in India the majorities line up this way. Moreover, the jobs are gendered in popular perception, which functions to reinforce those workforce compositions.

The high concentration of women in paid domestic work, along with its similarities to women's traditional reproductive labor, helps explain why domestic workers are excluded from some or all labor protections in half the countries we studied. Construction workers, in contrast, are invariably covered by law. Thus, for construction workers, informality results primarily from nonenforcement of the law whereas for household workers, it usually stems from noninclusion. And even where labor legislation covers both groups, domestic workers are more likely to fall through the cracks, due in part to patriarchal biases in implementation of the law.

Two other consequential cross-sectoral disparities arise from the sectors' market structures and labor processes. Markets structured as subcontracting chains in construction mean that businesses at the top

of the chains have more market power and thus greater ability to cover higher labor costs. Where other circumstances are conducive, this structure makes possible the South Korean construction union strategy of negotiating with lead contractors on behalf of workers throughout the chain. Household workers generally lack this option, though the exception is government-funded homecare in the United States and South Korea, where the government functions as the top of the supply chain. The recent rise of online platforms for domestic employment potentially creates new concentrations of market power and profits that may become organizing targets.

On the labor process front, the concentration of groups of construction workers at building sites confers a certain amount of structural power in the ability to conduct work stoppages that cause costly disruptions of time-sensitive projects. Though in principle, household workers could likewise inflict economic pain by a coordinated strike or other disruption, in practice, domestic workers' highly dispersed and mostly individualized workplaces make coordinated action difficult and similarly splinter the employer side as there is no single target or potential bargaining partner.

Several cross-national similarities and differences also stand out. An inherited legacy of labor law shapes the terrain for struggle. China's labor relations regime, which only allows one union closely linked to the ruling party and state, and the United States' nearly century-old exclusion of domestic workers from core employment laws continue to hobble labor rights activists. On the other hand, Mexico's inclusion of household workers in some fundamental labor laws made it possible for domestic workers to organize trade unions recognized by the state.

Governments' degree of authoritarianism versus accountability plays a role as well. Authoritarianism in China, and to a lesser extent Mexico with the long-standing government domination of unions, impedes informal worker organizing, whereas democracy in India and the United States

provides openings. Also relevant is the effect of government centralization or federalism. Federalist systems in India and the United States, and in a more limited way in Mexico, have allowed organizations to win concessions from local governments without having to reach the scale that would be required to gain national reforms.

Governments' direct economic involvement in a sector can provide opportunities for successful mobilization. In South Korean and U.S. home healthcare and in South Africa's state-funded EPWP, government agencies have sometimes proven vulnerable to grassroots political organizing in ways that would not translate to private employers. But an existing government role in the sector is neither a necessary condition for successful organizing, as witnessed by Indian construction worker organizations' success in establishing welfare boards, nor is it sufficient, as demonstrated by the Chinese government's prominent role in training and placement while restricting independent domestic worker organizations.

Path dependence emerges from the case studies as well, as inherited organizations can facilitate or constrain action. A result of Mexico's history of corporatism is that even at a time when government policies have turned away from a corporatist model, there is a lasting legacy in the form of institutionalized trade unions with deeply ingrained corporatist practices that have blocked organizing of informal construction workers. Moreover, the success of organizational communications framing depends on each society's ideological heritage. Appeals to support immigrant rights have more resonance in the United States, with its long history of successive waves of immigration and its rapidly growing populations of Latinos and Asians, than in relatively insular, immigration-averse South Korea.

Despite the power of these comparative points, history does not dictate results. South Africa's Black majority overthrew the racist apartheid system in a set of reforms that codified household workers' rights.

India's organizations of informal construction workers successfully pushed regional governments to establish welfare boards for workers previously unconnected with the welfare state; pushback by India's current conservative regime threatens, in turn, to undo these welfare boards. Mexican household workers' mixed status under labor law was largely frozen in place from the 1930s forward, but in early 2019, was abruptly replaced with full coverage. Moreover, in all these cases and indeed in every pairing of sector and country, informal workers' rights on the ground are not guaranteed by laws alone but by their implementation. And implementation is the outcome of complex interactions between state bureaucracies, employers who choose to comply with or evade legislation, and workers and their organizations acting as eyes, ears, and voices in myriad workplaces.

CONCLUSION

Every day across the world, in the face of very difficult circumstances, informal workers are collectively putting their livelihoods on the line to build a better future for themselves, their families, and their societies. This study of informal construction and household workers and their organizations in China, India, South Korea, Mexico, South Africa, and the United States has demonstrated what informal worker organizations can accomplish and how. However, our understanding of informal worker organization in these two sectors, let alone of such organizations more generally, remains at a basic level. Continuing study by both academic and policy researchers, self-study and experimentation by organizations on the ground, and continuing dialogue and debate within and between all of these groups is needed to build strategies that can improve the lives of hundreds of millions of informal workers around the world.

APPENDIX A

CASE STUDIES FROM TWO SECTORS ACROSS SIX COUNTRIES

Context is key in determining how informal workers succeed in raising labor standards in very different settings. Here we've presented our findings as case studies for one sector one country at a time. We've also grouped the two sectors for each country; while sectors may have features in common across countries, the national political and institutional factors that shape organizing opportunities are particularly illuminating. Readers can read selectively to focus on the sectors or countries that interest them. Appendix B provides five broader lessons grouped by theme across cases as thumbnail summaries of key points for each country and sector.

The cases below are listed in alphabetical order by country. They are by no means complete, but each presents a snapshot of the most significant findings and provides the basis for the broader lessons. We believe that each of these case studies offers powerful lessons for those organizing and advocating for informal workers—most relevant for those working in the same country or region and/or the same sector, but also relevant beyond those boundaries.

CASE 1: THE TINY 22 MILLION-WORKER SECTOR — DOMESTIC WORKERS — CHINA

Paid domestic work is very new in China. Until recently, most domestic work was performed by family members, typically women. Even today, the vast majority of Chinese households cannot afford paid domestic workers. Though this sector is relatively small by Chinese standards, it is still estimated at 22 million workers,¹⁶ perhaps the largest sector in the world and almost exclusively women.

Internal migrants probably perform most paid domestic work in China, though there is little hard data available.¹⁷ These workers most often do not have access to state support or programs but migrate anyway because of the dire economic prospects at home.¹⁸ In addition to migrants, some local women who have been laid off from other jobs or displaced by rapid urbanization also work in the sector.¹⁹

MANY AGENCIES, FEW PUBLIC POLICIES

Most domestic workers find jobs through agencies, which typically either take a flat fee upon placement or recurrent membership dues.²⁰ All kinds of entities operate the more than 650,000 placement firms in China,²¹ ranging from for-profit enterprises to agencies managed by various branches of the Communist Party. Recently, new agencies based on online platforms have also begun to proliferate.

Chinese state policy first recognized paid domestic work as labor in 2000²² and has since regulated working conditions, but national policy is focused mostly on skills training. Some regional ministries have begun adopting more proactive stances toward domestic workers' rights, even including them in state social security benefits.²³ The national government has declined to ratify the International Labor Organization Convention 189 on the rights of paid domestic work.

SELF-LIMITING UNIONS, CONSTRAINED NGOs

The only legally sanctioned Chinese unions are connected to the Communist Party, which also governs the state as the sole political entity.²⁴ Unions aim above all for stable workplace relations and thus rarely push for broader rights in any industry. Domestic worker unions are no exception.²⁵

Several NGOs, some of which operate as unions, focus on domestic worker issues in China, but these organizations have limited membership and are vulnerable to state repression. From the 1990s into the 2010s, funding from Oxfam Hong Kong and some labor activists nurtured a small set of labor NGOs for domestic workers in several major cities. These organizations were active in research, advocacy, worker education, and organizing. The Migrant Women's Club (MWC) in Beijing has been particularly effective. After engaging in over a decade of organizing workers and helping them negotiate both with employers and policy makers, the MWC created a model worker contract in 2008 that is broadly used by domestic workers even beyond its membership.²⁶ Recently, the MWC has pushed for Beijing to adopt the standards of their contract as a regional policy.

However, the government crackdown on independent labor organizations since 2012 has diminished the impact of the labor NGOs.²⁷ Some domestic worker organizations have been driven out of existence, while

others have been marginalized or compelled to limit themselves to service functions.

As China continues to urbanize, and the Chinese middle class becomes wealthier, the paid domestic worker sector in China will likely expand dramatically. At the same time, workers and their organizations will need to negotiate space with the state and with employers to ensure fair treatment in their workplaces.

CASE 2: FAMILY MEN, INVISIBLE WOMEN — CONSTRUCTION WORKERS — CHINA

Brick by brick, informal construction workers are building a new China. More than 85 million Chinese internal migrants have participated in the construction boom, accounting for over 25% of the nation's gross domestic product.²⁸ However, the vast number of those workers move frequently from job to job with no fixed employer and no guarantee of work, laboring for subcontractors at the bottom of complex chains of production.

Underpayment or nonpayment of wages is incredibly common in the sector, but spontaneous worker protests are increasingly frequent. More than one third of all labor protests in China are organized by workers in this sector, and almost all are about wages.²⁹

This wave of worker activism is for the most part not organized by unions or NGOs. State-run construction unions do not work with informal construction workers because they are not part of the formal economy, and workers cannot form their own unions under Chinese law. Similarly, no NGO works exclusively with informal construction workers,³⁰ as most are reluctant to take on the sensitive issue of workers' rights in any sector. The current Xi government has dramatically escalated pressure

and restrictions on NGOs and civil society in general,³¹ making it even more unlikely that recognized NGOs will emerge to serve these workers. However, other types of social networks, such as underground “house churches” or hometown associations, have in some cases stepped forward to provide their members with support in labor struggles.³²

State-run and foreign media typically stereotype protesting construction workers as poor, uneducated, single, dangerously violent young men with nothing to lose—members of a broader wave of young Chinese men willing to engage in risky or violent behavior with little provocation. The media calls this class of young men “bare branches” and presents them as a significant threat to ordinary, law-abiding Chinese citizens.³³

In fact, the majority of construction workers in China are middle-aged, married, and have children.³⁴ Construction workers often migrate specifically to be able to provide for their children back in their hometowns. Women have also increasingly joined the ranks of the informal construction economy and have their own migration patterns, job issues, and life concerns that are often distinct from their male coworkers.³⁵

“PAY MY FATHER SO HE CAN PAY MY SCHOOL FEES.”³⁶

Chinese construction worker protests directly challenge the stereotype promoted by the media and the state. By portraying themselves as hard-working but destitute family men, informal construction workers hope to achieve a degree of public sympathy.³⁷ Although some of their visually striking militant direct actions include jobsite takeovers, many are intended more to bring attention to their cause. Workers dangle from cranes, engage in street actions, and use online videos to spread messages about underpayment and wage theft.³⁸ Most of these workers explicitly state that they are working to raise money for their families. At least one group brought their families from their home province to join them in their jobsite protest, with wives and children waving signs demanding fair pay.³⁹

The ultimate goal of these protests is to shame the state into acting. As a Communist country, China nominally guarantees the rights of working people. When construction workers complain about unlawful withholding of wages, the state is forced to take sides between developers and workers. This high-stakes gambit can break either way. The state is often willing to crush these protests through police violence or private goons who clear protestors from jobsites. But in some cases, workers are able to reclaim some or all of their wages as the state pressures developers to make the problem go away.

BUILDING WOMEN

In China, almost 10% of construction workers are women, and the number is growing.⁴⁰ Women may migrate alone or with their husband construction workers. Although underpayment or nonpayment of wages affects everyone, women also frequently report other workplace concerns: the need for time off, separate living quarters or facilities, and more time with their families.⁴¹

Male construction workers sometimes blame women for lower average wages in the industry, making these workers doubly oppressed by their employers and their coworkers. Women workers also often find themselves performing unpaid domestic reproductive work in dormitories for multiple men and almost never receive equal pay on the jobsite.⁴²

INFORMAL WORK, INFORMAL VICTORIES

In many cases, Chinese construction workers have been able to recover all or at least some of their unpaid wages, despite organizing in a highly repressive environment without any formal institutional support or overarching strategy. Millions of construction workers have engaged in protest, making the construction sector in China one of the most militant informal economy sectors in the world. The movement is so vast and dispersed that

a true accounting is not possible. Most actions occur and are over in a few days, as workers either get paid or are violently driven off and regroup on new jobsites with new coworkers.

