

# THE AMERICAN PROSPECT

Home

Politics ▾

Blogs ▾

Culture

Magazine

Longform

## Legions of Women Workers in U.S. Still Lack Minimum Wage and Labor Protections

CAROLINE FREDRICKSON

MARCH 27, 2015

*The legacy of slavery and prescribed gender roles continues to rob millions of their fair share.*



AP Photo/Houston Chronicle, Billy Smith II

In this Dec. 2014 photo, Eileen Merize, left, helps 93-year-old U.S. Air Force veteran Harold Utsler look through some of his paper work at her home in Katy, Texas near Houston. The Houston Chronicle reports Utsler is one of three veterans who live in Merize's home through the Medical Foster Program, which helps disabled elderly veterans live with "foster families" rather than in large nursing homes.

**I**t's Women's History Month—what a nice idea to recognize that women actually make history and aren't just along to make dinner for the history-makers! In 1980, President Jimmy Carter declared seven days in March to be National Women's History Week, and President Ronald Reagan followed suit. In 1987, Congress expanded the commemoration on the calendar, giving women a whole month. We have come so far.

Putting sarcasm aside, it is true that the 20th century included concrete advances for women in America. Starting with the New Deal, women workers won a number of job protections under the Fair Labor Standards Act (FLSA) and the National Labor Relations Act. Later came the Equal Pay Act, Title VII of the Civil Rights Act of 1964, the Pregnancy Discrimination Act of 1978, and the Family and Medical Leave Act of 1993.

Workers gained the right to earn a minimum wage and work a limited number of hours per week or get paid overtime; they were allowed to join unions and bargain for wages and benefits; they were protected from job discrimination on the basis of race, ethnicity, gender, religion, and disability; they won the right to take time off when having a child or caring for a sick family member; and women would no longer face adverse job consequences when they got pregnant. Well, sort of.

But Women's History Month shouldn't only tell happy stories because the fact is that the laws passed during the Great Depression and later both explicitly and indirectly left many women out. Regardless of the talk about merely “leaning in,” many women in low-wage jobs are stuck because of political deals.

Prejudice against working women created a legacy that still harms many. This is explored in more detail in my forthcoming book, ***Under The Bus: How Working Women Are Being Run Over***. Although newspaper reporters and commentators often characterized working women as silly and shallow in the early 20th century, the sad reality was that many women desperately needed a job to keep their families from falling off the cliff.

By 1931, 2 million women who had been employed before the Depression found themselves out of work. Between 20 and 50 percent of the newly unemployed women had been the family's sole breadwinner, making the loss of employment existential and plunging their families not just into poverty but into destitution. African-American women suffered even more from unemployment

in the Great Depression. In such urgent need of work, African-American women in urban areas would gather at specific street corners to wait for the white women who would drive in to hire them for day labor. Similar in nature to the parking lots where landscapers and construction firms hire day-laborers today, these street-corner labor exchanges were known as “slave markets.” In a 1935 article for *The Crisis*, Ella Baker and Marvel Cooke described how these “slave markets” could be found all over the Bronx, catering mostly to white women who came in from Westchester, Long Island, and the Upper East Side to purchase a few hours or a full day of a black woman’s time for between 15 and 30 cents per hour. “The lower middle-class housewife, . . . having dreamed of the luxury of a maid, found opportunity staring her in the face in the form of Negro women pressed to the wall by poverty, starvation and discrimination,” they wrote.

### **President Franklin D. Roosevelt declared that “domestic help” would not be covered by his landmark labor legislation**

Pervasive attitudes about race, women, and work played an enormous role in shaping and limiting what work would be considered deserving of protection by members of Congress during the New Deal. The belief that so-called women’s work—caregiving, housekeeping, and similar occupations—stemmed from women’s natural role helped justify legislation that gave rights only to those engaged in so-called “real work,” mostly white men. With much of the paid labor performed in homes having been done by African-American women, it was particularly devalued as a legacy of slavery and racial oppression. Such attitudes made it easy to throw these women and these jobs over the side. It wasn’t just members of Congress from the South who wanted to make sure their housekeepers, cooks, and nannies would not have access to the law’s benefits. Magazine advertisements addressed to white women trumpeted: “Housewives beware! If the Wages and Hours Bill goes through, you will have to pay your Negro girl eleven dollars a week.” Making sure he could get enough Southern votes to pass the bill, President Franklin D. Roosevelt declared that “domestic help” would not be covered by his landmark labor legislation. Ninety percent of black working women received no benefits from the new laws providing for a minimum wage, maximum hours, and assistance for the unemployed and elderly. By leaving out these workers, New Deal legislation actually ensured that, relative to other workers, African-American women particularly, and domestic and agricultural workers generally, would actually be worse off than before.

Today, the National Labor Relations Act still excludes domestic workers and farm laborers, and the Fair Labor Standards Act does not require overtime for farmworkers or even the minimum wage or overtime for many domestic workers. The implications of these exclusions have been profound, denying a growing workforce the basic workplace protections most of us take for granted. It's far past time for serious examination of the onerous obstacles many women still face in the workforce. Women's History Month is incomplete without taking note of those women who have been left behind.

Source: <http://prospect.org/article/legions-women-workers-us-still-lack-minimum-wage-and-labor-protections>