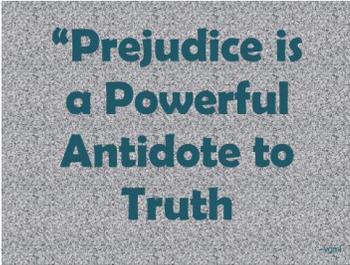


Sexual Violence and Harassment

How *Intersectionality* Works in Practice

Folks, a reminder: As you read and digest these materials keep in mind these three main issues of *intersectionality*: gender (majority of victims are women); race (majority of victims are women of color); and class (all victims are poor). These are the people who are bad-mouthed and scapegoated by the super ignorant in this country (*the ignorantsia*)—aided and abetted by conservative politicians for their own political agendas—for supposedly taking their jobs away. By the way, there are no bathrooms and no running water in the fields. Enjoy your salad. *And don't forget to study the images!* (It is the tiniest thing you can do to respect the people who produce your food.)



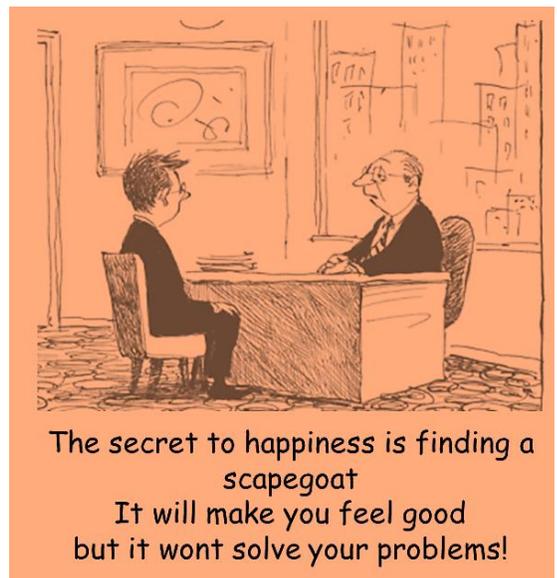
Sexual Assault and Farmworkers

November 5, 2017 8:06 AM ET Heard on [Weekend Edition Sunday](#) (AUDIO)
SOURCE: <https://www.npr.org/2017/11/05/562188700/sexual-assault-and-farmworkers>

NPR's Lulu Garcia-Navarro speaks with Rosalinda Guillen, director of Community to Community and longtime farmworkers' rights activist, about sexual assault of agricultural laborers.

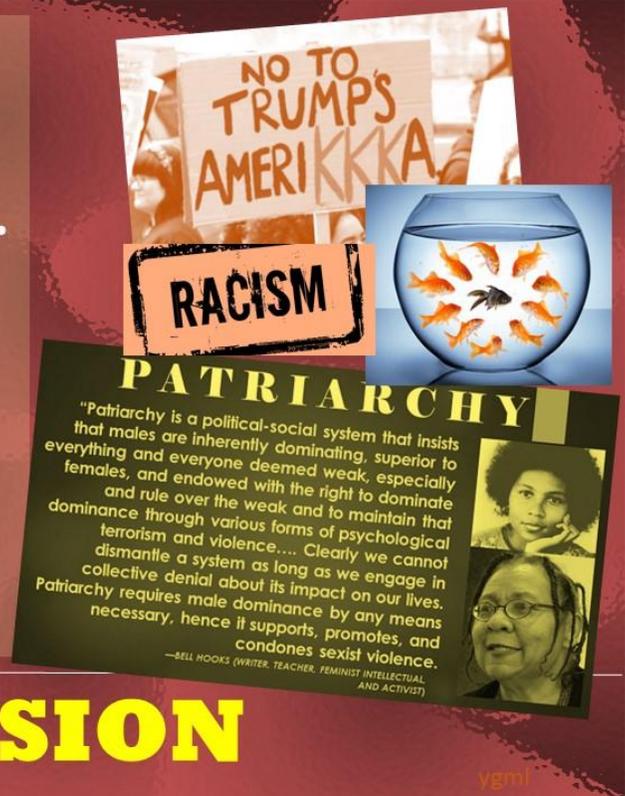
LULU GARCIA-NAVARRO, HOST:

The reporting on sexual harassment allegations over the last few weeks has focused on actors in Hollywood and journalists in the media. But it is economically disadvantaged women who are often the most vulnerable to harassment and assault. It's particularly pervasive for female farmworkers. Situations can range from groping and propositions all the way to systemic rape. And it often all goes unseen and unreported. Rosalinda Guillen is a longtime farmworkers' rights advocate and was herself a farm worker. She says this has long been a problem.



“Human beings are sufficiently altruistic, intelligent, and rational to preclude oppression solely for the sake of oppression. In other words, at the root of all forms of oppression (classism, disablism, ethnicism, racism, sexism, etc.) is exploitation for purposes that range from material aggrandizement to scapegoating to empire-building.

OPPRESSION



ROSALINDA GUILLEN: Well, I think it's historic. I mean, as a - growing up in a farmworker family, I'm the oldest of eight, started working in the fields myself when I was 10 years old and have been organizing for over 31 years. And if you look at the history of the farmworker community and the farmworker labor force in agriculture, this has always been a problem. This is not new for us. And it's something that we've talked about for many years. There are many organizations that have tried to change the system. But unfortunately, in the agricultural industry, especially in the large agricultural corporate farms, if women complain or there's even an issue of women possibly filing a lawsuit or complaining about harassment, the retaliation that they get from that is usually losing their jobs. And farmworkers being one of the poorest workforce in the nation - that is just not acceptable, especially when that last paycheck means your rent, your grocery bill or clothes or needs that your children have.

GARCIA-NAVARRO: I imagine, also, there is another issue at play which is that, often, many family members work for the same employer. So it affects the whole family.

GUILLEN: That is exactly true. There have been women that have endured sexual harassment for years because they do not want to complain, knowing that if they do, that same supervisor will take action or retaliate against the family. Even if they fire her, they take retaliation against the family. And they do not want to have their family lose their jobs. I mean, it's their livelihood.

GARCIA-NAVARRO: You were a migrant farmworker. You started when you were 10 years old. Were you aware or subject to harassment then?



GUILLEN: I wasn't personally. I know that a lot of women were. What I want to say about that is that as a farmworker woman working in the fields, part of our culture in the workplace is actually constantly being vigilant and taking care of ourselves and paying attention to what's going on around us to protect ourselves from sexual harassment. The other issue I want to mention is that in many areas, a lot of farmworkers have to live in farm labor camps, which are these housing facilities that are provided by the employer on the land...