There is some evidence that workers have turned the tide and nonpayment of wages is decreasing. At least one developer reported that the state had given him very clear instructions that underpayment of workers would not be tolerated.⁴³

CASE 3: WORKERS, NOT SERVANTS — DOMESTIC WORKERS — INDIA

Every day, in millions of homes across India, women labor as domestic workers. Indian homes are far more likely to employ domestic workers than most other countries,⁴⁴ despite the lack of government subsidy. The long-standing tradition of employing domestic help is viewed by many members of the middle class as a right. Although male in-house domestic workers were common in the past, the majority of domestic workers today are women who commute to middle-class homes from working-class slums.⁴⁵ These women are mostly internal migrants who come to Indian cities with their families and accept domestic jobs to make ends meet.⁴⁶

Domestic work is not recognized in India's federal labor codes.⁴⁷ Domestic workers thus have no legal protections under federal labor law and must negotiate terms and conditions of employment one-on-one with each household. In addition, domestic workers lack access to the protections and benefits other low-wage workers are entitled to (though implementation is very uneven).

Most Indians also do not view domestic work as legitimate employment.⁴⁸ Those served by domestic workers generally do not consider

themselves employers, but rather purchasers of a service. Domestic workers are often of lower caste than household members, which fosters the devaluing of the work.⁴⁹

Despite these challenges, domestic workers in India were some of the first in the world to start organizing. Although they have yet to succeed in altering national labor law, they have come together in highly developed organizations, sometimes with significant political power. These groups push to alter the legal and public understanding of domestic workers as those engaged in employer-employee relationships. Domestic worker unions in India continue to be among the fastest growing unions anywhere in the world.⁵⁰

A LONG HISTORY OF ORGANIZING

Domestic worker organizing began with the dawn of the Republic of India. A major domestic worker strike shook the young nation in 1959 as domestic workers unsuccessfully sought to have their jobs included in federal labor law. Other domestic worker unions were formed in the 1970s and 1980s. These movements focused on male domestic workers, who made up approximately half of the domestic workforce at the time and were employed primarily as groundskeepers and drivers.⁵¹

The 1980s saw a new wave of domestic worker organizing led by women, primarily through NGOs that advocated for women's issues and pushed back against exploitative working relationships with heads of households. Some of these efforts, like the National Domestic Workers' Movement, reached millions of domestic workers through outreach and advocacy and continue to this day.⁵² Many of these organizations either spawned or transformed into official unions to better represent workers' interests. In the 2000s, the multifaceted tapestry of organizations started creating nationwide coalitions to coordinate efforts.⁵³

NO CHARITY NEEDED

Although the ultimate goal of federal recognition of domestic work remains elusive, the Government of India recently agreed to develop a policy governing domestic work and has included domestic worker organizations at the table as the rules are drafted.⁵⁴ Though the policy falls short of official recognition, it will likely create enforceable protections for the first time in Indian history. Domestic workers have also succeeded in including domestic work in 15 state-level minimum wage laws.⁵⁵

In four states, domestic worker unions have successfully created welfare boards, generally industry-specific tripartite organizations with worker, employer, and government representatives, that form an important component of labor relations for the informal economy.⁵⁶ Welfare boards are designed to pool and distribute resources either as benefits or as a safety net for precarious workers. In domestic worker welfare boards, worker representatives decide how to allot pooled resources, negotiating as equals with government officials and employer representatives. However, no funding structure has been identified to guarantee contributions from the state or employers. Many of these boards are very recent victories, and the full possibilities are still unrealized.

Women workers control most large domestic worker unions in India.⁵⁷ Several of these organizations are structured specifically to prevent male domestic workers (still approximately 20% of the domestic workforce) from taking over leadership positions.⁵⁸ Domestic worker organizations place the issues of women at the forefront and have become outspoken advocates for redressing gender inequality in Indian society beyond the domestic workplace, such as increasing enforcement of domestic violence laws, limiting the sale of alcohol, and opening access to state services for women. Unions have also managed to incorporate domestic workers into sexual harassment laws in employment regulation despite

the state's lack of recognition of domestic workers as workers⁵⁹—a reflection of the all-too-common contradictions that are replete in Indian labor laws.

The domestic worker movement in India is one of the largest informal worker movements in the world, reaching millions of workers. They have created massive organizations, successfully pushed for policy change at multiple levels of government, and taken steps to address histories of patriarchy and servitude in Indian society. However, domestic work is still not widely seen as employment in India either in practice or policy, a situation common throughout the world. Women activists continue to push for recognition of their labor, to be seen not as servants but as workers like any other, and they continue to expand their reach.

CASE 4: BARGAINING FOR POWER AS EQUALS — CONSTRUCTION WORKERS — INDIA

One in 10 workers in India, about 40 million people, are construction workers, and the vast majority are employed as informal workers.⁶⁰ These employment relationships operate through elaborate subcontracting chains between firms. In the residential sector, the vast majority of construction workers, including those interviewed for this study, work in the residential sector in informal jobs.⁶¹ Most Indian construction workers had no idea who the primary employers on their jobsites were.

Many construction workers in India are rural migrants who work construction during agricultural off-seasons and return home for harvests or other busy times of year.⁶² Workers often sleep on jobsites and find their next placements through personal relationships with crew heads. Unlike in most countries, a sizable proportion of Indian construction workers are women, somewhere between a quarter and a third of all

workers. Women disproportionately work in the least skilled, lowest paid, most physically demanding jobs, such as carrying goods or mixing cement. At the same time, they are paid far less than men and have no career ladders into higher-paid trades. Most women are hired as “helpers” to their husbands and migrate with their families. They also perform unpaid reproductive work for male construction workers.⁶³

Construction worker unions have existed in India since before independence was established in 1947. As with most labor unions there, early unions fought to formalize construction workers; once formal labor legislation was attained, they sought to ensure the implementation of those laws for the tiny part of the sector that had formal employer-employee relationships. In the 1980s and 1990s, informal construction workers began forming their own independent unions, which strove to include the informal workforce in formal employer-employee relationships. The unions also successfully capped employers’ ability to use informal workers through establishment of the Contract Workers’ Act, which limits how and when employers can hire informal construction workers. In the 1990s, the unions formed a national movement to hold the government accountable for ensuring some recognition and welfare benefits for informal workers. The Government of India recognized these efforts in a landmark policy change in 1996, which gave sweeping protections to informal construction workers, guaranteed a minimum wage, and allowed them to participate in some benefits, like healthcare and pensions.⁶⁴

Following this victory, informal construction worker unions proliferated. More than 70 independent informal construction unions now represent workers throughout India.⁶⁵ Many of these organizations simply ensure the implementation of welfare benefits, and some are critiqued as mere service providers that lack militancy or organization. Nevertheless, informal construction unions do serve as a pressure point in policy

discussions as well as negotiators with the state and employer organizations that define the terrain of construction workplace conditions, wages, and benefits in most parts of the country.

Because of the lack of formal employers, informal construction unions function as a bridge between workers and the state as much as between workers and their supervisors. Since workers rely on personal networks, caste connections, regional origin, and kinship to find jobs, it is difficult for unions to insert themselves into the discussion. Unions instead have identified the state as the most stable actor in the sector and bargain with public officials around issues ranging from price controls over construction supplies to access for industrial loans for building projects.⁶⁶ Unions have also worked with the state to create welfare boards that benefit informal workers in this chaotic industry.

THE WELFARE BOARD MODEL

Informal workers live on the brink. One missed paycheck or one week without work could tumble a worker into a downward spiral that could lead to serious health consequences or even death. The informal construction unions recognized that no matter how stringent enforcement might be, the informal nature of construction work creates cracks that unscrupulous employers use to take advantage of vulnerable workers. Unions decided to tackle this issue by creating a new form of organization. The welfare board is a tripartite quasi-governmental entity through which state government officials, elected union representatives, and employers come together, identify key issues facing workers in an industry, and develop solutions.⁶⁷ A tax on construction projects, supplemented by government contributions and very modest worker membership fees, creates a pool of resources to use in support of workers in a variety of ways defined locally by negotiations between the three parties. The welfare board acts as a safety net for informal workers, filling gaps in

social security or healthcare contributions, providing financial assistance in hard times, and even funding vocational trainings.

Workers must access welfare board benefits through a union, so the board also acts as a pathway for the unions to connect with workers around issues specific to their jobsites. Unions register workers directly, eliminating informal employers or jobsite bosses from the process. Thus, unions can also keep tabs on conditions in the regions where they operate and ensure as much compliance with legal obligations as possible. By understanding the conditions on the ground, union leaders can make informed choices about where to use resources for employer-specific fights or legal enforcement.

The welfare board model is not without its problems. For example, some organizations have sprung up to help people file bogus claims for benefits. Nonetheless, the model serves as a lodestar for many other informal sector organizers in India and is generally viewed as a successful innovation for meeting the needs of informal workers in an unstable sector. The current Modi (BJP) government has raised the discussion of scaling back or dismantling the welfare boards, so the future of these institutions is uncertain.

WOMEN CONSTRUCTION WORKERS

Women workers are almost never allowed to take leadership positions within construction unions in India, so women have begun forming their own organizations to push for changes in the industry. Though they have many problems in common with male construction workers, women workers have their own distinct sets of issues. Since they may live on-site or lack childcare options, women often bring children with them to work. Children and construction sites are obviously a dangerous mix, but male-dominated unions have been slow to tackle this issue. Sexual harassment of women workers is rife on the jobsite, so they also seek

out safe workplace facilities, like dedicated restrooms or sleeping areas. Finally, women want the opportunity to move into higher-paid, high-skill construction jobs or at the very least, equal pay for equal labor.

Some organizations have enjoyed initial success on these issues, particularly with respect to safe restrooms, despite opposition from employers and often a lack of support from male-dominated unions. The goals of equal pay and career ladders remain elusive. Over time, these organizations have gradually shifted from NGOs to unions.

“THIS CANNOT BE SPECIFIC TO AN EMPLOYER; IT HAS TO BE A RELATIONSHIP BETWEEN THE WORKER AND THE INDUSTRY.”⁶⁸

Informal construction unions in India represent the pinnacle of state recognition of informal worker organizing worldwide. Indian construction unions have millions of members⁶⁹ and are among the largest and most organized labor sectors in the world. They are well established and regarded as key players in the sector by both employers and the state. Twenty years after the state agreed to formally address informal worker issues, dozens of organizations now disperse benefits in equal-status partnership with the state and employers. Because of the levels of formal state recognition, unions can tackle worker issues without getting bogged down in specific fights with ephemeral employers many stages removed from the jobsites. Although the jobs remain casual, low-paid, and informal, workers have a great deal of power and clear rights that they are generally able to enforce through their organizations.

The welfare board in particular is a valuable innovation. By involving the state as a partner, unions bring new resources to the table that would be difficult to collect from the tens of thousands of crew bosses in the industry. Unions can focus on common needs instead of using up resources on temporary job-specific fights. The board creates real opportunities for engagement with members that would otherwise be difficult

in the rapidly shifting terrain of informal construction work. The largest remaining challenge for Indian construction workers is gender equality.

CASE 5: THE PROFESSION OF HOUSE MANAGEMENT — DOMESTIC WORKERS — KOREA

In the aftermath of the 1997 Asian financial crisis, many South Korean workers found themselves unemployed and unemployable. Women suffered disproportionately, as government relief programs focused on job training and placement in traditionally male-dominated industries. Many unemployed women turned to NGOs for support in finding new sources of work. The Korean Women Workers Association created a unique program to train women to work as domestic workers. Its spin-off organization, founded in 2004, is the National House Managers Cooperative (NHMC), which has evolved into a key vocational training and placement nexus for women who have been left behind by the global economy.⁷⁰ No longer victims of greater financial forces, NHMC members have situated themselves as key participants in policy discussions around the modern Korean household, the role of women in work, and even the nature of an emerging Korean welfare state.

