

**CHILD CARE ON THE CHEAP:  
WELFARE REFORM AND THE SOCIAL ORGANIZATION OF CHILD CARE  
WORK IN NEW YORK CITY**

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## ABSTRACT

This study aims to further a feminist political economy of urban welfare regimes, applying a gender lens to processes of urban neoliberalization and an urban lens to feminist political economy analyses of welfare state restructuring and resistance. In New York City, neoliberal welfare reform dramatically increased need and demand for child care, escalating the city's child care crisis. As thousands of poor single mothers were pushed into workfare jobs and the lower reaches of the labour market, the question of "Who will care for their children?" was thrust to the forefront of New York politics. In response to the crisis, the administration of Mayor Rudolph W. Giuliani channelled welfare mothers into relying on precarious, home-based child care providers for the care of their children, despite federal and state regulations guaranteeing "parent choice" in the use of child care subsidies. This strategy can be understood as one of privatization, as the city delivered child care services "on the cheap" by downloading costs of and responsibilities for caregiving onto low-income families/households and communities, and especially the women within them. While occurring against the backdrop of federal welfare reform, the city's response to the crisis is best understood in the context of a broader project of urban neoliberalization designed to roll back the institutional legacies of New York's postwar welfare regime, including a public centre-based child care system staffed by a unionized workforce. Yet, paradoxically, the city's strategy to mediate the crisis produced openings for progressive civil society actors to contest the grounds of mediation and push the state to socialize costs of and responsibilities for child care. The most important outcome of this contestation was the unionization of home child care workers and their emergence as a powerful political force in the wake of welfare reform. Overall, this case study demonstrates that under neoliberalism, urban welfare regimes are central sites of contested, state-driven efforts to mediate crisis tendencies in social reproduction. Privatized remedies aimed at mediation can unleash contradictions, creating openings for resistance and a more progressive reorganization of the work of social reproduction.

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## LIST OF ABBREVIATIONS

ACD	Agency for Child Development
ACS	Administration for Children's Services
ACORN	Association of Community Organizations for Reform Now
ADC	Aid to Dependent Children
AFDC	Aid to Families with Dependent Children
AFL-CIO	The American Federation of Labor and Congress of Industrial Organizations
AFSCME	American Federation of State, County, and Municipal Employees Union
BEGIN	Begin Employment Gain Independence Now
CCCDC	Committee for Community Controlled Day Care
CCDBG	Child Care Development Block Grant
CCDF	Child Care and Development Fund
CCI	Child Care Inc.
CBC	Citizens Budget Commission
CSA	Council of School Supervisors and Administrators
CVH	Community Voices Heard
CWE	Consortium for Worker Education
DC 1707	District Council 1707 of American Federation of State, County, and Municipal Employees Union
DCCNY	Day Care Council of New York
EFCB	Emergency Financial Control Board
FPWA	Federation of Protestant Welfare Agencies
FUREE	Families United for Racial and Economic Equality

FSA	Family Support Act
HRA	Human Resources Administration
IBO	Independent Budget Office
JOBS	Jobs Opportunities and Skills
NCLEJ	National Center for Law and Economic Justice
NOW	National Organization of Women
NWRO	National Welfare Rights Organization
NYC-WAY	New York City—Work, Accountability, and You Program
OBRA	Omnibus Budget Reconciliation Act
PRWORA	Personal Responsibility and Work Opportunity Reconciliation Act
PWP	Public Works Program
SBLS	South Brooklyn Legal Services
SSA	Social Security Act
TANF	Temporary Assistance for Needy Families
TCC	Transitional Child Care
TTF	New York City Temporary Task Force on Child Care
UFT	United Federation of Teachers
WEP	Work Experience Program
WIN	Work Incentive Program
WLC	Welfare Law Center
WRA	New York State’s Welfare Reform Act of 1997
WRN	Welfare Reform Network
WWT	WEP Workers Together





Figure 1. Cartoon depicting the relationship between welfare reform and women's child care work. Copyright, *The Boston Globe*.