GARCIA-NAVARRO: The kind of...

GUILLEN: ...Of the employer.

GARCIA-NAVARRO: Right. They're kind of barracks, right? This sort of - people don't have privacy.

GUILLEN: No privacy. In some cases, they actually look like slave cabins. I mean, they're small. They're wooden shacks. Many of them - in fact, I have not seen one. They do not have bathrooms in the living facility itself. If you don't have a bathroom in your home or in your living space, you have to walk, in some cases, quite a ways to get to the toilet, to get to a shower. And this creates

another vulnerability for women and something that they always have to be careful of, especially young girls.

GARCIA-NAVARRO: What needs to happen, in your view?

GUILLEN: Oh. I sigh because it's been such a long road. I think the best way for women to protect themselves - the best way that I've seen in the many years that I've organized has actually been a union contract. And that's because a union contract has a grievance process that guarantees that there will be no retaliation, that provides a means of justice and fairness and a response that's speedy, that addresses the issue, that allows farmworkers to actually have abusive supervisors fired and go back to work and be safe. If there's no way for an abuser to be actually punished for what he's doing to the women in the workplace, then it doesn't work. It doesn't work. And women

are not going to complain. They're not going to feel safe.

GARCIA-NAVARRO: Rosalinda Guillen, co-founder and director of Community to Community in Washington state. Thank you very much for your time.

GUILLEN: Thank you.

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UC Davis –Western Center for Agricultural Health and Safety

Latina Graduate Student takes on Sexual Harassment in Agricultural Health and Safety

SOURCE: <https://agcenter.ucdavis.edu/blog/small-grants-big-impacts-latina-graduate-student-takes-sexual-harassment>

September 11, 2017 Posted by Kimberly Prado **Small Grants, Big Impact Series**



In 2013, PBS's Frontline documentary "[Rape in the Fields](#)" focused on sexual harassment in the agricultural workplace. Some women farmworkers are poor, undocumented, have little formal education, and work in a male dominated labor force. These and other factors can make women farmworkers vulnerable to sexual harassment. The aggressor can be a supervisor or coworker, and of the same sex or opposite sex. Victims can be threatened with losing their jobs, being deported, being further socially isolated, or separated from US citizen family members if they don't comply.

I began researching this topic in August 2016 for the "Sexual Harassment of Hispanic Women in the Agricultural Workplace Study." These efforts are supported by [WCAHS Emerging Issue funding](#) and the [Programa de Investigación en Migración y Salud - The Migration and Health Research Program](#). The study is led by Dr. Stephen McCurdy, WCAHS Outreach Director. I have also been funded by the [WCAHS Graduate Student Funding Program](#).

The purpose of the study is to investigate attitudes, perspectives, beliefs, and experiences of men and women regarding sexual harassment in the agricultural workplace with the goal of improving education and prevention practices.

Women are steadily becoming a greater part of the farm labor force. In 2014, women represented approximately [28%](#) of the farmworkers in the US. Women made up [26%](#) of the California farm workers sampled by the National Agricultural Workers Survey in 2014.



A 2012 Human Rights Watch report called "[Cultivating Fear: The Vulnerability of Immigrant Farm workers in the US to Sexual Violence and Sexual Harassment](#)," describes rape, stalking, unwanted touching, exhibitionism, and vulgar and obscene language by supervisors, employers, and others in positions of power. Most farmworkers interviewed said they had experienced such treatment or knew others who had, and most said they had not reported these or other workplace abuses, fearing reprisal. A [2010 survey of 150 farmworker women in California's Central Valley](#) revealed that 80 percent had experienced some form of sexual harassment. The findings described victims experiencing gender harassment and unwanted sexual attention from both supervisors and coworkers.

We are partnering with Professor María Elena Rivera Heredia from the University of San Nicolás de Hidalgo in Michoacán, Mexico, community leaders, farmworker service providers from the migrant housing centers, and farmworker advocacy groups, such as [Lideres Campesinas](#). Our goal is to investigate attitudes, perspectives, beliefs, and experiences related to sexual harassment in the agricultural workplace. Farmworker focus groups and farmworker surveys will be done with men and women farm workers on both sides of the border. We will also have employer interviews in California to explore the business administrative infrastructure for preventing and responding to sexual harassment.

Themes brought up in both male and female farmworker focus groups completed in June 2017 included: barriers to reporting for victims, an increased effort by employers to prevent sexual harassment in recent years, and the observation that both men and women may perpetrate and suffer sexual harassment. Men and women also differed in their knowledge of sexual harassment incidents occurring at their worksite: 8/10 women knew about cases whereas none of the men did. However, this is preliminary work and further surveys and employer interviews are ongoing.

The information gained from this study will be used to help develop educational materials and recommendations for agricultural employers and farmworkers to reduce sexual harassment in the workplace. It will also be part of my dissertation work for my first year in the UC Davis Graduate Group in Epidemiology.

Without a doubt, the most challenging part of conducting research on sexual harassment is dealing with the associated sociocultural and political concerns. However, I enjoy serving this vulnerable population and using my Spanish-language and cultural skills. My parents, who emigrated from El Salvador in 1982 fleeing a civil war, taught me the value of education and working in the community to improve it. This research topic is very important to me because I am familiar with sexual harassment and how challenging it is to address in Latino populations.

Why Have There Been So Few Sexual Assault Prosecutions in the Agriculture Industry?

June 25, 2013 by [Hannah Mintz](#)

SOURCE: <https://www.pbs.org/wgbh/frontline/article/why-have-there-been-so-few-sexual-assault-prosecutions-in-the-agriculture-industry/>

The [FBI lists rape](#) as the second most serious violent crime behind murder. But only [one out of 20 victims](#) will ever see a rapist convicted of a felony.

Police make arrests in fewer than one-third of the rape and sexual assault cases brought to their attention, according to a recent Department of Justice [report](#). And most cases are never reported to police in the first place.

Unless a woman reports to police soon after the rape, before showering or changing clothes, there is often very little evidence of the alleged crime. It costs law enforcement [about \\$1,000](#) to run a full DNA test on a rape kit, and forensic evidence often only proves that sex — not necessarily rape — took place. Absent additional witnesses, the man can still argue it was consensual.



For undocumented women who are raped or sexually assaulted — and who may fear losing their jobs or being deported if they bring charges against their attacker — the stakes are significantly higher, according to attorneys and immigration advocates.

