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A Dead-End Street: Female Immigrants
and Child Care

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Vernon M. Briggs, Jr.

Over the past few decades, two highly significant, yet distinctly different influences have affected the U.S. labor market: the mass movement of adult women with young children into the labor force and an upsurge in mass immigration that includes a disproportionate number of unskilled and poorly-educated women from the Third World. Among these are many who have entered illegally. Estimates of the number of unskilled domestic workers residing illegally in the United States range between 50,000 and 150,000.

A Symbiotic Relationship

Despite the unplanned nature of these two separate trends, a symbiotic relationship has evolved. The unprecedented demand for child care has been met by undocumented immigrant women who lack the education and English language skills necessary to qualify for higher-paying jobs. Foreign domestic workers help make it possible for many parents to use in-home child care. While in-home care is particularly attractive for families with very young children, it is the most expensive form of care. Three percent of all children under age five are cared for by in-home caregivers.

Undocumented workers can find jobs

only if the employer is willing to violate a whole range of labor and immigration laws, and risk being fined and required to pay back taxes and penalties on that worker. Parents employing undocumented workers are unlikely to claim the child care tax credits to which they are entitled because they cannot provide a social security number and proof of having withheld taxes. People employing undocumented workers are responsible for paying social security taxes even if the worker has no social security number. To do so, however, may place the worker at risk of deportation. The controversy surrounding Zoë Baird's nomination for Attorney General revealed that use of undocumented child care workers is widespread, and the risk of being caught is low because the laws are widely ignored and rarely enforced.

Few Work Visas Granted

Under the Immigration Act of 1990, child care workers are classified as unskilled. Unskilled workers generally must wait anywhere between five and 20 years to get an employment-based visa, known as a Petition for Alien Employee, that legalizes their status. Employers must make the request for such a visa from their state Department of Labor. The employer is then required to advertise the job. If it is determined that no U.S. citizen is able or willing to fill this job, the Department of Labor certifies that only an immigrant can fill it. The Immigration Act of 1990 has reduced the number of unskilled immigrants who can legally enter the country from 50,000 to 10,000 a year. This makes it increasingly difficult for an unskilled immigrant to get authorization to remain in the United States legally. The situation is further complicated by an agreement between the INS and state Departments of Labor in which the INS is notified when a Petition for Alien Employee is filed.

Underground Economy

The parents want a full- or part-time child care provider; the undocumented immigrant wants a job. A market arises to meet these needs, but it is not a legitimate market. Parents frequently benefit by paying lower wages for these services, and



Photo courtesy of Mary Larner

by employing the provider for more hours than a competitive market would allow.

The demand for in-home child care permits the female immigrant to survive for a period of time, but also makes her vulnerable to exploitation by the employer who can threaten deportation. Often the caregiver's quality of life—or lack thereof—is viewed as being unimportant. If she has a family of her own, the family can survive only by applying for food stamps, public housing, and subsidized school meal programs, all of which may also be illegal. If she or a family member gets sick, they will probably seek help from a municipal or county hospital emergency room. Taxpayers actually pay the costs, for health services, WIC, school lunch programs, Head Start, federal housing, and Social Service Block Grant monies, which may far exceed any individual benefits received by the worker and the householder.

New Solutions Needed

Like any other industry, in-home child care ultimately must be able to compete for workers while following the same laws as the rest of society. This may require the establishment of new organizations, both government-run and private, to match job applicants with households that need child care workers, as well as to become a labor market intermediary. The establishment of this intermediary department or organization could assist with job certification programs and bureaucratic paper work. Additionally, public policies could include the consolidation of programs in the public schools, training and certification programs and even revising tax systems to provide more deductions for child care. There needs to be further investigation of a

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Immigrants ...

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certification procedure to protect both workers and employers as well as the children themselves from incompetence, danger, and exploitation. Government funding may be required for some of these costs, but the investment would pay for itself by bringing thousands of workers on to the tax rolls. Wages for *all* child care workers in the U.S. — whether in-home, family day care, or center-based — are scandalously low. This adversely affects the quality of care and education available to the nation's youngest citizens.

Maintaining the status quo will not resolve the problem of child care for families that need in-home care. Immigration should not be seen as a realistic alternative. The use of illegal immigrants is a form of worker exploitation. It is also unlikely that the number of unskilled legal immigrants will be increased. The only alternative is to make the jobs more attractive to citizen workers. What is morally and legally wrong cannot be politically and economically correct.

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