## INTRODUCTION

### WELFARE REFORM AND THE SOCIAL ORGANIZATION OF CHILD CARE WORK IN NEW YORK CITY

The new social contract with welfare recipients will require many more mothers to take jobs. But who will care for their children while they work? – Editorial, *New York Times*, October 21<sup>st</sup> 1996

One of the greatest things I have done in New York City, and one of the things I will be remembered for years from now, is workfare—putting people back to work! It is probably one of the best things I have done. When students read history books twenty years from now they are going to see that I took a city of dependency and made it into a city of workers! – Rudolph Giuliani, Mayor of New York City, 1994-2001

A malignant combination of machine politics, bankrupt welfare statism, and rapacious unionism is contributing to the slow-motion suicide of the world's once greatest city. – Republican politician Newt Gingrich commenting on New York City, 1992

Tasha was a 25 year-old resident of Brooklyn, New York, and lone-parent of a 15 month-old baby.<sup>1</sup> Since the birth of her child, she had been receiving cash assistance under the Temporary Assistance for Needy Families program (TANF), better known as “welfare”. In November of 1998, Tasha received a letter from New York City’s Human Resources Administration (HRA) advising her to report to a designated welfare office for a workfare assignment. Like thousands of other welfare recipients in New York, Tasha was to work for the city—cleaning parks, filing documents, or sweeping trash in a housing project—in return for her welfare cheque.

The letter advised Tasha to make child care arrangements for the day of her appointment, and if necessary, for the period of her work activity. While informed that she was to receive a government-issued voucher to pay for the services of a child care provider of her choice, the letter offered no further child care information or advice.

Tasha spent the weeks leading up to her appointment in a desperate search for child care. None of her neighbourhood’s daycare programs had openings; in fact, all had lengthy

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<sup>1</sup> The story of Tasha and Maria is based on field interviews conducted with welfare recipients and child care providers in New York City and also informed by the secondary welfare reform and child care in New York, namely Chaudry (2004).

<sup>2</sup> Unless otherwise specified, “New York” refers to the City of New York.

waiting lists. Tasha called daycare centres located in other parts of the city—some as far away as an hour’s bus ride—only to get the same results. Seeing that she was down on her luck, Tasha’s neighbour, Maria, offered to watch the baby on the day of her appointment.

At the appointment, a welfare caseworker informed Tasha that she had been assigned to work twenty hours a week in the city’s Department of Parks and Recreation; she was to comply with this assignment in order to continue receiving cash assistance. After filling out a stack of forms, the caseworker asked Tasha if she had made child care arrangements. Tasha described how difficult it had been to find an opening at a daycare centre. Shaking her head, the caseworker told Tasha that she had two weeks to secure child care and report to her work assignment or risked having her benefits reduced. She urged Tasha to ask a friend, relative, or neighbour to watch the baby, “someone who might need the money.” Tasha immediately thought of Maria and hoped that she would be willing to provide child care on a more permanent basis.

To Tasha’s relief, Maria agreed. Maria was already looking after two children whose mother was on welfare and who, like Tasha, had been called into the city’s workfare program. In the recession of the early 1990s, Maria lost her job as a bookkeeper and exhausted her unemployment insurance looking for work. When she went to apply for welfare, a caseworker helped the forty year-old mother of two teenage boys set up a home daycare. Maria had since earned a living caring for the children of low-income families in her neighbourhood.

Maria was just one of 28,000 home child care providers contracted with the City of New York to care for 85,000 of the city’s poorest children. Paid through subsidies from the state, Maria provided the children in her care with meals and snacks, helped them with reading and numbers, and directed safe play. Despite the value of her work, Maria did not have a pension or health insurance, nor did she have paid vacation or sick leave. And unlike the 6,000 child care workers employed in 300 daycare centres funded and overseen by the city, Maria was not unionized. As a home-based child care provider, she

was classified as an independent contractor under state law and excluded from basic labour and employment protections.

While Maria took great pride in her job, she was among the lowest-paid workers in New York.<sup>2</sup> The previous year, she had grossed \$19,000, leaving her family of three just above the poverty line.<sup>3</sup> Delayed payments from the city's welfare administration played havoc with her ability to pay the rent on time. Sometimes Maria paid for toys, books, and other supplies out of her own pocket, knowing the mothers of the children in her care could not afford them; but then again, neither could she.