Robert Reich, professor of public policy at UC Berkeley and former U.S. Secretary of Labor, believes law enforcement faces a "fundamental schizophrenia" between enforcing immigration laws and protecting the civil and human rights of people in this country. "How can sheriffs carry out both missions? The answer is that they can't," Reich said.

But the FBI and Department of Justice think otherwise. They insist that rape and sexual assault should be investigated and prosecuted by local authorities.



"Rape is considered a local crime. It would be fair to say it is not in our jurisdiction," said Beth Lefebvre, a spokesperson for the FBI. "Even serial killers sometimes do not fall under federal jurisdiction," she said. "We can't open a federal case on a local rape. It's just the law."

However, Reich argues that in the

1960s, the FBI stepped in to investigate the murder of civil rights workers in Mississippi because local police, who were complicit in the killings, were unwilling to investigate.

"If local law enforcement can't or won't handle it, because of some set of institutional or personal biases, then it would seem to me that we've got to rely on the FBI and national law enforcement," Reich said. "Why shouldn't the Justice Department be prosecuting people for violating the most fundamental of civil rights?"

Lisel Holdenried, an attorney with California Rural Legal Assistance (CRLA) who represents agricultural workers, knows how rare it is for even the most egregious cases to result in criminal prosecutions. CRLA has represented dozens of female farmworkers who claim they were sexually assaulted. But only one recent case has resulted in a criminal conviction.

The case involved a supervisor at a berry farm in San Benito County, Calif. who allegedly penetrated one of his female workers with a foreign object and forced her to touch his genitals.

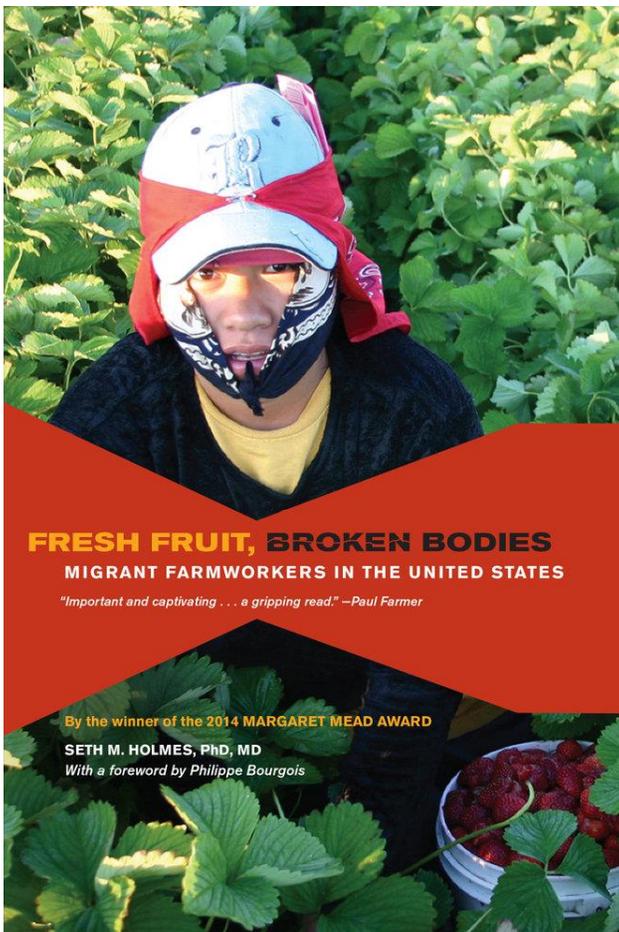
The supervisor pleaded no contest to two counts of sexual battery and began serving a three-year prison sentence in April 2013.

"The case is an anomaly," Holdenried explained. Her client immediately told the farm's human resources manager, who brought her to the sheriff's office where she filed a report within five hours of the incident.

"At the end of the day, that's what's supposed to happen," Holdenried said.

What's Happened Since [the PBS Documentary TV Program] "Rape in the Fields"?

In partnership with: [CIR](#) (Center for Investigative Reporting) March 18, 2014 by [Bernice Yeung](#)
SOURCE: <https://www.pbs.org/wgbh/frontline/article/whats-happened-since-rape-in-the-fields/>



[Rape in the Fields](#) [PBS Frontline Documentary TV Program] was the result of a yearlong reporting collaboration by FRONTLINE, Univision, the Investigative Reporting Program at the UC Berkeley Graduate School of Journalism and the Center for Investigative Reporting. [Rape in the Fields](#) rebroadcasts tonight at 10 p.m. on most PBS stations.

Maricruz Ladino has deep-brown eyes, finely arched brows and an oval face that blossoms when she smiles.

Ladino didn't realize it when she first agreed to tell her story one spring morning last year, but she has become – quite literally – the face of farmworker sexual abuse survivors. She's a lead character in [Rape in the Fields](#), and her face, framed by a white-and-black bandanna, graces the project's logo.

Life has changed dramatically for the Mexican immigrant since she told the nation that her supervisor raped her while she was on the clock at a California lettuce farm.

After the project's documentary aired, Ladino said she received so many harassing calls – some calling her an "unfit woman" – that she had to change her cellphone number. Her fiancé wasn't prepared for the attention and broke up with her.

But for Ladino, talking about her experience has become cathartic.

"Now it's part of the medicine I take. It's like I have a cancer, and I remove a little bit ... (with) this medicine," she said recently on [Reveal](#), a new investigative reporting radio program produced by The Center for Investigative Reporting and PRX.

Good things have happened, too. One of Ladino's daughters told her that she was proud of her. Strangers approach her at the grocery store to thank her for telling her story. At one documentary screening in Monterey County, Calif., high school students rushed up to Ladino after the film to



have their picture taken with her.

After they left, Ladino marveled at what had happened. "This makes me feel like I did something important," she said.

Once considered an open secret, sexual violence in the fields is now national

news. It's been nearly a year since the debut of the Rape in the Fields project, produced in collaboration with the Investigative Reporting Program at the UC Berkeley Graduate School of Journalism, FRONTLINE and Univision. In that time, a lot has changed: sources' lives, efforts to fix the problem and advances in court cases. With the film airing again tonight on FRONTLINE, here's a rundown of what's happened since the film's premiere:

Problem No. 1: Data

In every farming community we visited, women told us that sexual harassment and assault were commonplace in the agricultural industry.

But it's a difficult problem to quantify. No one is keeping good statistics. A few small studies have shown that farmworkers face sexual harassment at higher rates than the U.S. workforce at large.