South Korea rapidly transformed from a developing economy into an economic powerhouse. A key effect of this transformation was the rapid growth of a middle class who were able to afford domestic help. At the same time, South Korea has a rapidly aging population, and many of the nation's older residents need in-home support. Recognizing these issues, the government began incentivizing in-home domestic work as a potential job solution for women who lost their jobs in the 1997 crisis.⁷¹ NGOs can thus access government funds to train women to manage the homes of busy professional workers. Domestic workers supporting older

adults may even be able to access direct state subsidy as part or all of their wages.

Although several Korean NGOs train women for domestic worker careers, the NHMC operates one of the most radical programs in the field. The NHMC was started by a social justice organization focused on women workers' rights; it maintains this foundation by including trainings on feminist issues in vocational curricula and aggressively intervening with abusive or negligent employers. NHMC members are specifically taught not to view themselves as victims, despite previous experiences of discrimination or job loss, but as workers vital to the new Korean economy. Run as a cooperative and entirely controlled by its members, the NHMC currently comprises 13 training centers across South Korea.⁷²

Korean policy does not recognize domestic work as employment despite the government incentive programs.⁷³ Domestic workers in Korea, as in most countries, have no legal rights to a minimum wage, to form a union, or to access government benefits like social security. Because of this failure of the state to validate women's work, wages in domestic work are predictably low compared to other workers.⁷⁴

"WE ARE HOUSE MANAGERS!"⁷⁵

Traditional domestic work in Korea was performed by servants, and the stigmatization of domestic workers continues through the lack of state recognition of their labor. NHMC members actively challenge this historical consensus. By self-identifying as "house managers" instead of domestic servants, NHMC members present themselves as highly skilled and well-trained professionals who can efficiently perform daily reproductive labor at low cost. They have sorted the art of domestic work into 70 specific tasks, divided into seven core functions of home management, ranked by the amount of time each should take to perform.⁷⁶

Some Korean feminists have criticized programs like the NHMC for reproducing the stereotype that domestic work should solely be done by women. NHMC members respond that successful house management cannot be done by just anybody but requires the firm hand of highly trained women who are the experts in the domestic sphere.⁷⁷ The jobs provide a career path, whether for a few years or a working lifetime, for middle-aged women who otherwise face extreme employment discrimination.

The NHMC is also active in political struggles. In 2015 and 2017, the cooperative joined with other domestic worker NGOs to oppose several policy changes that would have favored for-profit homecare employment agencies. NHMC members have also put pressure on the Korean government to recognize domestic work as paid labor and extend all appropriate benefits to house managers, although this goal remains elusive. Many Korean domestic worker NGOs, including the NHMC, have demanded the Korean government sign International Labor Organization Convention 189 on the rights of domestic workers.⁷⁸

Despite these confrontations, the NGOs are equally likely to partner with the South Korean government on issues of domestic work subsidies; certain kinds of domestic work, particularly care for older adults, are eligible for public assistance as part of an expanding Korean welfare state.⁷⁹ NHMC members are actively involved in the discussions concerning the parameters of these programs, which helps solidify the workers' reputation as professional experts in a rapidly growing field. These programs also ensure the fiscal viability of the organization, which benefits from government grants.

The NHMC's unique blend of political education, professional training, job placement, and civic engagement is a powerful vehicle for domestic worker engagement. However, with their membership representing only a tiny fraction of the Korean domestic workforce and a small staff, scaling up is the challenge.

NATIVE-BORN AND MIGRANT WORKERS

The NHMC and other Korean domestic worker organizations intentionally restrict membership to Korean nationals. South Korea allows Chinese immigrant workers of Korean descent to enter the country as workers, and many of these immigrants gravitate toward domestic work.⁸⁰ Like members of other domestic worker organizations, NHMC members are quick to paint Korean Chinese domestic workers as unreliable, difficult to communicate with, and anathema to the professional image of a house manager.⁸¹ State subsidy is only available for trained workers, who are mostly Korean natives. Nonetheless, the number of Korean Chinese workers has grown substantially and is likely to continue to grow, which may pose a challenge for the NHMC in the future.⁸²

Despite these challenges, the NHMC's feminist orientation makes the organization a unique part of the Korean labor movement, which is dominated by men and focused on men's issues. The NHMC validates a traditionally disregarded field of "women's work" and promotes self-confidence in women who otherwise have been discarded by the Korean economy.

CASE 6: FOLLOWING THE MONEY — CONSTRUCTION WORKERS — SOUTH KOREA

As the Republic of Korea continues to grow and urbanize, a huge portion of Korean construction projects are apartment complexes and other large buildings.⁸³ Construction projects can be profitable, but high fixed costs have put pressure on developers to eke out savings in other areas. In South Korea, subcontracted firms help lower labor costs and streamline the acquisition of appropriately skilled workers.⁸⁴ The developer usually hires a general contracting company that

develops and manages the construction process. The general contractor in turn contracts and subcontracts through multiple firms, ultimately arriving at foremen who manage individual work crews as microfirms or independent contractors.

Workers are stranded in these complex chains of production. The Korean Ministry of Labor estimated that as of 2008, 90% of Korean construction workers toiled under irregularly occurring short-term labor contracts.⁸⁵ Workers build personal relationships with foremen and move with them from project to project, rarely encountering the upper links of the production chain. And foremen are insulated from the developer by several layers of contractual relationships. Since workers are at the bottom of the chain of production, they are the last to get paid. The informal nature of their jobs exempts them from pension programs or state-managed unemployment insurance.⁸⁶

Korean labor law protects construction workers in theory but in practice, the government has been unable to hold individual foremen accountable for problems with wages.⁸⁷ The tacit understanding is that dangerous, underpaid work is just the way of the industry, and little can be done to change it.

Korean unions were at first skeptical about organizing informal construction workers. The first construction union was founded in 1988,⁸⁸ and more followed, but membership was low. As soon as workers joined the union, the project they labored on would end, and they would move on to other gigs. Bargaining with individual foremen was often unproductive because foremen, at the low-end of the chain, rarely made profits themselves. Because the terms of their contracts were mandated from on high, direct employers didn't have the power to change anything in workers' terms of employment. And raising wages with any given foreman was a good way to guarantee that foreman wouldn't get more contracts.

A NEW STRATEGY

In 2007, the Korean Construction Workers Union (KCWU) began to take a new approach to collective bargaining. Realizing that chasing foremen through the shadows of the construction industry was unproductive, the union instead began negotiating directly with general contractors. The resulting agreements ensured that all workers on the jobsite, regardless of direct employer, would have their labor rights respected. Union reps could access the jobsite at any time to verify that standards were met. Equally important, employers contributed to the national pension and unemployment plans for workers. KCWU agreements also included provisions for basic working conditions, like access to restrooms.⁸⁹

The KCWU identified choke points in the construction process and focused their efforts on organizing workers in those trades in order to facilitate these negotiations. By bringing vital workers like truck and crane operators into the union,⁹⁰ the KCWU found they could enforce the legally mandated but widely ignored eight-hour day. Because of a series of militant actions at strategic choke points, even those general contractors who were reluctant to recognize the union eventually had to agree to negotiate.⁹¹

Construction workers also became advocates for policy change. The KCWU pushed for new ordinances and regulations for the industry to ensure timely payment of workers, regardless of whether they were employees, casual labor, or independent contractors.⁹²

The industry has gradually adapted. General contractors in several provinces, particularly in Daegu and Busan, are increasingly willing to deal with the union. For general contractors who still refuse, the KCWU does not shy away from direct actions aimed at disrupting construction sites. Because of the time-sensitive nature of profitability in construction projects, general contractors and developers are vulnerable to protracted labor disruptions. In some provinces, the union has become

so established that they no longer have to bargain with individual general contractors. Instead the KCWU bargains with contractor associations to set terms for all work in the province.⁹³ This level playing field actually benefits general contractors as well, allowing them to compete on the quality of their product instead of their ability to underpay workers.

KCWU tactics rely on a highly organized, militant, grassroots base. In the early days of union organizing, these shows of worker power even extended to confrontations with the police, as workers refused to back down during large demonstrations. In some areas, workers are now so well organized they describe their union as an “iron formation,” impervious to employer interference.⁹⁴

Construction workers have flocked to the union as they increasingly see the value in joining a powerful, well-funded organization. By 2017, more than 35,000 construction workers had joined the union.⁹⁵ In some trades, through the use of agreements that cover all workers on specific jobsites or even across an entire province, worker victories extend beyond the KCWU’s actual membership.

The union has struggled to export the pattern bargaining model to all provinces, and not all areas are as militant. In some provinces, the union relies on public shaming to pressure contractors to negotiate, instead of more militant work disruptions. The union has had only limited success in incorporating immigrants, mainly ethnic Koreans from China,⁹⁶ in part because many Korean unionists are ambivalent about organizing this population.

CASE 7: THE HOUSEHOLD WORKERS UNION — DOMESTIC WORKERS — MEXICO

On August 30, 2015, a group of domestic workers filed paperwork with the government of Mexico to formally register the National Union of Household Workers (SINACTRAHO). For the first time in 70 years, it was legal for domestic workers to collectively bargain over workplace conditions.⁹⁷ It had taken 15 years of hard organizing, but Marcelina Bautista and her fellow domestic workers had finally been recognized by the state.

Approximately 2 million domestic workers, the vast majority of them women, labor in households in Mexico. At least 12% of working women throughout the nation perform some kind of paid domestic work as their primary job.⁹⁸ Many of these women are internal migrants who have moved to large Mexican cities to serve the needs of the relatively affluent middle class.⁹⁹

Federal labor law is ambiguous about the rights of domestic workers. On the one hand, unlike most countries, the Mexican constitution unambiguously recognizes paid domestic work as socially useful labor, and domestic workers are explicitly permitted to organize unions. Likewise, basic federal labor law includes domestic workers in protections like the minimum wage.¹⁰⁰ In practice, however, these laws have not been enforced for domestic workers, who enjoy no guaranteed minimum wage, no regulation of working hours, no mandated paid time off, and no access to social security programs.¹⁰¹ The Mexican state fails to enforce even the most basic laws governing paid domestic work, and these laws haven’t been updated in decades.

During and after the revolution (1910–1920), domestic workers organized into unions along with many of their counterparts from other industries. By the 1940s, domestic worker unions began to merge into larger multi-industry organizations tied to the Partido Revolucionario

Institucional.¹⁰² By the end of the decade, few domestic worker unions remained, and those that survived focused on patronage and job placement programs.

In the 1980s and 1990s, an NGO called Atabal began working with domestic workers.¹⁰³ The NGO was led by middle-class feminists and focused on leadership development and know-your-rights trainings—in short, an advocacy model. Atabal was not a membership-based organization, and their work with domestic workers was just one of several programs promoting the rights of women in the Mexican labor force.

“WE HAVE THE RIGHT TO ORGANIZE OURSELVES.”¹⁰⁴

Marcelina Bautista was one of the first women to participate in Atabal trainings and became active in the organization. By the late 1990s, Bautista began to feel constricted by Atabal’s advocacy model. Inspired by workers in other Latin American countries, Bautista came to believe that to truly change conditions in their workplaces, domestic workers needed to form a union. In 2000, 20 domestic workers came together and formed the Center for Support and Training of Household Employees (CACEH) with the goal of forming a union.