### **Child Care On the Cheap**

This dissertation is about the policies and politics that shape the intertwined fates of women like Tasha and Maria. In New York City, welfare reform saw thousands of poor single mothers transition from welfare into workfare jobs and the lower reaches of the labour market, escalating the city's already existing child care crisis. As welfare mothers entered the largest workfare program in the nation or left public assistance altogether, the question of "who will care for their children?" was thrust to the forefront of New York City politics (see "Workfare's Missing Link", 1996). New York confronted what Peck (2001: 251) has called a "classic neoliberal dilemma over welfare-to-work": its failure to adequately fund child care threatened to undermine the very transitions into work it sought to encourage.

I employ a feminist political economy (FPE) lens to explore neoliberal restructuring and resistance at the intersection of welfare reform and child care. In particular, I examine the contested nature of state-driven efforts to mediate escalating crisis tendencies in social reproduction, as expressed in New York City's child care crisis. In response to the crisis, the administration of Mayor Rudolph W. Giuliani pursued overlapping and mutually

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<sup>2</sup> Unless otherwise specified, "New York" refers to the City of New York.

<sup>3</sup> As of 2005, this was the average annual yearly income of a home child care provider in New York City (United Federation of Teachers 2005).

reinforcing strategies of privatization aimed at mediating the crisis by downloading costs of and responsibilities for caregiving onto low-income families/households and communities, and especially the women within them. Yet, paradoxically, these strategies opened space for resistance by welfare rights groups, community organizations, child care advocates, activist mothers, and labour unions. This study suggests that under neoliberalism, urban welfare regimes are central sites of contested, state-driven efforts to mediate crisis tendencies in social reproduction. Following Vosko (2006), I argue that privatized remedies aimed at mediation can unleash contradictions, creating openings for resistance and a more progressive reorganization of the work of social reproduction.

Upon election to the mayor's office in 1994, Rudy Giuliani pursued an aggressive agenda of privatization, deregulation, and retrenchment, designed to reduce the size and scope of local government, restructure public services along neoliberal lines, and curtail the power of municipal unions (see Weikart 2001; Moody 2007; O'Connor 2008;). At the intersection of welfare reform and child care, this agenda played out in multiple ways. In the name of expanding "parent choice", the Giuliani administration marketized public child care services through the enlargement of what was previously a small voucher scheme. The expansion of this scheme allowed an increasing number of low-income parents to use child care subsidies to purchase care in the private child care market, including from informal, i.e. unregulated, home-based child care providers.

At the same time, the administration shuttered a number of unionized city-run daycare centres, reducing the supply of affordable, quality child care in some of New York's highest needs neighbourhoods and laying off municipal daycare workers. When the federal welfare reform act of 1996 heightened the city's child care crisis, New York's welfare bureaucracy pressured poor mothers into relying on an expanding pool of precarious home child care providers for the care for their children. In the process, the city systematically violated welfare recipients' legislated child care rights, including their right to choose regulated child care arrangements and their right to be excused from workfare without penalty if they failed to find adequate care.

For the Giuliani administration, home child care was the fastest and most cost effective route to moving poor mothers off the welfare rolls. Home child care was non-union, cost substantially less than regulated care, and was subject to minimal government oversight. Prior to welfare reform, only a small number of home child care providers had been paid through state subsidies to care for the children of families on public assistance. In the wake of welfare reform, the ranks of these providers expanded dramatically as they emerged as a vital workforce in the city's neoliberalizing welfare state. Performing public care work in private homes, excluded from key employment protections and labour rights, and without a union to advance their collective interests, women like Maria delivered a much-needed service "on the cheap". It was on the backs of home child care workers' labour that the City of New York could call welfare reform a "success".