Without hard numbers, it's an issue that remains in the shadows, off the radar of policymakers, advocates and growers who could make a difference.



Researchers at the University of California, Davis; UC Berkeley; and the University of Washington have expressed interest in conducting pilot studies and collecting data on this issue. The University of Washington, for example, already has convened female farmworker focus groups. In addition to analyzing the focus group discussions, researchers are in the early stages of

designing a public health campaign about workplace violence in the fields.

Problem No. 2: Training

Farmworkers often don't report sexual abuse for the same reasons many other victims don't – shame and fear of not being believed. On top of that, many of the farmworkers are immigrants who are worried about losing their jobs or being deported.

Victims often don't know their rights. Some harassers don't know the behavior is improper.

Employee and supervisor training is one solution. Workplace safety organization AgSafe continues to expand its training programs, recently partnering with California's Agricultural Labor Relations Board in its educational efforts on sexual harassment.

Government agencies like the U.S. Equal Employment Opportunity Commission are using the documentary to train its investigators and employers on how sexual harassment could play out in agricultural settings.

Scores of organizations, from governments to community groups, continue to hold public screenings of the documentary to raise awareness of the issue.

Problem No. 3: Cooperation and prevention

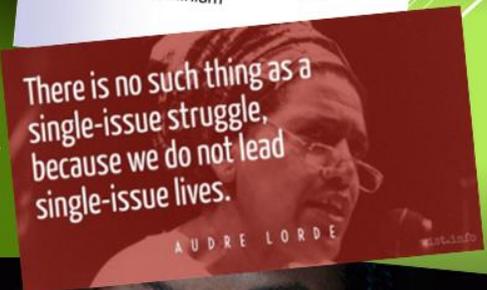
Sexual assault and rape are difficult to prove in criminal court. Even those with strong evidence might not have their chance at seeking justice.

Laura Segura, executive director of Women's Crisis Support – Defensa de Mujeres in Watsonville, Calif., says the farmworker community's distrust of police stems in part from programs like Secure Communities, a federal program that requires local law enforcement to cooperate with immigration officials.

What is Intersectionality?

Intersectionality refers to the complex web of different forms of oppression--such as sexism, racism, and classism--experienced simultaneously by marginalized individuals and groups in a society in such a way as to constitute *super-oppression*; that is, "the whole is greater than the sum of its parts" (to borrow a well-known phrase from the Greek philosopher Aristotle).

Note: The theory behind intersectionality was first articulated by the African American legal scholar Kimberlé Crenshaw in her article published in 1989 in the journal *University of Chicago Legal Forum*, titled "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics." She had written it as a criticism of white feminists who, quite often, remained naively insensitive to the racism that black women experienced in United States--a problem that continues to plague them to this day because of their *colorblind racism*.



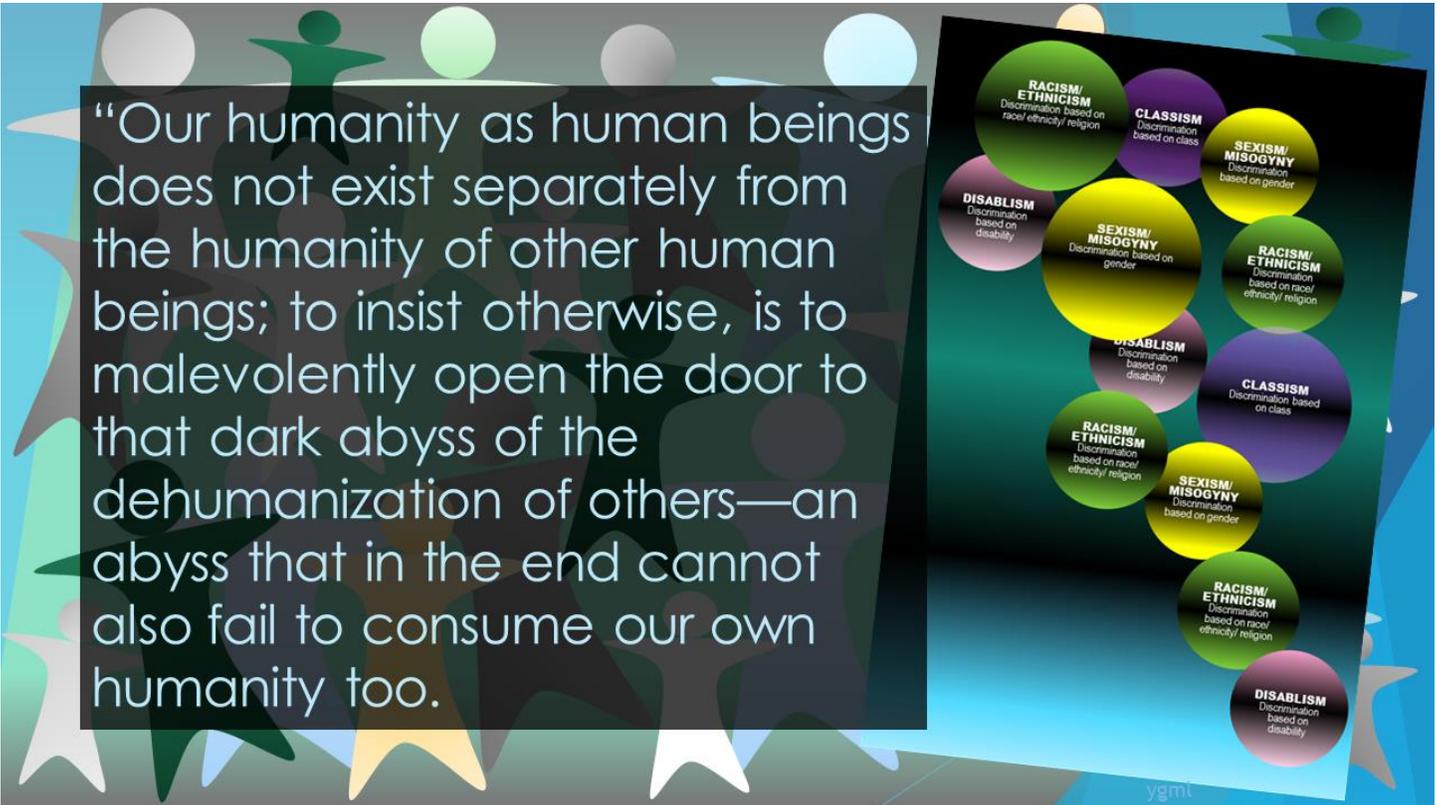
"We can no longer say in complete confidence, 'Yes, call law enforcement, and you will get protection,' " she said.