The next 15 years were characterized by difficult organizing, hard-scrabble fundraising, and on-the-ground direct fights on behalf of exploited domestic workers. The organization was almost entirely dependent on philanthropy to survive; there was a dues structure, but CACEH was able to collect very little from its low-paid members. The project repeatedly came close to insolvency. During much of this time, Bautista and other CACEH leaders were still working full-time as domestic workers while organizing in their spare time. The organization had no dedicated space and held its meetings in public parks. CACEH was never able to get enough worker support to form a union during this difficult period, but through tireless effort, Bautista became

internationally known as a spokesperson for the rights of domestic workers in Mexico and beyond.¹⁰⁵

In 2014, Mexican labor law reform created an opportunity to finally achieve the dream of unionization. CACEH stepped up efforts and was able to assemble 29 women from four states and the federal district to apply for a union.¹⁰⁶ To be eligible to apply, the government required workers to present a letter from their employers documenting employment, something unheard of in a sector based on verbal agreements and cash payments. Several women were fired merely for asking. The 29 letters were a triumph and representative of a much larger worker constituency.

Though CACEH is the most successful and visible Mexican domestic worker organization, two others have had some success. The Collective of Indigenous Women Domestic Household Workers (COLMITH), also based in Mexico City, flourished at some points in the 1990s and 2000s but was never able to institutionalize itself. The Network of Women Household Workers (RMEHO), based in the southern state of Guerrero, has a strong localized presence in many communities in that state.¹⁰⁷

POR UN TRABAJO DIGNO (FOR DIGNIFIED WORK)

SINACTRAHO is a testament to the will of a small but determined group of women who refused to be cowed by overwhelming odds. Mexican middle-class employers are generally far from sympathetic with domestic workers, who are marginalized by their gender, ethnicity, and place of origin. The government has been slow to live up to its Revolution-era promises to dignify domestic work—though thanks to lobbying by SINACTRAHO and others, in 2020, the government did ratify International Labor Organization Convention 189 on the rights of domestic workers. The labor movement in general is in decline in Mexico, and informal worker unions are almost nonexistent.

SINACTRAHO focuses on lobbying and political advocacy to promote rights for domestic workers by changing Mexican labor law to include a minimum wage and access to social security and unemployment insurance. Domestic workers also engage in street actions and art exhibits to bring their issues into the public eye, seeking support and a broader social recognition that paid domestic labor is work. The union supports individual workers in filing complaints and enforcing workplace rights. Finally, the union helps place women in jobs and trains them on their rights and civic engagement strategies.

SINACTRAHO has won support from powerful women leaders in the Mexican labor movement and the Mexico City government—with perhaps the most valuable aid coming from the Telephone Workers Union (STRM), which has loaned them space and advised and backed them throughout the unionization process. STRM members see the exclusion of household workers from unionization and effective legal protection as a gender issue, an important concern for STRM's president.

Scale is a major challenge for SINACTRAHO. Fewer than one thousand workers have joined the organization, a tiny fraction of the more than 2 million domestic workers nationwide.¹⁰⁸ In addition, collecting dues from low-wage informal workers in a primarily cash economy is very difficult. Despite these problems, SINACTRAHO is a global leader in the domestic worker movement because of the massive progress they have made. For the first time in decades, domestic workers have the opportunity to lobby for better rights, negotiate with the government and with employer associations, and formally pursue individual grievances—in short, to act like any other group of workers in Mexico.

CASE 8: GHOST UNIONS AND INFORMAL JOBS — CONSTRUCTION WORKERS — MEXICO

The vast majority of construction workers in Mexico participate in the building of new homes through informal working relationships. To our knowledge, there are no independent organizations of Mexican informal construction workers. Wages are below average but not extraordinarily low. Observers of the sector point to high injury rates, but this study was unable to find statistics on the topic.¹⁰⁹ One telling figure is that 89% of construction workers in Mexico have no access to social security benefits.¹¹⁰

Construction workers tend to be regional residents who live in the hinterlands of Mexico's rapidly urbanizing cities. Workers travel to jobsites three to four hours from their homes for short periods of time and often sleep on-site. Many are seasonal, working construction during agricultural off-seasons.¹¹¹ Depending on the distances involved, workers may return home for weekends or other periods of time off. Almost all workers are men.¹¹²

Hiring occurs primarily through social connections.¹¹³ Workers are personally affiliated with subcontractors, who operate work crews at the bottom of elaborate chains of contractors and subcontractors, sometimes with many links. In certain areas of most major cities, day laborers also congregate looking for work.¹¹⁴

REPRESENTATION GAP

As in many industries, the Mexican government does not generally enforce labor rights for informal construction workers.¹¹⁵ Although Mexico has a large labor movement, construction unions almost universally operate on the principles of clientelism rather than as a representative organization; at best, they function as a sort of employment agency. Widespread “ghost”

unions, organizations with few or no members, operate as protection rackets, extorting money from developers in exchange for not disrupting worksites. In the past, independent worker-led unions did organize in construction, but these efforts have been mostly dead since the 1980s. Despite a wide-ranging scan for current independent organizations, we discovered only one tiny cooperative of five construction workers, backed by a federation of democratic unions, attempting to operate as an independent labor movement.¹¹⁶

Despite all of the markers of an industry ripe for organizing—a homogeneous class of informal workers, no institutional bargaining power, a state that has clearly abdicated its enforcement responsibilities, an industry structured very similarly to other informal construction sectors around the world, and a reported widespread dissatisfaction with employers—there appear to be no unified or even locally based organizing efforts in Mexico. Only time will tell if Mexico’s recent electoral shift toward leftist populism portends a new opportunity for informal workers.

CASE 9: SERVANTS NO MORE — DOMESTIC WORKERS — SOUTH AFRICA

Under apartheid, paid domestic workers were simply called servants. Like everything in South Africa, the sector was entirely racialized, with women of color working under highly exploitative conditions to support a mostly leisure class of White women. Workers had no rights whatsoever under South African law, and working conditions were highly abusive.¹¹⁷

South African domestic workers were integral to the fight to overthrow the apartheid system. In 1977, workers began organizing through unions and NGOs to demand better treatment in the workplace and in

society as a whole. Domestic workers demanded better working conditions, better access to housing and state services and a more just and open society. In 1986, several domestic worker organizations merged into the South African Domestic Workers Union (SADWU).¹¹⁸ At its height, this organization had more than 85,000 members—more than 10% of all paid domestic workers in the country.¹¹⁹

Because of organizations like SADWU and many, many others organizing for a just future, the apartheid system was finally unraveled in the early 1990s. A new legal framework governing workplace relations, the Basic Conditions of Employment Act, was passed in 1993, one of the first of its kind in the world. Paid domestic work was unequivocally included as labor deserving of rights and the protection of the state.¹²⁰ The 1996 constitution also explicitly recognized the value and worth of paid domestic work and promised to protect workers, including the right to a minimum wage, defined working hours, and up to four months paid maternity leave.

TRIUMPH AND TROUBLES

Sadly, at the height of this triumph, the movement itself was crumbling. In 1993, SADWU had only 25,000 members, less than a third of its membership from a decade before. Leadership struggles led to the collapse of the organization in the same year the new republic ratified its constitution. Some unions, particularly in the Johannesburg area, continued to represent domestic workers, but not exclusively.¹²¹

A new domestic worker union, the South African Domestic Service and Allied Workers Union (SADSAWU) formed in 2000,¹²² but has a much smaller membership. Based in Cape Town, SADSAWU probably has fewer than 8,000 members. Research indicates that many more domestic workers seek help from legal services firms to enforce their workplace rights.¹²³ South Africa did ratify International Labor Organization

Convention 189 on the rights of paid domestic workers in 2013, one of only 30 countries that have taken this step to date.¹²⁴

CASE 10: CITIZENS NOW AND FOREVER — CONSTRUCTION WORKERS OF THE EXPANDED PUBLIC WORKS PROGRAMME — SOUTH AFRICA

Throughout South Africa, crews of workers in bright orange coveralls toil on roadsides and in communal spaces, building small-scale public works projects. In the postapartheid era, the right to work is inextricably intertwined with rights of citizenship. The Expanded Public Works Programme (EPWP), started after a government summit on unemployment in 2003, has rapidly become a key jobs creation vehicle, employing an estimated 12% of all construction workers. South African President Cyril Ramaphosa brags that the EPWP has created millions of jobs.¹²⁵

Several features of the EPWP raise significant questions of justice and equity. Participating contractors receive government money to engage in short-term, basic public works construction projects. Participating firms must use labor intensive processes to maximize employment and hire at least 30% of workers from areas near the project.¹²⁶ If they meet these conditions, contractors are permitted to pay less than the federal minimum wage and do not have to contribute to state-managed unemployment funds. Projects rarely last longer than six months. The program has caps on how many times any individual worker can participate over a five-year period.¹²⁷

While the project allows the South African government to boast of a large number of newly created jobs, these are short-term, sub-minimum-wage jobs with few career possibilities and dubious effects on real unemployment. The program relies on substituting manual labor

for tasks that would normally be mechanized, which means much of the work is extremely physically demanding and notoriously hazardous. Pay is low, and the quantity of work is uneven. Adding insult to injury, workers frequently report violations of even their minimal workplace rights, including missing pay, unsafe working conditions, and widespread failure to comply with local-hire requirements.¹²⁸

Though not the employer of record, the state has frequent interactions with EPWP workers and the surrounding communities through its representatives. Every project has a dedicated community liaison officer (CLO) who is supposed to ensure that the project meets all requirements and interacts with residents of the area about any concerns they may have. In addition, Commission for Conciliation, Mediation and Arbitration (CCMA) representatives oversee all industrial relations in the country, including disputes within the EPWP.¹²⁹

Given the transitory nature of the work, no formal labor organizations are attempting to organize EPWP workers. But just as a right to work is a right of citizenship, so is the right to protest when conditions are exploitative. Residents continue to use the protest tactics innovated during the apartheid era to define what the right to work means in the contemporary republic and to issue demands on the state to live up to its promises of work and equality for all.

MAKING CITIZENSHIP REAL

EPWP worker protests have become increasingly common throughout South Africa. Workers who have been underpaid or exploited in other ways have come together in project-specific battles over working conditions. Without any leverage against their immediate employers, most EPWP workers take their protests to their project CLOs. Workers understand clearly the role of the program in the state's agenda and view the CLO as ultimately responsible for ensuring they are protected on the

job. In many instances, workers have demanded changes far beyond the minimal rights required by the EPWP. Conflicts over the apportionment of work are also frequent. The CLO has a great deal of latitude in determining what constitutes a local hire, making the EPWP ripe for clientelist opportunities. Community protests about who deserves the work are not infrequent.¹³⁰

When CLOs refuse or are unable to fix problems, EPWP workers have resorted to two other tactics. If their legal rights have been violated, they frequently make official appeals to the CCMA. Any worker can come into a CCMA center and file a complaint, and a government agent will attempt to negotiate a solution or hold formal hearings on the problem.¹³¹ By simultaneously engaging the state on two fronts, with the CLO and at the CCMA, workers ensure that their voices are heard and hold the state accountable to its promises.

EPWP workers also frequently take their fights to the streets. Citizens of South Africa draw on a long tradition of direct action in the face of exploitation. For people who remember the toppling of the violent racist system of apartheid, protests against injustice are nothing new. Workers build street barricades of burning tires and engage in outspoken public protests or even workplace sabotage.¹³²

It is impossible to quantify the number of EPWP workers who have engaged in some level of protest, since individual jobsites are small and temporary, and workers are constantly shifting in and out of the precarious work program. Although workers have been able to improve conditions on specific projects, sometimes even attaining benefits above and beyond those guaranteed by law, a lack of a formal organizational structure has hampered their ability to change conditions nationwide.¹³³ Nonetheless, workers hold the state accountable for its promises about the rights and privileges of citizenship. Through multiple-site interactions with government officials and, when necessary, militant direct action,

organized EPWP workers have redefined their rights within a program designed to generate a churn of precarious jobs.

CASE 11: NO RIGHTS BY DESIGN — DOMESTIC WORKERS — UNITED STATES

Two million women labor as domestic workers across the United States.¹³⁴ Although the percentage of domestic workers is at a historic low, only about 1% of the total female workforce,¹³⁵ key parts of the sector are growing quickly. Though historically the industry was dominated by Black women,¹³⁶ the newest generation of domestic workers are overwhelmingly immigrants from other countries, primarily Latin America and Asia.¹³⁷ Domestic work in the United States encompasses many roles, including watching children, reproductive labor like housekeeping, and caring for older adults or infirm in their homes, in part due to the decline of long-term care facilities.