Despite increases in federal child care funding, in the decade following welfare reform there was little to no growth in the unionized, public centre-based child care system that had made New York an outlier amongst municipal child care regimes in the United States. The Giuliani administration failed to finance the expansion of this system leaving social reproduction to individual (subsidized) "choice" in a mostly private child care market of home child care providers who more often than not shared the same social and geographic location—i.e. poor women of colour in the city's low-income neighbourhoods—as the mothers they served.

Although in the wake of welfare reform the growth of state-subsidized home child care was not peculiar to New York, I situate these developments within the context of the city's historical and contemporary political economy.<sup>4</sup> While occurring against the backdrop of federal welfare reform, the Giuliani administration's response to the child care crisis is best understood as part of a broader project of urban neoliberalization, which targeted the institutional legacies of New York's postwar welfare regime—what

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<sup>4</sup> In the years following welfare reform, publicly subsidized home child care expanded across the US (see Whitebook 2001). Home-based family child care became the fastest-growing segment of the child care industry and represents the most frequently used 'out of home' care. Smith (2007: 326) cites welfare reform as "the most critical force fuelling family child care's growth." See also Reese (2010, 2011).

Freeman (2000) has called its “urban social democracy”—including the city’s public centre-based child care system and its unionized workforce. Neoliberal policymakers, think tanks, and economic elites had long argued that the size and scope of local government in New York—especially the degree to which the city underwrote social reproduction through an extensive municipal welfare state—fostered “dependency” amongst the poor, was a drag on economic competitiveness, and was detrimental to the city’s long-term fiscal health (see Brash 2011; Tabb 1982).

Furthermore, as an influential actor in municipal politics—with a vested interest in strong public services—the city’s public sector unions were viewed as an obstacle to the restructuring of local government. Since the late 1980s, New York City had pioneered new ways to get public service work done cheaply, such as widespread contracting, workfare, and volunteering, as well as by shifting services to unpaid work in families and communities (see Krinsky 2011: 383). For proponents of neoliberalism, these privatization efforts had not gone far enough. As the Republican politician, Newt Gingrich said of New York in 1992, “bankrupt welfare statism and rapacious unionism has caused a systemic crisis that requires radical, even revolutionary, change” (Gingrich 1992). Rudy Giuliani promised to bring about such change. His administration’s policies at the intersection of welfare reform and child care were part of a broader neoliberal project, which reflected the longstanding desires of neoliberal ideologues, conservative politicians, and New York’s corporate elite.

In foregrounding the historical and place-specific context of neoliberal restructuring in New York, I take seriously Brenner and Theodore’s (2002, 2003) call for a context-sensitive understanding of neoliberalization. Brenner and Theodore argue that neoliberal projects are “contextually embedded” insofar as they are produced within contextually specific political-economic landscapes defined by legacies of inherited institutional frameworks, policy regimes, regulatory practices, and political and social struggles. As neoliberalism develops in constant tension with inherited institutional legacies and existing social-political constellations of power in particular locales, “actually existing neoliberalism” (Brenner and Theodore 2002) is necessarily path-dependent, uneven and

variegated across different locales (Brenner, Peck, and Theodore 2010). Likewise, the resistance neoliberalism engender is also shaped by context. As Krinsky (2006: 159) observes, wherever neoliberal restructuring is tried, it generates “specific sorts of opposition depending upon the existing configuration of, and division of labour in, the state and civil society groups in political-economic space.” In other words, resistance to neoliberalism is contingent on place and pre-existing and locally variable capacities for resistance (Peck 2001).

While the Giuliani administration attempted to mediate the child care crisis through strategies of privatization, it faced very “specific sorts of opposition”. Resistance to the administration’s policies drew on a rich history of popular struggles over social reproduction and more specifically, the social organization of care work in New York; struggles that shaped the city’s postwar welfare regime and in which poor and working class women’s activism was central. As the city attempted to deliver child care services “on the cheap”, welfare rights organizations, legal aid lawyers, child care advocates, low-income community groups, activist mothers, and labour unions, mobilized to demand the state socialize costs of and responsibilities for child care.