None of the dozens of federal lawsuits CIR examined resulted in criminal prosecutions – few victims made it to the police.

But there have been recent efforts by law enforcement to take on these challenging cases. In state court, the alleged rape of a farmworker by a grower in California's Central Valley is awaiting criminal and civil trial in Madera. And the Monterey County Sheriff's Office is investigating its first farmworker sexual assault case.

There also have been some local efforts to improve relationships between law enforcement and immigrants. The Monterey County district attorney's office, for example, wanted to get more connected with the sizeable farmworker community in the area. So it invited a women's farmworker organization called Lideres Campesinas to join its task force on sexual assault and domestic violence. It also is working with the sheriff's office to create a flier about [a special visa](#)

that allows victims of crime lacking authorization to be in the U.S. to remain in the country if they assist with a criminal investigation or prosecution.



Segura's organization is trying to make sure that sexual violence on farms and in packing houses doesn't happen in the first place. She has started sending staff members into the fields to talk to women about workplace sexual violence and the resources that are available to them. The effort is called Secure Fields.

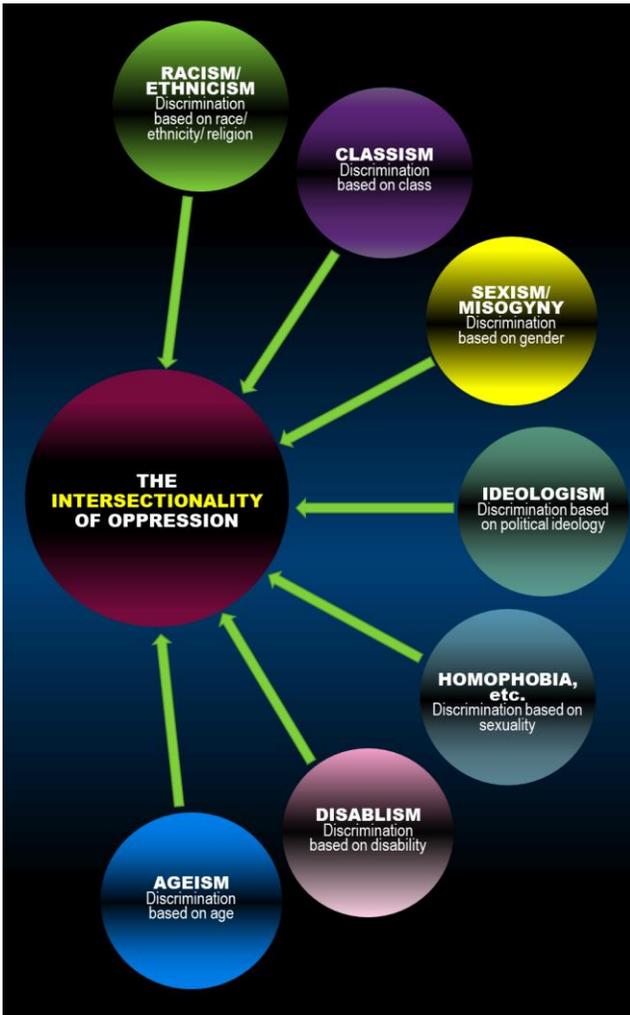
She's also announced that the group plans to organize a local conference, based on the [Solutions Summit](#) hosted by CIR, to figure out how Santa Cruz County can serve as a state model for preventing and addressing farmworker sexual assault. She has changed the center's hours to make it easier for farmworkers to visit.

What's new with court cases

The documentary prominently featured the Evans Fruit Co. trial, a case in which more than a dozen women testified that they were assaulted or harassed in a Yakima Valley, Wash., orchard by a handful of crew leaders or their foreman, Juan Marin.

The government sued the large apple grower, arguing that the company had failed to act when its workers claimed they had been harassed and assaulted. As chronicled in the documentary, the government lost the case.

The government also lost its appeal for a new trial and now is taking the case to the 9th Circuit Court of Appeals. Meanwhile, a lawsuit that was filed against Marin, which accused him of harassing three of the women in the federal case, also was dismissed. This also will be appealed.



Ladino's life

Perhaps no one has felt the ripple effects of the documentary as keenly as Maricruz Ladino.

Nowadays, she is more or less back to her normal routine. Often awake by 4:30 a.m., she works multiple agricultural jobs in some seasons on just a few hours of sleep. In the little spare time she has, Ladino volunteers with public health research projects or financial literacy programs aimed at helping immigrants like herself. She raised three daughters, now grown, and does what she can to spoil her three grandchildren.

And despite the problems the project initially created in Ladino's relationship with her fiancé, things recently have improved. At the beginning of this year, after he'd had some time to reflect, he proposed to Ladino once again.

She said yes.

This story was edited by Andrew Donohue. It was copy edited by Nikki Frick and Christine Lee.

This story was produced by The Center for Investigative Reporting, an award winning nonprofit news organization based in the San Francisco Bay Area. For more, visit cironline.org.

Sexual Assault Endured by Domestic Workers Overlooked in National Conversation

by [Janell Ross](#) November 29, 2017

SOURCE: <https://www.washingtonpost.com/news/post-nation/wp/2017/11/29/sexual-assault-endured-by-domestic-workers-overlooked-in-national-conversation/>

June Barrett, a home health-care aide, had been on the job just a few weeks when her client, a mentally sharp but physically fragile elderly man, grabbed her breast in full view of his adult daughter. The moment was terrible. But the two women had developed a rapport. So, for a brief moment, Barrett felt almost relieved.

"She laughed. His daughter absolutely saw what happened and laughed," said Barrett, 54. "She did not say, 'Dad stop that right now!' She didn't say, 'June, I'm sorry.' It was such a betrayal because I thought that if anyone it would be okay to talk to her about what was happening, to find a resolution. But in that moment, I realized that wasn't going to happen, no way that my word would be enough."

As the nation faces the frequency of sexual harassment and assault at work, both experts who study the problem and the agency that enforces laws against it say that it's women at the bottom of the labor market who suffer sexual harassment most often and are least likely to see anything like justice. Their experiences also suggest that the lines between predators and complicit cover artists don't fall neatly along gender lines — often, the stories include women who overlooked sexual assaults or even facilitated harassment of female workers with less power to fight it. That's a pattern that makes pronouncements about the Harvey Weinstein effect — the idea [American men have been shaken, even chastened](#) and the workplace forever changed — seem optimistic, at best.