In the United States, domestic workers essentially have no rights under labor law. The two key laws that regulate most private workplaces in the United States, the Fair Labor Standards Act (FLSA), which mandates wages and benefits, and the National Labor Relations Act, governing unionization, both explicitly excluded domestic workers from their inception. When these laws were enacted during the Jim Crow era of state-sanctioned racial segregation, Southern senators insisted on precluding Black workers from labor rights, including the majority-Black domestic workers.¹³⁸ This legacy of institutionalized racism persists in the United States' modern legal framework despite some minor policy changes.

Nonetheless, domestic worker organizing in the United States has a powerful history and today is robust and multifaceted. Embracing the history of civil rights struggles of the 1960s and 1970s, a new generation

of primarily immigrant domestic workers have been demanding their rights state by state. In addition, state subsidy of various homecare programs has opened the door to unionization by workers in that subsector, leading to one of the largest increases in union membership in recent U.S. history.

BLACK WORKING WOMEN AND HOMECARE UNIONS

The earliest recorded domestic worker action in the postslavery United States was an 1881 strike in Atlanta, Georgia, the first in a series of decades-long sporadic organizing efforts that failed to institutionalize power.¹³⁹ The modern era of domestic worker organizing began in the 1960s. Calling themselves household technicians, rather than maids or housekeepers, more than 25,000 Black women organized in 40 chapters nationwide to push for inclusion in federal labor law. In 1974, this effort succeeded in amending the FLSA to include limited rights for a select few classes of domestic workers, but the amendment fell short of fully recognizing paid domestic labor as work or granting the right to form a union.¹⁴⁰

In the 1980s, U.S. healthcare policy began to prioritize and fund homecare over institutionalized care, leading to a rapid increase in the number of homecare workers. Homecare programs were mostly managed at the state and local levels. Domestic workers began to organize and push for union recognition by local governments, achieving their first in 1988 in New York City and then quickly spreading to other locations.¹⁴¹ This effort continues to this day, with workers recently seeking union recognition in Virginia. Two major national unions, American Federation of State, County and Municipal Employees (AFSCME) and Service Employees International Union (SEIU), now represent more than 600,000 government-funded or subsidized homecare workers in 19 states.¹⁴² Two of the five largest labor organizations in the United States are homecare worker union locals.¹⁴³

DOMESTIC WORK IS REAL WORK

The 1990s and 2000s saw the rise of other informal workplace organizing efforts. The newest wave of domestic worker organizing was led by immigrant women who built highly localized worker centers to address workplace issues. Because most domestic workers were barred by federal law from forming unions, the worker centers became a nexus for domestic workers to come together, learn from each other, strategize, and spread their movement. Many of these organizations were established along ethnic or country-of-origin lines.¹⁴⁴

In 2007, 12 such worker centers formed the National Domestic Worker Alliance (NDWA),¹⁴⁵ a nationwide federation of domestic worker organizations that conducted fundraising, developed strategies for national campaigns, and worked to shift the debate around the status of domestic workers. There are now more than 60 domestic worker centers or other NGOs operating in the United States, in 37 cities and 19 states.¹⁴⁶ More than 20,000 domestic workers are members of NDWA affiliates.¹⁴⁷

The NDWA and its member organizations strongly self-identify as marginalized women immigrant workers. Harkening back to earlier efforts by Black women to demand rights for domestic workers, NDWA literature addresses the fact that domestic workers are denied basic rights other workers enjoy.

Many NDWA affiliates are run primarily by members, and almost all focus on organizing to build power, as opposed to advocacy. Though organizational structures vary widely, the victories of these organizations have come through hard-fought mobilizing by domestic worker activists, not through the eloquence or efforts of advocates.

Because of NDWA efforts, domestic work policy has begun to shift. In 2015, the FLSA was again amended to include most classes of domestic workers that had been left out of the 1974 revisions to the law.¹⁴⁸ However, enforcement of U.S. labor law is abysmal and uneven, forcing

domestic workers to seek opportunities to increase their rights at the regional level. The domestic worker bill of rights is one way organizations have pursued legal recognition and some degree of justice. The NDWA continually pushes for a national bill, but political deadlock has prevented any movement.¹⁴⁹ Simultaneously, NDWA affiliates have sought protections at the state level. In 2010, New York passed and ratified the nation's first domestic worker bill of rights, unequivocally covering all domestic workers in the state with a minimum wage above the federal level, a modicum of paid time off, and access to state-managed benefits.¹⁵⁰ Five other states eventually passed some form of employment regulation for domestic workers, though some of these fall short of NDWA's full package of rights and benefits.¹⁵¹

NDWA has also promoted innovative partnerships with domestic worker employers. In Hawaii, one such coalition was able to create a new state funding program for older adults to receive homecare by domestic workers.¹⁵² Another such coalition was instrumental in passing a bill of rights in California.¹⁵³

The NDWA has partnered with homecare unions and the broader U.S. labor movement to achieve other victories. Slow to recognize the worker center movement, the AFL-CIO finally formalized a partnership with the NDWA in 2011 and began to support their efforts.¹⁵⁴ AFSCME and SEIU have worked with the NDWA and their affiliated worker centers on a campaign called Caring Across Generations, which seeks to increase funding and pay levels for those who care for older adults.¹⁵⁵

NDWA affiliates continue to focus on member training, including leadership development to prepare women for activism and vocational training. NDWA has created a benefits program that attempts to provide access to programs members could not afford as individuals, like dental or life insurance.¹⁵⁶

VICTORIES AND DEFEATS

Homecare unions have been subjected to relentless attacks by reactionaries bent on destroying all public sector unionism in the United States. Homecare unions lost the right to collect some member dues in 2014,¹⁵⁷ and the Trump administration proposed to end member dues altogether.¹⁵⁸ If successful, this move would essentially defund some of the United States' largest worker-run organizations. In response to these attacks, homecare workers and their unions have begun mobilizing in many states to rebuild member-based power.

On the NGO front, domestic worker centers continue to struggle with scale. Only about 1% of domestic workers in the United States belong to a worker center.¹⁵⁹ As very few domestic worker centers are self-sustaining, NDWA affiliates struggle with funding and have to respond to the whims of philanthropy when designing projects. The racist, anti-immigrant, misogynist messaging from the Trump administration also poses significant challenges for the domestic worker movement.

Nonetheless, the NDWA has been a key vehicle for informal worker organizing in the United States, and the organization's successes have inspired informal workers in dozens of other industries. Real policy change has been implemented in many states, and even beginning the discussion on domestic worker rights at the federal level is an accomplishment. By tying their efforts to broader struggles for the rights of women, immigrants, and informal workers, the NDWA has built bridges between social movements and brought this previously invisible group of workers into the public eye.

CASE 12: REGULATING INFORMALITY — DAY LABOR CONSTRUCTION WORKERS — UNITED STATES

Every day in the United States, thousands of informal workers gather on street corners and in home improvement store parking lots, looking for work from people driving by.¹⁶⁰ This dynamic but underground part of the construction industry has grown immensely, as contractors cut costs by hiring people willing to work short-term jobs for cash, no questions asked. Most day laborers are immigrants from Mexico and Central America, and many of them are undocumented. Negotiations over wages are conducted on the spot in the presence of other laborers also seeking day work.

Job conditions are predictably terrible. Because work agreements are informal, day laborers often never receive their wages or get less than they were promised. Construction work is inherently dangerous, and informal short-term construction gigs are no exception. When day laborers are injured, employers just replace them. On most days, there are fewer jobs available than people seeking them, meaning day laborers are pressured to accept lower wages and frequently go without work.¹⁶¹

Over the past 20 years, informal day labor work in the United States has increased, but regulation remains very weak. United States employment laws like the FLSA in theory protect day laborers regardless of their immigration status. In practice, day laborers have little recourse for protection. Government enforcement agencies will not get involved in individual-level violations of federal employment law, particularly when pay is set by verbal agreement. Wage and hour lawsuits require access to lawyers that low-paid workers don't have. Day laborers often don't even know the names of the people who hire them, foreclosing the possibility of legal complaints or litigation. There are so few health and safety investigators in the United States that most fixed-location worksites are never inspected, much less small one-day construction sites.¹⁶² Finally, given the

recent climate of anti-immigrant hostility from the Trump administration, undocumented workers are often reluctant to seek help from state agents for fear of incarceration and deportation.¹⁶³

Construction unions in the United States have virtually abandoned the low-margin portions of the construction industry. Membership in these unions has declined dramatically over the past 50 years,¹⁶⁴ and some U.S. construction unions have blamed day laborers instead of industry employers' downward wage pressure and union-busting tactics.¹⁶⁵ Day laborers thus have had to turn to other organizations to protect themselves from a cutthroat industry.

DAY LABOR CENTERS

At more than 70 sites across the United States, workers have organized through day labor centers. More than 50 NGOs, united since 2001 under the banner of the National Day Laborer Organizing Network (NDLON), have created a unique system for the hiring out of their own labor.¹⁶⁶ Day labor centers bring stability to an otherwise chaotic race to the bottom. Sheltered hiring sites protect workers from harassment by police or private security and inclement weather. Workers collectively set the rates for their labor and the working conditions they will accept. Employers must agree to these terms and conditions when they pick up workers, and in many centers, the agreement is put in writing to facilitate enforcement.

To answer the challenge of insufficient demand for labor, day laborers decide among themselves how to fairly allot work. Systems vary from lotteries to multiday wait lists, but the guiding principle is that everyone agrees on who gets what jobs to avoid disputes or undercutting wages.

Most importantly, the centers serve as a key site for organizing this group of immigrant workers who have long been decried by construction unions as unorganizable.¹⁶⁷ Day laborers have become a political force to advocate around their issues locally, at the state level, and nationally.

On days when they're not working, day laborer activists participate in activities from the mundane, such as seeking city grants, to the militant, such as blocking federal agents from deporting people from federal immigration prisons.

Finally, day labor centers serve as sites for direct action. Day laborers support each other when a member is underpaid or injured by confronting unscrupulous employers. They cooperate by refusing to sell future labor to those who violate their rights, and in some centers, train each other to collect information for the successful filing of wage claims. Day laborers also protest jobsites known to exploit workers. In this way, day laborers step into the breach created by, one, the state's lack of enforcement of worker rights and, two, traditional unions' failure to organize day laborers. By organizing and coming out of the shadows, day laborers position themselves as disciplined, informed, and active members of civil society.

The model works. Day laborers working out of centers earn higher wages on average than their unorganized counterparts.¹⁶⁸ In most states with active centers, day laborers participate in policy discussions around wage theft, discrimination, and issues germane to immigrants, and NDLOM gives workers a national voice on these issues. Perhaps the biggest indicator of success came in 2006 when the AFL-CIO, the United States' largest federation of unions, recognized NDLOM through bilateral talks and a formal partnership.¹⁶⁹ The fruits of this relationship have led the AFL-CIO to seek out other networks of workers centers to partner with as well.

The biggest challenge facing day laborer organizers is scale. Day labor centers are resource intensive and generally not self-supporting, often relying on government grants or philanthropy. The consequence is that there simply are not enough centers to encompass all day laborers; leaving the vast majority to seek work from unregulated spaces.¹⁷⁰

APPENDIX B

FINDINGS AS TABLES ORGANIZED BY THEME

This appendix presents summaries of the study's central findings grouped by each of the three themes in sections 2–4 and three additional themes—strategy, organizational structure, and successes.

TABLE B1: HOW WORKERS AND THEIR ORGANIZATIONS SEE THE STATE

The state ultimately sets the terrain of worker struggles, and all organizing workers, regardless of industry, must navigate or reform this terrain. By definition and sometimes by design, informal economy workers often fall between the cracks of patchwork employment law frameworks. This failure to regulate can be a result of historic policy or de facto resource allocation decisions by the state. On the other hand, state institutions are often the clearest pathways for challenging employer exploitation and in some industries, the state may indirectly act as the employer through subsidies or welfare programs. Informal worker organizers may conceive of the state as a pathway for justice, an obstacle to overcome, or as irrelevant.