These efforts culminated in community- and union-led campaigns to organize the home child care workforce. By channelling state subsidies to the least regulated, least-trained, and worst paid sectors of the child care industry—i.e. home child care—the Giuliani administration expanded the ranks of a precarious, but *publicly funded* workforce. Many previously “private-pay” home child care providers now received state subsidies for the care of children of low-income families. This quasi-public status opened the legal and discursive space to organize a union and make claims on the state as *public employees* providing an essential social service. In the decade following welfare reform, home child care workers emerged as a powerful political force in New York, contesting the city’s child care policies, winning improvements in wages and working conditions, and successfully demanding increased funding for child care overall.



In short, progressive civil society actors sought to mediate the child care crisis on terms more favourable to welfare mothers and the women who cared for their children, directly challenging the neoliberal logic of “child care on the cheap”. Their success suggests that privatized remedies aimed at mediating crisis tendencies in social reproduction can be paradoxical, unleashing contradictions and opening space for resistance and a more equitable distribution of the costs of and responsibilities for social reproduction. Even in the age of the “neoliberal city”—in which privatization, deregulation, and welfare state retrenchment appear hegemonic processes—marginalized communities, precarious workers, and their allies, maintain the capacity to shape welfare regimes from below.

### **The Urban Welfare Regime: Towards a Feminist Political Economy**

This study takes the “urban” as its scale of analysis. Since the neoliberal turn of the 1970s “cities have become strategically crucial geographical arenas ... in which a variety of neoliberal initiatives have been articulated” (Brenner and Theodore 2002: 349). Despite a growing literature on the importance of cities as sites of neoliberal policy experimentation, state reorganization, and contestation (see Brenner and Theodore 2002, 2003; Leitner, Peck, and Sheppard 2007; Peck and Tickell 2002), FPE and feminist welfare state scholarship have tended to neglect the “urban” as a scale of analysis.<sup>5</sup> On the other hand, critical approaches to urban neoliberalism often fail to address questions of social reproduction and the shifting relationship between states, markets, *and* families/households (see Mahon 2005).

As a corrective, I situate my contributions within the feminist political economy (FPE) tradition—with its concern for the interrelationships among gender, race, and class as

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<sup>5</sup> For example, research employing an urban lens does not feature in three of the most recent collections of feminist political economy scholarship, Bezanson and Luxton (2006), Braedley and Luxton (2010), and Rai and Waylen (2014). And while there is renewed feminist engagement with the city (see Peake and Rieker 2013), little of this work employs a materialist/political economy perspective. And feminist scholarship on the welfare state—of the historical-institutionalist variety—has overwhelmingly reflected the “methodological nationalism” of the mainstream scholarship with which it is in dialogue (Mahon 2010).

they are shaped by households, communities, markets, and states, and women's activism (Luxton 2006)—to advance a feminist political economy of urban welfare regimes, applying a social reproduction lens to processes of urban neoliberalization and an urban lens to FPE analyses of welfare state restructuring and resistance.

Feminist political economists understand welfare regimes as complex webs of forces “in which the relationship between numerous variables—labour markets, unpaid work in the home, family structures, race and ethnicity, political struggles, state policies—can be considered as part of a dynamic whole in which the process of interaction and change is critical” (Porter 2003: 29). Of central importance within this ensemble is the relationship between production and social reproduction, particularly as it is manifested through the nexus between the family/household, the market, the state, and the third (not-for-profit) sector.

“Social reproduction” refers to the social processes and labour that goes into the daily and generational maintenance of the working population, and is intimately tied to gender relations (Fudge and Vosko 2003: 185). It encompasses the work involved in biological reproduction, the reproduction of human labour, including education and training, and the reproduction of provisioning and care needs (Luxton 2014). Social reproduction occurs at the level of the household through unpaid care work, performed primarily by women, and at the level of the state through social transfers such as education and health care (Vosko 2006). When organized in the market, the work of social reproduction typically entails low-wage service-sector jobs disproportionately occupied by immigrant women and women of colour (Luxton 2014: 155).