"I think there is a new awareness, but . . . you have to wonder if the awareness and concern has really grown or been approximated because of the Hollywood element," said Anita Hill, a lawyer and professor of social policy, law and women's studies at Brandeis University.

[*\[#MeToo was started for black and brown women and girls. They're still being ignored.\]*](#)

Hill is best known as the woman who testified before the Senate Judiciary Committee in 1991 about what she said was a pattern of sexual harassment inflicted on her by then-nominee for the U.S. Supreme Court Clarence Thomas. She heard herself described alternatively as a cunning political operative, a liar and an insane or bitter woman — but also as a hero forcing a national reckoning. Thomas denied the allegations. The committee confirmed him after refusing to hear testimony from another woman.

In the years following Hill's testimony, reports of sexual harassment to the nation's workplace discrimination watchdog agency, the Equal Employment Opportunity Commission (EEOC), spiked and remained elevated for years before a slight decline.

"By the time I joined the commission, I know there were several of us who could not believe how



much of this we continue to see," said Victoria Lipnic, an employment lawyer and acting chair of the EEOC. Not long after she joined the commission in 2010, she asked attorneys in the EEOC's 15 regional offices about the

extent of the problem.

"They all said pretty much the same thing: If we wanted to, we could have a docket [case list] of nothing but sexual harassment, every day, all day, all year," Lipnic said.

In 2015, the agency commissioned a larger study. Among the revelations: Sexual harassment, much like racial and religious harassment, seems most prevalent in workplaces where employees are mostly homogeneous and those where employees are very diverse but segregated across job types. [The EEOC's problem list](#) also includes workplaces with a star employee who is above the rules, job sites with large numbers of young or immigrant workers or monotonous duties, those where customer service and client recommendations matter a great deal, jobs in physically isolated places and those where alcohol use is encouraged or allowed. The agency used the findings to overhaul the training it will bring to workplaces upon request.

But the EEOC's authority to investigate, penalize or sue employers who sexually harass workers only applies to workplaces [where there are 15 employees or more](#). Since most nannies, housekeepers and home health-care aides are the only employee in their workplace or one of just a few, they are often outside of the EEOC's dominion.

"Domestic workers are almost expected to endure some degree of indignity as a term of their employment. That's no accident," said Allison Julien, a fellow with the National Domestic Worker Alliance's We Dream in Black initiative, which advocates for black domestic workers.

[\[Rape in the storage room. Groping at the bar. Why is the restaurant industry so terrible for women?\]](#)



"We are the women who care for this country. We are Black, we are women of color, we are immigrants. Behind closed doors we face harassment and abuse. Today, we stand with farmworkers and women in Hollywood to say:
#TIMESUP on abuse and harassment.
#TIMESUP on exploitation. #TIMESUP on silence.

Domestic work makes all other work possible!

Visit National Domestic Workers Alliance at <https://www.domesticworkers.org>

Intersectionality—the Gender-Class-Race Nexus: Exploitation and Violence

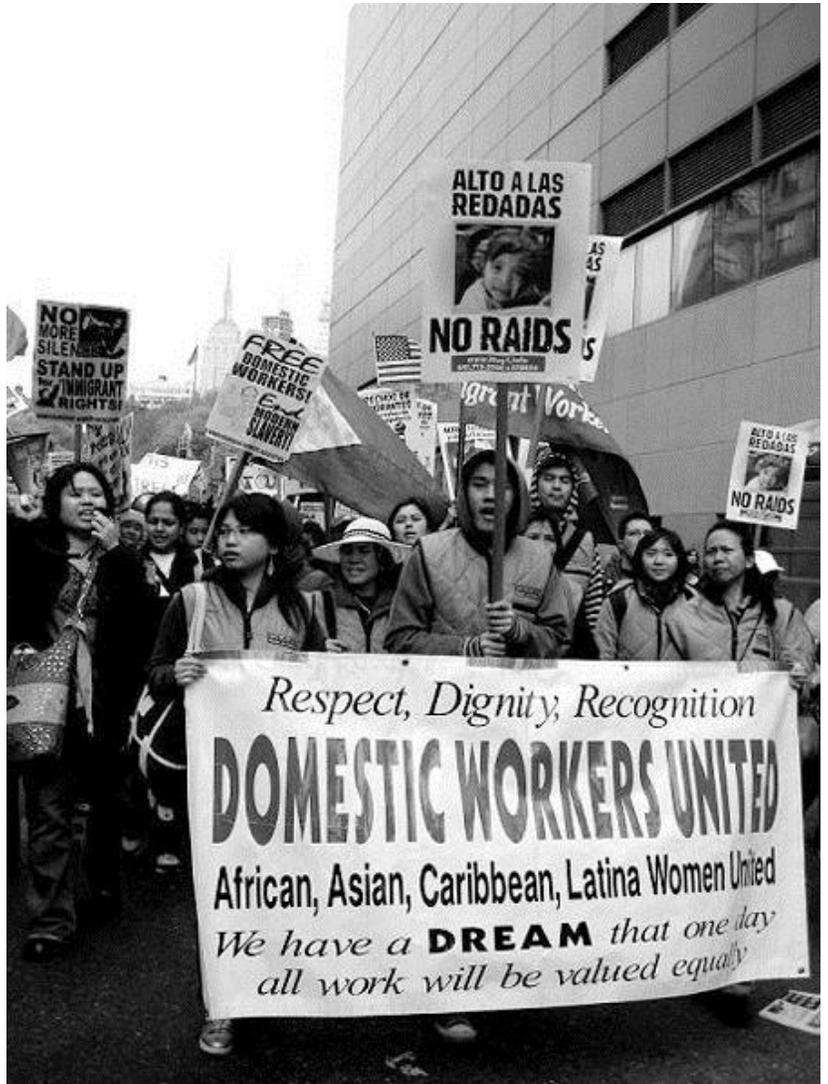
In the 1930s, as Congress passed some of the nation's core labor laws — including the 40 hour workweek and the minimum wage — [lawmakers intentionally excluded occupations in which most of the nation's black, Latino and Asian workers were employed](#) such as domestic work and farm labor. Congress has adjusted these laws over the intervening decades. A Department of Labor regulation, known as the [Home Care Rule](#), extended the minimum wage law and overtime guarantee for home care workers. It [went into effect](#) in 2015, but years of legal wrangling left the matter unsettled until 2016. [Many farm laborers remain excluded.](#)

Beginning in 2010, eight states — California, Connecticut, Hawaii, Illinois, Massachusetts, New York, Nevada and Oregon — passed laws the alliance dubbed the Domestic Worker Bill of Rights. Some of these state laws mirror existing state anti-discrimination and anti-harassment laws, giving domestic workers a process for filing sexual harassment and access to unemployment benefits. They guarantee a minimum wage and time off after a certain number of days worked. But in Nevada the harassment provisions apply to workplaces with 15 employees or more. In the remaining 42 states, some of these protections are absent for domestic workers.