TABLE B1

Country	Sector	Framing of the State
CHINA	Construction	The state is entirely complicit in the exploitation of workers. State-run unions do nothing to help working people and are themselves a legitimate target for organizing. Struggles with employers eventually lead to the state, which suppresses workers directly or allows violence to be inflicted upon them. The state has failed in its promise to enforce workplace rights and will not do so on its own. Theatrical street actions that attract the public eye can embarrass the state into complying with otherwise widely ignored rights. By highlighting the hypocrisy of a worker state that allows the exploitation of working people, construction workers hope to make the state live up to its promises, albeit on a case-by-case basis.
	Domestic Work	The state structures the domestic worker market nationally and is a key party in domestic work allocation. The state acknowledges domestic workers as workers and has established national standards mainly focused on skill requirements and quality control. However, the state has not attempted to enforce labor standards in domestic work. Beginning around 2012, the state pressured NGOs to limit their activities to social services by offering cooperative NGOs access to state placement infrastructure and, in some cases, by repressing resistant NGOs. The state also helped mobilize party-linked mass organizations to form their own NGOs.
INDIA	Construction	The state is the third leg of civil society, along with employers and unions. When all three parties work together, workers can benefit. The state, however, must be reminded of its obligations. It works best when it cooperates with worker organizations to get workers the services they need.
	Domestic Work	Domestic workers have sought legitimation from the state for 60 years, but recognition at a national level has not materialized. Cooperative arrangements with individual state governments can provide some benefits to domestic workers, if states can be convinced of the legitimacy of the unions. In some areas, the state should also play a clearer role in regulating employers through a registration process.
MEXICO	Construction	The state is closely tied to construction unions though the legal framework of collective bargaining, favoring extortion/patronage unions that are linked to larger party/government patronage networks and repressing or marginalizing independent unions. The state does little to enforce existing labor laws in construction. Recently enacted labor law reforms may lead to a break with these patterns, but the jury is still out.
	Domestic Work	For decades, the state has ignored domestic workers and their claims and made it difficult for domestic workers to form organizations though in the last few years, there has been more state openness. The single most necessary thing for domestic workers to do is legitimize themselves as workers in the view of the state. Though the state had blocked independent construction unions, its involvement in collective bargaining opened the door to the formation of an independent national union of domestic workers, due to progressive control of the Mexico City government that oversees national unions.
SOUTH AFRICA	Construction	Though the state made promises when apartheid was defeated, the realities of postapartheid life have fallen short. For the many low-income communities with insufficient private employment, the state has the final say in who gets work, how much they will be paid, and what the conditions of the work will be. Individual state officials are the best source of redress.
	Domestic Work	The South African state is one of the few in the world that unequivocally recognizes domestic work as labor in national labor laws. The state, however, has come up short in enforcing those rights.

TABLE B1

Country	Sector	Framing of the State
SOUTH KOREA	Construction	The state passed industry reforms to eliminate multitiered subcontracting networks in the construction industry, but rampant violation of labor law is still the norm. Although the primary site of struggle is with employers or the firms that contract their employers, unions have strategically utilized the state through local labor offices to pressure subcontractors, who engage in widespread occupational health and safety violations, to negotiate. Construction unions are also active participants in challenging state policy on neoliberal labor law reforms and other problematic policies.
	Domestic Work	Domestic worker organizations see the state in the postauthoritarian era as fundamentally responsible for protecting the democratic rights of all workers, including basic labor and welfare protections. Workers have sharply criticized the state's failures to ease people through the economic turbulence and hardships of the past two decades, which has resulted in policy changes, including government support for domestic work as a job creation tactic for poor and unemployed women and for the expansion of publicly subsidized and certified home-based care for the sick or older adults.
UNITED STATES	Construction	The biggest role the state plays in the lives of day laborers is that of a threat—of incarceration, violence, and deportation. Although limited pathways are available through government for redress, day laborers must take the lead to seek justice. United day laborers can have a voice in key policy decisions, but the state will never fully legitimize their presence or protect them from the vagaries of the underground economy. On a local level, some day labor centers have been able to pressure municipalities into providing them with space or funding to establish worker centers in the public interest of having day laborers in safe and sanitary locations.
	Domestic Work	The state has explicitly excluded domestic workers from any legal rights due primarily to the legacy of Jim Crow laws excluding African Americans from labor protections. As today's domestic workers are mostly immigrant women, the state is unlikely to change this intentional oversight. By banding together, however, domestic workers can seek legitimation of their rights at lower levels of government, especially in state policy. By coming out of the shadows as a strong and unified voice with a powerful identity and moving stories, domestic workers can legitimize their work in the eyes of the state and then make legitimate claims to their rights with employers.

TABLE B2: HOW WORKERS’ ORGANIZATIONS SEE THEIR EMPLOYERS

A hallmark of the informal economy is the lack of traditional employer-employee relationships. Unlike in traditional work sectors, informal construction and domestic workers rarely go to the same physical worksite every day, punch a timeclock, and work a fixed routine. In the shadows of the informal economy, the employer becomes an increasingly nebulous concept, while paradoxically the relationship with direct employers (e.g., clients and subcontractors) can become intensely

personal. Workers organize collectively to navigate this difficult terrain and resituate themselves vis-à-vis their employers. Whether by deciding that employers are a symptom rather than the cause of workplace problems, following the money through a complicated chain of contracts, or meeting employers head-on in the streets and in courtrooms, it is a strategic necessity for informal workers to reframe their relationships with their employers.

TABLE B2

Country	Sector	Framing of the Employer
CHINA	Construction	Employers are unscrupulous actors in a chain of subcontracts and legitimate targets of protest. Employers are dominant over the state and state-associated unions, but employers are not unassailable.
	Domestic Work	There has been a growing role for brokers and placement agencies, including platform-based ones. Some hand off employment to individual households, some retain employer status, and some inhabit a gray area by making households the employers but demanding loyalty and accountability from workers in return for continued placements.
INDIA	Construction	Like the workers’ own unions, employers are also legitimate actors with a seat at the table in policy decisions. Unions and employers may not always see eye to eye but can cooperate within the framework of law to provide benefits for construction workers, even informal ones.
	Domestic Work	The majority of employers view domestic work as the sale of a service rather than a job and don’t think of themselves as employers. Domestic worker organizations seek to redefine themselves and their employer relationships in the public eye, as convincing individual employers is often fruitless and may lead to termination. Some domestic workers organizations are trying to force employers to register with the state to provide oversight over their workplaces.
MEXICO	Construction	The three main types of organization each have different connections with employers: (1) Some unions that thrive on patronage extort employers for direct organizational gain and in return, forswear demanding better pay or conditions for their members. (2) Complicated networks tie employees to their employers, including geography of origin and even family relationships. (3) Among independent unions, in some cases, employers have been helpful in the establishment of unions; for example, the Frente Auténtico de Trabajo federation organized a construction union and mobilized its political allies to use that union in construction projects. In other cases, independent unions played a militant adversarial role relative to employers.
	Domestic Work	Employers have a great deal of power over workers and are very willing to fire domestic workers who speak up for their rights. Workers prefer to do broad public education aimed at changing norms and attitudes and wage their struggles at the policy level, hoping to enshrine rights and protections with the state. Increasingly, however, domestic workers are coming out of the shadows and seeking recognition from employers as a unified workforce, a necessary step for forming a union under Mexican law.

TABLE B2

Country	Sector	Framing of the Employer
SOUTH AFRICA	Construction	In the crucial public contracting sphere, employers, like workers themselves, navigate complex systems of patronage to get jobs. Although employers are legitimate targets of protest, workers view fighting with the state and its officials as the most expedient way to redress harms.
	Domestic Work	The domestic worker/employer interface is often racialized. Domestic workers have the legal right to make complaints against their employers but in general, only exercise this option after losing a job, preferring not to disrupt an intimate working relationship.
SOUTH KOREA	Construction	Direct employers are at the bottom of a complex series of subcontracts. Unions most often focus on organizing higher in the supply chain to exert stronger forms of pressure in regional labor markets. Regional bargaining agreements, signed by high-level firms, have had greater success in raising employment standards. Unions target companies higher in the supply chain as part of a coordinated national bargaining strategy. In some parts of the country, however, fights against specific subcontractors or crew bosses are still the most prevalent.
	Domestic Work	Employers are middle-class professionals who are too busy or unskilled to manage their own homes; highly trained and skilled domestic workers fill this gap. The state will subsidize the work when it includes care for older adults, because it is considered so essential. Hiring from reputable training agencies, set up and managed by experienced house managers, is the best way to ensure a productive home life. Employers need to be convinced that domestic work is professional and workers should be recognized as professionals.
UNITED STATES	Construction	Those who employ day laborers are often underhanded and shady, and wage theft is extremely common. Employers are usually individuals, though may sometimes be small firms, and are part of a larger system of exploitation experienced by immigrants in the United States. The employers' greatest leverage point is to get workers to undercut each other for day wages. Only by self-organizing, setting clear terms of work for everyone, and strict enforcement of payment can workers protect themselves from employers.
	Domestic Work	By bringing the stories of bad employer experiences to light, domestic workers can legitimize their claims for protections from the state. Some employers have aggressively lobbied to continue denying domestic workers any employment rights. In other cases, employers have been helpful in furthering the rights of domestic workers. Worker-instigated employer associations or individual employers have provided testimony to counter pushback against the establishment of domestic worker rights. Employers have also partnered with workers to find jobs for members of their organizations through the use of platform-based technology.

TABLE B3: HOW WORKERS' ORGANIZATIONS SEE THEIR WORKFORCES

Informal workers face immense stigma because their work is generally not recognized or valorized by either policy or society at large. In some sectors, informal workers must struggle to even have their labor identified as work. Other informal workers may face prevailing opinion that their work is not worthy of fair compensation. Informal worker organizers must first and foremost try to reframe who the workers are and what their labor means in the public eye and in the policy frameworks of their respective

countries. As workers establish and promote their own identities, they take an important step in coming together under a unified banner to represent themselves to their employers, government officials, the media, and even other organizations that may also stake a claim on their sectors and struggles. By reclaiming their narratives from more powerful actors, informal workers challenge conventional wisdom to gain power over their work lives.

TABLE B3

Country	Sector	Self-Framing
CHINA	Construction	The dominant narrative portrays informal construction workers as wild and dangerous young men with few social ties. Construction workers reframe the narrative to show that they are internal migrants struggling to provide for their families against a system that readily tolerates underpayment. Workers are willing to fight for better working conditions, even through direct action. Workers are sometimes supported by NGOs but view unions as a part of the problem and a terrain of struggle. A sizable minority of female construction workers labor alongside their male coworkers, but their interests are rarely addressed.
	Domestic Work	A small group of domestic workers have sought to present themselves as workers with rights, in an attempt to change public consciousness and impact government policy. As the state has restricted labor NGO activities to service provision, there has been a growing role for NGOs run by Communist-Party-controlled "mass organizations" of women, youth, or trade unionists. In some cases, domestic worker organizations emphasize other identities: migrants from a particular region, residents of a particular urban neighborhood, or displaced workers from downsized state manufacturing. The workforce remains atomized, and a recent shift to platform-based hiring has intensified this.
INDIA	Construction	Indian construction work, even informal employment, is recognized as labor by the government. Through their unions, workers are active members in policy decisions, and worker organizations are providers of benefits in conjunction with the state. Vocational ladders help members advance in their careers. Though India has perhaps one of the highest percentages of female construction workers in the world, women workers are relegated to low-paying jobs and do not participate as equals in construction workers' movements. Some NGOs are, however, seeking to address women construction worker issues.
	Domestic Work	Organizations promote the idea that domestic workers are employees, not sellers of a service, and are thus deserving of the same level of recognition as workers in other sectors—including a seat at the table for policy decisions and patronage. By design, women occupy all leadership positions within organizations, although there are a number of male domestic workers. Domestic workers have been organizing since independence; most present-day organizations arose in the 1950s, 1980s, or 2000s. Most organizations are unions, though some NGOs remain. Domestic worker organizations focus on commuting domestic workers and do not address the concerns of live-in workers, a shrinking but still significant subsector.

TABLE B3

Country	Sector	Self-Framing
MEXICO	Construction	There have been three types of construction worker organizations. (1) The most common are official unions that function through a combination of extortion from contractors and patronage, with little attention to improving wages or working conditions. (2) There are kin, ethnic, and hometown networks that link groups of workers as well as contractors and labor brokers. (3) A few independent unions existed in the 1960s–1980s, but we found only one small cooperative.
	Domestic Work	Domestic workers in Mexico were traditionally viewed as domesticas, essentially house servants. Workers have struggled to reframe themselves as home workers (trabajadores del hogar) rather than servants. Having learned from NGOs that purported to speak for them in the past, home workers now emphasize the importance of self-empowerment—speaking and advocating for themselves—and grassroots organizing. Worker organizations are primarily NGOs, partially to fit within the state’s policy framework. Home workers seek recognition as workers by the state, including by forming a national union. A very small number of activists means a reliance on minority representation models. Workers are often internal migrants.
SOUTH AFRICA	Construction	Construction workers see themselves as citizens who are entitled to benefits from the state and rights both on the job and more broadly but for whom the promises of a postapartheid era have failed.
	Domestic Work	Domestic workers organized national unions—SADWU, which played a powerful role in toppling apartheid but then collapsed, and subsequently SADSAWU. Domestic workers have made the case that they are workers worthy of respect and regulated working conditions.
SOUTH KOREA	Construction	Construction workers have a strong tradition of union militancy and collective organization and are willing to engage in direct action to secure bargaining agreements and exercise collective power. However, there is an antimigrant sentiment cloaked as opposition to illegal employer practices.
	Domestic Work	Organizations promote the identity of domestic workers as skilled house managers who provide a valuable service to private households. Organizations seek to legitimize domestic work as an important source of job creation for older, poor, and working-class women and as work that is protected by labor rights. These workers fulfill a key role in the new Korean economy by caring for older adults and making sure the reproductive labor of home life goes smoothly so others can work outside the home. Native workers distance themselves from migrant Korean Chinese and portray them as unprofessional.
UNITED STATES	Construction	Day laborers are self-sufficient, set their own terms of work, and don’t rely on government intervention to protect them. Workers are skilled laborers but also willing to do any job. They are civically engaged, open about their undocumented status, and focused on self-reliance.
	Domestic Work	Black and immigrant women of color working as domestic workers demand state recognition and employment protection. Domestic work was left out of most federal labor and employment law during the Jim Crow era to keep Black workers from organizing or accruing wealth. Today, domestic workers frame themselves as workers first and foremost and thus, as deserving of the same labor and employment protections as other working people. Workers identify strongly as women and as immigrants.

TABLE B4: STRATEGY

Informal workers use a variety of strategies to seek change in their industries. Strategic choices necessarily push workers toward specific outcomes and vary widely from sector to sector and between nations. In many

countries, strategies promoted in other sectors or historical struggles inform current worker strategies.

TABLE B4

Country	Sector	Strategy
CHINA	Construction	Localized, aggressive worksite direct actions. Construction workers collaborate over specific issues and engage in aggressive direct action against employers. The goal is that, through the use of theatrical public actions that cannot be ignored, the state will be pressured into living up to its obligations and intervene with employers. Even violent repression of worker actions can further this goal by calling public attention to workers' rights.
	Domestic Work	Placement and social services for members. Under pressure from the state, domestic worker NGOs have shifted from advocacy to social services and placement. Oxfam, which was a powerful ally of independent NGOs focused on advocacy and organizing, was sidelined by a 2017 law strictly regulating NGOs, especially those with international funding.
INDIA	Construction	Social insurance for unions; women's rights for NGOs. Building on organizing successes from the past 50 years, unions have built state welfare boards to administer benefits to informal construction workers. By creating a new social safety net jointly managed by employers, unions, and government officials, all workers in the industry have access to basic benefits. The tripartite nature of the welfare board minimizes conflict and ensures that workers have an institutionalized voice. Unions also continue to struggle for minimum wages and on-time payment of wages. Meanwhile, a few NGOs focus on the rights of women construction workers, seeking equal pay and better career ladders.
	Domestic Work	State recognition of domestic work as labor. Domestic workers continue a decades-long struggle to have their work recognized and protected under government labor regulations by consolidating into unions where possible, pushing for state recognition of domestic work as labor and thus under the purview of labor protections, and continuing a national discussion about labor protections by defining those who hire domestic workers as employers rather than service buyers. Unions continue to fight for a National Domestic Workers' Act and in states where it is politically feasible, the establishment of domestic worker welfare boards similar to those for construction workers.
MEXICO	Construction	Work disruptions to meet site-specific goals. Using the threat of picketing, disruption, or physical violence, unions demand payment and in some cases member hiring. Different independent organizations have used either an adversarial, strike-based strategy or a strategy of building a cooperative, autonomous "solidarity economy" space. Structured job search and hiring occur primarily through social connections.
	Domestic Work	State recognition of domestic work as labor. Domestic workers use a multistep process to seek labor rights through government recognition. A necessary step is to gain recognition for domestic worker organizations as unions, which under Mexican law can either happen state by state or nationally in the case of organizations with members in multiple states. Building organizations and in particular forming unions requires one-on-one membership outreach through meetings in parks, member services, such as helping workers find jobs, and coaching workers through difficult conversations with employers that are not without significant risk. A longer-term goal of changing labor law to recognize domestic work as work is always in view.

TABLE B4

Country	Sector	Strategy
SOUTH AFRICA	Construction	Determining terms of work at two levels of the state. (1) Local councilors have the authority to bring publicly funded EPWP jobs to local areas and decide who gets the work; petitioning councilors can bring temporary, low-paid employment to a community that otherwise suffers chronic unemployment. (2) Workers can also engage with commissioners at the CCMA, who regulate labor conditions in the workplace and are the ultimate arbiters of working conditions; companies usually respect their wishes even when conditions exceed legally mandated minimums. Engagement with government officials can be friendly or aggressive and street-based.
	Domestic Work	Advocacy and public education. SADWU initially was active in protests and general strikes against apartheid. Since 1994, SADWU and SADSAWU have emphasized advocacy and education of the public as well as assisting workers in making complaints.
SOUTH KOREA	Construction	Regional agreements for work terms. Unions seek regional creative collective bargaining agreements that cover all contractors and subcontractors in an industry. Workers follow the money up to the ultimate decision makers, most often eschewing fights with crew bosses in favor of seeking out employer councils for pattern bargaining.
	Domestic Work	Social cooperative model. Domestic workers seek to legitimize their work through a campaign of professionalization that includes recruitment of able workers, training, and public relations about “house managers” and their ability to bring stability to middle-class homes. This campaign also includes seeking state funding for certified workers and ensuring that members can help employers seek out this state support—essentially subsidizing their employment, which may be costlier than homecare arrangements with nonmember immigrant workers. By excluding immigrants, house managers hope to increase the impression of their professionalization and contrast themselves with past domestic work practices.
UNITED STATES	Construction	Establishing dedicated spaces, fixing wages, and fighting back against violators. Day laborers use four main strategies: (1) They demand, negotiate, and litigate, if necessary, the right to solicit work in public spaces. (2) They press local governments for subsidies to fund day labor centers that serve as hiring halls, locales to provide services and education, sites for organizing activities, and refuges from private security forces, racist nativist activists, immigration enforcement, and the police. (3) In the most developed strategy, day laborers band together to set their wages and ensure that they do not undercut one another in the sale of their services. They collaborate to create their own systems for fair allotment of work, setting wages, and conditions of employment. Workers also set up trainings for political advocacy, civic engagement, financial literacy, English, and vocational training. (4) As the pace of deportation of undocumented immigrants increased throughout the 2000s, organizations put energy into antideportation campaigns.
	Domestic Work	State recognition of domestic work as labor and public education. There are three main elements of strategy: (1) Most important, since federal law explicitly exempts domestic work, workers in progressive states seek to pass domestic worker bills of rights, which grant basic labor rights, occasionally above and beyond those in other industries. Workers pursue multiyear political advocacy strategies—including civic engagement, public relations, and lobbying—to pass these bills, which eventually become a permanent part of state legal policy. (2) The Caring Across Generations campaign has linked domestic worker organizations, homecare unions, and organizations representing clients (older adults, people with disabilities, et al.) in public education and reform demands. (3) The National Domestic Worker Alliance has teamed up with supportive employer organizations and some websites, such as Care.com, to promote the Fair Care Pledge to respect the basic workplace rights of their domestic workers. ¹⁷¹

TABLE B5: ORGANIZATIONAL STRUCTURES

The structure of informal worker organizations is influenced by local histories, legal contexts, funding regimens, and workers' chosen strategies. Within each national sector, workers chose a multiplicity of organizational structures. The most common are NGOs and unions, each of which

has strengths and challenges. In many nations, workers utilize some combination of different types of organizations to push for change and build power.

TABLE B5

Country	Sector	Key Structures
CHINA	Construction	Spontaneous, decentralized, localized. Construction workers are occasionally supported by NGOs and almost entirely eschew trade union structures, which are a part of the Communist Party and thus tied to the state. Construction workers often engage in actions outside formal organizations, such as small-scale single jobsite coalitions of workers without any legal standing. This lack of formal standing is necessary in an autocratic milieu but also serves to prevent co-optation or top-down repression by the state.
	Domestic Work	Independent and government NGOs. There are a variety of local labor NGOs for domestic workers. There has been an increase in government-organized NGOs based in the party-linked mass organizations of women, youth, and trade unions.
INDIA	Construction	Unions providing social services; NGOs conducting collective bargaining. Because construction worker unions have been recognized since independence, they have a seat at the table (in theory) under law and can be viewed as a key pillar of societal stability. As the industry shifts toward informality, however, unions have struggled to hold the state accountable for protecting informal workers. New unions are beginning to take on roles traditionally associated with NGOs, focusing on service provision, often through governmental structures like welfare boards. Meanwhile, NGOs are addressing women workers' issues in increasingly union-like ways.
	Domestic Work	A move toward unionization. Domestic workers are increasingly shifting away from NGO models and seeking recognition as unions under law. By forming unions, domestic workers hope to attain a seat at the table in the same way that workers in other industries have. However, because laws prevent unions from receiving foreign funding, NGOs remain a viable way to pursue alternative revenue streams to fund operations and campaigns.
MEXICO	Construction	Independent organizations and old-guard unions. Extortion/patronage unions are organized according to collective bargaining laws. Independent organizations in the past took the form of unions as well, but we were able to locate only one cooperative, organized as an NGO.
	Domestic Work	A shift to worker control and unionization. Mexico has a long history of domestic worker organizations, with unions dominant in the 1920s–1950s and NGOs arising since. Some NGOs work on behalf of domestic workers in the context of broader feminist or liberation theology struggles but with little or no domestic worker leadership. Domestic workers have begun forming their own NGOs to address their agendas and provide services for workers. As a tactic in seeking state recognition, they have formed a nationwide domestic workers' union, officially recognized as such. Participation in domestic worker organizations is very low.