When Barrett, a Jamaica-born immigrant, came to work for the nearly blind man as a live-in aide, she had already had a client who referred to her with [a German or Yiddish term meaning "black servant"](#) — or, by some translations, [the n-word](#) — and another white family that insisted she sleep on a couch, instead of an unoccupied extra bedroom. She'd worked for a black family that stopped paying after her first week. But the white and nearly blind Miami man had a habit of trying to put his hands between her legs, lick her neck or kiss her on the mouth. Her first night on the job she barricaded her bedroom door.

"It sounds completely crazy to me now," said Barrett, who today works as a home health-care aide for a different family and an unpaid organizer with the Miami Worker's Center. "But things go so bad for me at that job that I can distinctly remember thinking, if I am penetrated, I will leave straight away and go to the police. That was the line."

Barrett was uninsured, paying for her asthma and diabetes medication out of pocket and could not miss a paycheck. Job agencies typically refuse to connect workers who complain or leave



jobs quickly with more work. Searching independently can also be a problem. References and recommendations are everything.

"Women at or near the bottom, in terms of pay, in terms of standing are among those most frequently harassed," said Mindy Bergman, a professor in the department of psychology and brain sciences at Texas A&M College Station who studies how work affects individuals. She was one of the experts the EEOC tapped.

"Perpetrators seem to know," Bergman said. "They have a better chance of getting away with what they do because these women are less likely to be believed if they report, and are also less likely to report because the job is so critical and the stakes so high. For some women, that's a phase in their career. For other women, that's their life."

Today black, Latina and Asian women comprise 40 percent or more of the nation's [nannies](#), [maids](#) and [home health-care aides](#).

Since Barrett told her story at the first domestic worker's convention last year, she and other organizers have heard chilling stories. A nanny raped by her charge's father then fired by the child's mother when the nanny asked the woman for help. A home health-care aide who had to



endure slaps on the bottom and cleavage touching to collect her paycheck. A maid who works for a man whose robe is somehow always open when they are alone but closed if the man's wife is in the room.

"The question, really, is how far are we willing to extend the courtesy of being able to protect our own bodies and demand that our bodies be respected, that we not be harassed in the workplace?" Hill said. "If we don't care as much about the maid and [the Mechelle Vinsons of the world](#), then we can't get monumental change."

Vinson is a former Washington bank clerk who filed the suit which established the legal concept of the "hostile work environment" and prompted the Supreme Court to declare this a form of discrimination under Title VII of the 1964 Civil Rights Act. Vinson is also one of several black women who brought litigation central to almost every sexual harassment case which reaches a courtroom today, said Tomiko Brown-Nagin, a constitutional law professor at Harvard University and a legal historian.

Back in 2011, the Association of Black Women Historians [offered an assessment of "The Help,"](#) a Hollywood feature film about a plucky white heroine exposing the workplace indignities experienced by black domestics in Mississippi, circa 1962. The movie evaded any mention of the frequent sexual harassment and assault the nation's then mostly black maids experienced on the job.

That's a dynamic much like the current national reckoning, Barrett said.

"Almost nothing has changed. We are just 'the help.' We are still 'the girl.' We are not human," said Barrett, who managed to find a new job after several months. "We do not matter."

For Domestic Workers, Sexual Harassment Can Feel Totally Inescapable

Most domestic workers work alone as nannies, house cleaners, or in-home healthcare workers—leaving them particularly vulnerable to harassment, and with few options for recourse or protection.

[Lena Solow](#) Dec 19 2017

SOURCE: https://broadly.vice.com/en_us/article/kzg3mz/for-domestic-workers-sexual-harassment-can-feel-totally-inescapable

As a young woman, Juana Flores moved to California from Mexico to work as a live-in nanny for a family with a small child. Soon after she started her job, she says, the sexual harassment started.

[...]

A [long overdue moment of reckoning](#) around workplace sexual harassment is upon us—and, for

probably the first time in history, men are actually facing consequences for their misconduct. But even though addressing workplace violence is crucial and overdue, most of the early media coverage focused on workplaces where women are relatively well paid—in [Hollywood](#), for instance, [in media](#), and [in politics](#)—and the majority of victims who came forward were white.

What do you do if you're sexually harassed at work and you're not famous, and neither is your boss? Or what if you're undocumented, or your boss has seized your immigration papers?

Stories like Flores' raise a series of important questions: What do you do if you're sexually harassed at work and you're not famous, and neither is your boss? What if you're living paycheck to paycheck, and taking a day off to file a complaint means you can't pay your rent? Or what if you're undocumented, or your boss has seized your immigration papers? If you thought the [notorious Matt Lauer desk button](#) was scary, imagine if your workplace is someone's home,

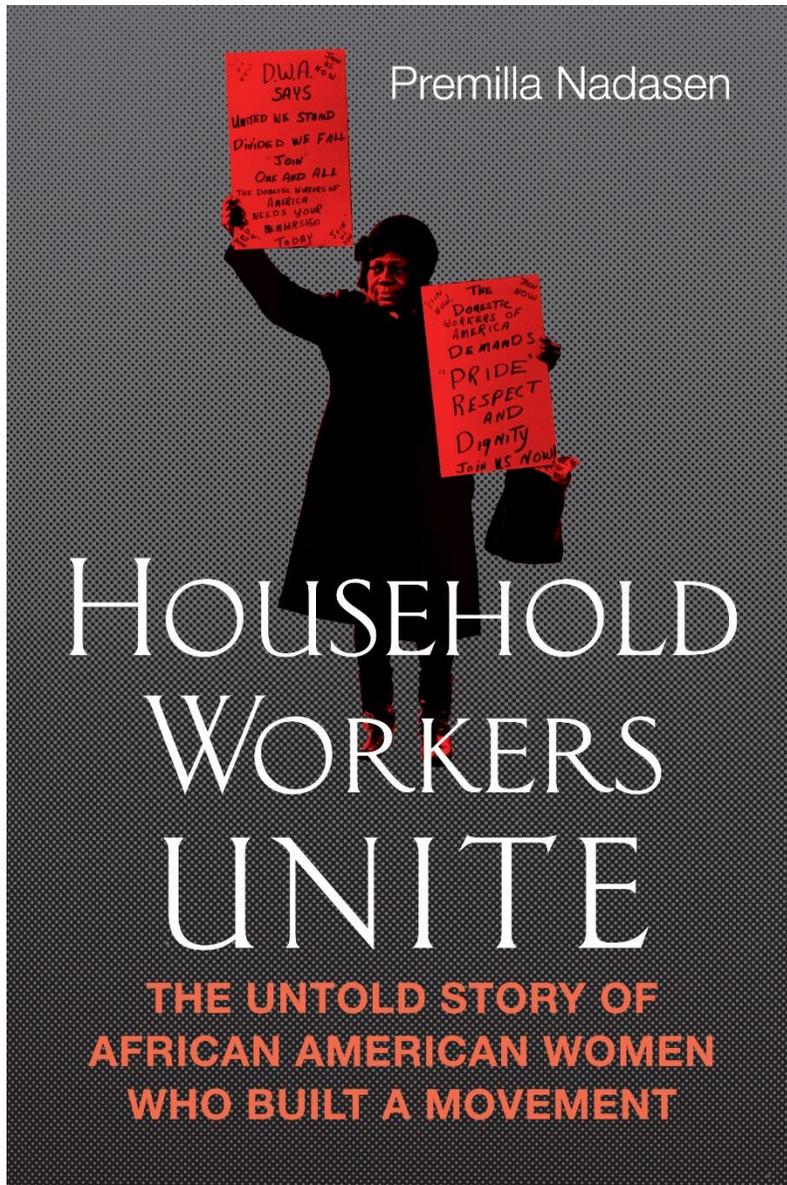
where you live and are unable to leave. This is the reality for many domestic workers — a workforce mostly comprised of women of color, many of whom are immigrants, who labor in homes caring for children, cleaning, and providing healthcare support.



Domestic workers face compounding issues that make it difficult to report and fight back against sexual harassment. Alicia Garza, the strategy and partnerships director for the National Domestic Worker's Alliance (NDWA), [describes these](#) as "pervasive." Many domestic workers struggle with economic insecurity: In the National Domestic Worker's Alliance 2016 Home Economics [report](#), 67 percent of surveyed live-in workers were paid below the state minimum wage. Those rates make saving money nearly impossible, which means losing a day's pay to file a complaint with a government board would be a difficult choice for most women. Then there are immigration issues—[many workers](#) are undocumented, or their employer has

seized their immigration papers, meaning they have even more to fear in terms of retaliation. And finally, many domestic workers are "isolated and alone," as Flores puts it, without access to community or legal resources.

Enforcing anti-harassment and discrimination laws can be difficult, even for workers with access to money and resources. But unlike women who work in newsrooms or on television sets, many domestic workers aren't even protected by federal anti-harassment and discrimination law due to a policy loophole: Federal civil rights laws against discrimination [only apply](#) to workplaces with 15 or more employees. (If your workplace has fewer than 15 employees, you may be protected under state or local law but you can't file a complaint under federal law.) With the exception of those who work for home healthcare agencies or housecleaning companies, most domestic workers work alone as nannies, house cleaners, or in-home healthcare workers. As the sole employees in their workplaces, they don't even have the right to file a complaint of harassment. This also limits their ability to organize with other workers in traditional ways, such as by unionizing.



Because advocating for change in federal law is so difficult, most activism around domestic worker rights has focused on a combination of grassroots community support and campaigns to change state laws. NDWA has helped pass Domestic Worker Bill of Rights in eight states, which include protections such as overtime rights, paid time off, and protection from harassment and discrimination. In Flores's state of California, domestic workers, like any worker, can file a complaint with the Department of Fair Employment and Housing within a year of experiencing harassment. Because that can be a complicated and lengthy process, Rocio Avila, the State Policy Director for NDWA, tells Broadly that NDWA ensures that in addition to any legal resources, the worker connects to an organization that can provide a community of support.

"I learned that I had the right...to say to my employer, 'No, you cannot talk to me like that. You cannot make me feel uncomfortable.'"

One such group is Mujeres Unidas y Activas (MUA), a San Francisco-based Latina immigrant organization focusing on community organizing and empowerment. Ten years after leaving

her abusive employment situation, Flores returned to California with her husband, where she connected with MUA. MUA takes a holistic approach: In addition to support groups, they offer trainings on everything from negotiating a contract to computer literacy. They also participate in organizing campaigns, such as a recently passed law ensuring overtime pay for domestic

workers in California and another requiring warning labels on hazardous cleaning products. They do this work as a lead organization in the [California Domestic Workers Coalition](#), which is part of the NDWA.

"When you have experienced abuse, you know exactly why" someone might not leave the situation, added Flores, who moved up in the organization to become co-director in 2001. "It's strengthened me to help other women. I've been able to show that, yes, you have rights. It's not your fault. You're not alone. You can move through this."

Just as the #metoo movement has helped many women feel they're not alone in their experiences of harassment and assault, MUA provided a space for Flores to connect with other women, who told her that what had happened to her wasn't okay. She attended support groups, accessed therapy, and got involved with organizing campaigns to support herself and other domestic workers. "We have a saying at MUA: When you heal I heal, and when I heal you heal," she explained. "I learned that I had the right...to say to my employer, No, you cannot talk to me like that. You cannot make me feel uncomfortable."

Now, public attention is starting to shift towards the unique challenges low-wage workers face when confronting harassment. *TIME* magazine's [Person of the Year coverage](#)—which focused on "silence breakers" who called out harassment and abuse in their industries—included the stories of a farmworker and hotel housekeeper who experienced sexual harassment on the job, and outlets have [started covering](#) the struggles of low-wage restaurant workers in addition to [high-profile celebrity chefs](#) accused of assault .

As the focus shifts to include people outside of Hollywood, media and politics, there are lessons to be learned from domestic worker organizing. Those in the domestic worker movement have



been fighting sexual harassment in the field for years by thinking broadly about what changes workers need to escape harassment: a community of support, yes, but also a living wage and support for just immigration laws. Thinking in the long-term and organizing to improve the lives of low-wage workers illustrates a

path forward to help all women fight, escape, and prevent workplace sexual harassment.

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