TABLE B5

Country	Sector	Key Structures
SOUTH AFRICA	Construction	Localized fights for workers' rights through community ties. Workers in the EPWP are not members of unions and do not have formal NGO structures that support them. Community organizations, both formal and informal, band together to bring work to their communities and to seek redress for poor working conditions. A number of unions that primarily focus on other workers (mineworkers, metalworkers) organize informal construction workers but have allowed few if any to become members.
	Domestic Work	Unionization. Unions, namely SADWU and SADSAWU, have been the main form of domestic worker organization.
SOUTH KOREA	Construction	Unionization and collective bargaining. The Korean Construction Worker Union is a well-established multidivision organization with nationwide scope and well-established leadership structures. The organization was established in 2007 specifically to provide stability and organizational support across regions of Korea, which has a strong and storied history of trade union activism.
	Domestic Work	Social cooperative NGO. With the support of the Korean Working Women's Association, domestic workers established an NGO in the form of a social cooperative that provides job training, legal advocacy, and public relations for their work as "house managers." The organization portrays domestic workers as professionals who perform valuable household services rather than unpaid family labor or servants. Domestic workers could join the Korean Women's Trade Union but have not done so. Home-based care workers certified by the state have formed a national union.
UNITED STATES	Construction	Worker center NGOs. Day laborer organizing occurs through NGOs that run day labor centers and seek philanthropic or governmental grants for support. Unions have eschewed day laborer organizing, and many view day laborers as a threat to working standards in the construction industry. Although relationships with traditional unions have become less adversarial in some contexts and the Laborers' Union and the National Day Laborers' Organizing Network have collaborated with and even formed some union locals, day laborer organizations almost always operate separately from construction unions. Most NGOs were started by community organizers along with laborers themselves and support from others, though some were started as more top-down efforts from a national network or non-day-laborer activists.
	Domestic Work	Worker center NGOs with unions in unique subsectors and specific regions only. Domestic workers organize through NGOs, many of which were not formed or run by domestic workers, but all have bases of domestic worker members. NGOs seek philanthropic or government grants for support. Domestic workers are not banned from forming unions under U.S. labor law but also do not have a legally protected right to do so. Consequently, workers have generally been reluctant to explore unions. However, in some states, unions have formed state-subsidized homecare worker locals and successfully negotiated collective bargaining agreements. These unions have faced intense opposition from right-wing political activists. Homecare unions and domestic worker NGOs have collaborated on some policy initiatives.

TABLE B6: SUCCESSES

While much remains to be accomplished, and even the definition of victory varies widely for informal workers, they have achieved immense victories in many places. We break down success into three factors: Scope

measures how widely worker action is spread across a sector within a county; density, how many people are affected; and degree, how much job conditions have improved.

TABLE B6

Country	Sector	Successes
CHINA	Construction	<p>Scope: Limited to specific jobsites.</p> <p>Density: Relatively few workers have participated in such actions, given the massive size of the Chinese labor market.</p> <p>Degree: Success is measured site-by-site as projects move into compliance with labor law or worker demands. Although there is no overarching framework for victory, Chinese construction workers have succeeded in attaining lost wages and pressuring the state to live up to its obligations to workers.</p>
	Domestic Work	<p>Scope: Nationwide.</p> <p>Density: All domestic workers are potentially covered at least through state-sanctioned unions, though recognition is limited by the state.</p> <p>Degree: Though the state has been compelled to recognize domestic workers as workers, the space for advocacy and organizing has become extremely constricted.</p>
INDIA	Construction	<p>Scope: Nationwide.</p> <p>Density: Although welfare boards are currently under threat, they have been enacted in every state and amassed millions of dollars. Therefore, every informal construction worker is theoretically entitled to welfare board benefits. In practice, however, millions of construction workers do not receive benefits and are woefully ignorant of their rights.</p> <p>Degree: Unions work hard to mobilize workers, educate them on their rights, and hold the state accountable for implementing the boards. But these efforts are challenging, especially given the massive size of the workforce. Work conditions haven't improved much, but informal workers do have a basic safety net. Construction unions have created and fostered a new model for social insurance provision for informal workers through welfare boards. These apparatuses solidify the role of construction unions in the fabric of the political economy as legitimate and equal actors and allow the organizations to provide benefits to workers who are otherwise left out of collective bargaining.</p>
	Domestic Work	<p>Scope: State by state.</p> <p>Density: Hundreds of thousands of domestic workers are members of various organizations. Domestic work is recognized as work in a few states, but conditions are still challenging.</p> <p>Degree: Domestic workers have formed several unions at the state level and begun to act as unions do in other industrial sectors. A nascent set of welfare boards may be a solution to the informal character of domestic work and the perils that come with it. Workers have successfully pressured a few states to provide statutory protections and have made some tentative alliances with employers through homeowner associations to work on domestic worker issues.</p>

TABLE B6

Country	Sector	Successes
MEXICO	Construction	<p>Scope: Little or no success anywhere.</p> <p>Density: Many construction workers are members of some kind of union, but these unions do little or nothing to assure rights or labor standards.</p> <p>Degree: The pay is low, and working conditions are dangerous. Independent construction unionism is mostly dead. Successes in organizing independent organizations of construction workers, primarily concentrated in a small number of states, ended in the 1980s.</p>
	Domestic Work	<p>Scope: State by state.</p> <p>Density: Membership of domestic worker organizations is only in the hundreds nationwide. Workers successfully formed a new union after decades without unions, but power remains elusive.</p> <p>Degree: Domestic workers have formed their own associations and reclaimed their identity from NGOs that had for decades acted on their behalf but without their leadership or input. Workers created new NGOs and even recently formed their first union, despite a lack of state recognition as workers and significant employer opposition. Leaders like Marcelina Bautista have become global leaders in the movement for domestic workers' rights.</p>
SOUTH AFRICA	Construction	<p>Scope: Nationwide, but limited to specific projects.</p> <p>Density: Relatively few workers have been involved in direct action. Successes are mostly relegated to site-by-site improvement of conditions but have thus far effected little overall change.</p> <p>Degree: Construction workers have been able to assert their rights as citizens against a state that has often failed to live up to its promises in the postapartheid era. By holding government officials accountable at the most local of levels, EPWP workers have sustained a strong tradition of community organizing. In some places, through civic action, organizing workers have achieved benefits far beyond the legally prescribed minimums promised by the state.</p>
	Domestic Work	<p>Scope: Nationwide.</p> <p>Density: After initial mass movement success, limited organizing is now occurring. Worker organizations mostly enforce rights postviolation by seeking redress.</p> <p>Degree: Domestic worker organizations share credit for ending apartheid and winning legislation affirming worker rights, but enforcement is largely limited to complaints post-termination.</p>
SOUTH KOREA	Construction	<p>Scope: Province-by-province.</p> <p>Density: Tens of thousands of workers have joined the union and engaged in direct action.</p> <p>Degree: Workers have achieved higher wages in areas where the model has been successful. Construction workers have won pattern agreements in several provinces for several trades. After successfully forming their own national union, construction workers continue to apply pressure up the chain of employment for better rights and benefits on the job.</p>
	Domestic Work	<p>Scope: Nationwide, but especially in major cities.</p> <p>Density: Thousands of workers have at least participated in job training or placement programs through worker organizations.</p> <p>Degree: Domestic workers have succeeded in creating state subsidies for certain kinds of work and a certification process for employers to access the subsidy. By controlling the training and certification process, domestic workers have professionalized their employment and created an incentive for employers to hire in the formalized and professionalized environment rather than using off-the-books employment.</p>

TABLE B6

Country	Sector	Successes
UNITED STATES	Construction	<p>Scope: Nationwide, but limited to about 70 hiring sites.</p> <p>Density: Thousands of workers seek jobs at day labor centers, but this accounts for only a tiny fraction of the total day labor workforce. Workers can expect higher wages at day labor centers, but wages remain low overall in the sector.</p> <p>Degree: Day laborers won the right to solicit work in public by the early 1990s. Since then, they have set up day labor centers in more than 70 locations—all self-organized without the help of, and sometimes under intense opposition from, the state and construction unions. For the few day laborers who use these centers, work is more regular and pays better. Although day labor work is still very much a part of the underground economy in the United States, the establishment of formal day labor centers is a huge step toward the recognition and eventual normalization of day labor work. In the fight against deportation, there have been a few victories, but overall, undocumented immigrants have lost and continue to lose ground.</p>
	Domestic Work	<p>Scope: State by state.</p> <p>Density: Thousands of workers have participated in domestic worker organizations and unions. Workers have achieved state recognition of domestic work as labor in many states and built real ties with employers, but enforcement of rights remains a challenge.</p> <p>Degree: National employment law was recently changed to give domestic workers some basic wage and hour protections, but enforcement over informal work in the United States is highly limited. At lower levels of government, domestic workers have passed domestic worker bills of rights in multiple states and continue to push statewide legislation in many more to address issues of sexual harassment and labor rights. These state bills have for the first time in the history of the United States made domestic work a legally recognized work category and created obligations for employers who hire domestic workers. The Care.com agreement to include a Fair Care Pledge for employers on its website is also a notable success, though its impact remains unclear. The Caring Across Generations campaign has won some small reforms.</p>

NOTES

1. Castells and Portes, "World Underneath."
2. Ally, *From Servants to Workers*.
3. Yu, "Leading Woman's Rights Group."
4. Tilly, Rojas-García, and Theodore, "Intersectional Histories, Overdetermined Fortunes."
5. Tilly, Rojas-García, and Theodore.
6. Swider, *Building China*.
7. Reforms enacted by Mexico's new government include labor relations reform designed to empower genuine, representative trade unions, which do not currently exist in Mexico's construction sector.
8. Chun and Cranford, "Becoming Homecare Workers"; Kim, "Care Work and Ethnic Boundary Marking."
9. Hu, D., "Status of Domestic Workers."
10. Yu, "Leading Woman's Rights Group."
11. Sarmiento et al., "Unexpected Power of Informal Workers."
12. Yi and Chun, "Building Worker Power."
13. Ally, *From Servants to Workers*.
14. Ally.
15. An agency fee is paid in lieu of union dues by nonunion members covered by a collective bargaining agreement. Since unions are required by U.S. labor law to represent both members and nonmembers alike, in some parts of the country, the union can charge nonmembers for representational work.
16. Xin, "Gendered Labour Regimes," 2.
17. Li, "Laid-Off Woman Workers."
18. Zhang, "Report on the Migration Trend"; Swider, "Gendering China's Construction Industry."
19. 51 Insight, "Analysis of the Development."
20. Xin, "Gendered Labour Regimes."
21. 51 Insight, "Analysis of the Development."
22. Xin, "Gendered Labour Regimes," 5.
23. Hu, D., "Status of Domestic Workers."
24. Swider, "Organizing with Chinese Characteristics."
25. Hu, X., *China's New Underclass*.
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27. Chan, Siu, and Swider, "Interpreting Chinese Labour."
28. Swider, "Gendering China's Construction Industry," 2; Swider, *Building China*.
29. Swider, "Gendering China's Construction Industry."
30. Swider.
31. Swider, "Organizing with Chinese Characteristics"; Chan, Siu, and Swider, "Interpreting Chinese Labour."
32. Swider, "Organizing with Chinese Characteristics."
33. Swider, "Gendering China's Construction Industry," 6.
34. Wang, "Changing Situation of Migrant Labor"; Swider, "Gendering China's Construction Industry."
35. Swider, "Gendering China's Construction Industry."
36. Swider, 12.
37. Swider, "Organizing with Chinese Characteristics."
38. Pun and Lu, "Culture of Violence"; Swider, "Gendering China's Construction Industry."
39. Swider, "Gendering China's Construction Industry."
40. Fu, "Women on the Construction Site."
41. Swider, "Gendering China's Construction Industry."
42. Swider.
43. Swider, 15.
44. Agarwala and Saha, "Employment Relationship and Movement Strategies," 1210.
45. Neetha, "Making of Female Breadwinners"; Ray and Qayum, *Cultures of Servitude*.
46. Neetha, "Making of Female Breadwinners"; Rao, "Respect, Status, and Domestic Work."
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48. Palriwala and Neetha, *Paid Care Workers*; Agarwala and Saha, "Employment Relationship and Movement Strategies."
49. Agarwala and Saha, "Employment Relationship and Movement Strategies."

50. Agarwala and Saha.
51. Agarwala and Saha, 1211.
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64. Agarwala and Sharma, "Organizing in India."
65. Agarwala and Sharma, 9.
66. Agarwala and Sharma.
67. Agarwala and Sharma.
68. Agarwala and Saha, "Employment Relationship and Movement Strategies."
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88. Yun, 19.
89. Yi and Chun, "Building Worker Power," 3, 11.
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94. Yi and Chun.
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99. Instituto Nacional de Estadística y Geografía, "Perfil Sociodemográfico de los Trabajadores."
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