The concept of social reproduction provides a basis for understanding how the state, the market, and the family/household, “interact and balance power so that the work involved in the daily and generational production and maintenance of people is completed” (Bezanson and Luxton 2006: 3). As feminist political economists have argued, social reproduction and capital accumulation are fundamentally in tension and often in contradiction with one another, expressed in the conflict between the standard of living of

workers and the profit imperative (see Picchio 1992; Cameron 2006). The relationship between social reproduction and capital accumulation must therefore be mediated and stabilized by the social institutions of the state, the market, families/households, and potentially, the third sector (Picchio 1992; Bezanson 2006)

As Vosko (2006: 147-148) has argued, “The state’s role is particularly crucial in mediating this contradiction or, put differently, limiting persistent crisis tendencies in social reproduction.” Yet state-driven efforts at mediating crisis tendencies are inherently neither regressive nor progressive, but shaped by politics, ideology, and the orientation of particular governments. As fundamentally political in nature, these interventions can be partial, inadequate, and even paradoxical, giving rise to contradictions and opening space for social movements to contest the terms of mediation (see Vosko 2006; Martin 2010). Depending on the balance of social forces in a given social formation, and the political opportunity structures they face, social movements may mobilize around alternative political projects designed to mediate crisis tendencies and secure a viable process of social reproduction on very different grounds than the state.

In this study, I demonstrate that cities are key sites of struggles over social reproduction and contested state-driven efforts at mediating its crisis tendencies. Urban struggles over social reproduction were central in the development of postwar welfare regimes as national governments intervened in social reproduction—in various degrees—through the creation and expansion of national welfare states. In this way, the national state took on some of the costs of and responsibilities for social reproduction previously borne by subnational governments and private institutions (namely the family, churches, and charities). Yet since the late 1970s, postwar welfare regimes have been restructured and rescaled (see Mahon 2005, 2010). Responsibilities for key aspects of social reproduction have been downloaded to subnational governments—including to cities—and offloaded via processes of privatization to families/households, to markets, and to the third sector.

The relationship between state rescaling and greater privatization of social reproduction is perhaps most evident in liberal welfare regimes. As social policy shifts from an

emphasis on needs-based entitlements to labour market “activation”, and as responsibilities for program standards and social welfare provision are devolved to subnational governments, cities have become important sites of neoliberal interventions in the “social” (see Peck 2001). As the national state retreats from its role in key areas of social provisioning, the salience of the urban welfare regime as a site of struggle over social reproduction and contested state efforts at mediating crisis tendencies must be accounted for.

### *Rescaling, restructuring, and the urban welfare regime*

The urban welfare regime was an important component in the scalar architecture of national welfare states under Fordist-Keynesianism, acting as a local relay for national Keynesian welfare policies and provider of services, benefits, and facilities to urban populations (Harvey 1989). National governments allocated resources to local governments on the basis of need, social entitlements, and automatic stabilizers, ensuring that localities had sufficient revenue to cover the costs that local need generated (Peck and Tickell 2002: 395). Under neoliberalism, earlier systems of national state support for municipalities have been retrenched and policy responsibilities devolved. Lacking the resources to meet new demands, cities are forced to decide whether to finance social infrastructure through the local tax base, redeploy programs and services in more “cost-efficient” ways, or effectively abandon the urban role in “the social” altogether (Hackworth 2007: 12).

In liberal welfare regimes, urban governments have generally responded to downloading by offloading costs of and responsibilities for social reproduction onto families/households, the market, and/or the third sector (Mahon 2005). Thus, the reconfiguration of responsibility for individual welfare from a matter of social or public obligation, to one increasingly regarded as a private individual or, at most, a family or charitable matter, has partly been achieved through processes of state rescaling (Fudge and Cossman 2002; Mahon 2005). At the urban scale, this reconfiguration has figured in the broader restructuring of local government and municipal services since the 1970s as

privatization, deregulation, and market-based solutions to problems of urban governance gain ascendancy under neoliberalism (see Katz 2013).

While the state has rolled back supports for social reproduction, the “urban” has been an important site for the rollout of neoliberal interventions in the “social” (see Wacquant 2009a). In the North American context, cities are key sites of workfare initiatives aimed at disciplining welfare recipients—including lone mothers—into the lower reaches of the labour market, individualizing responsibility for social reproduction, diverting poor women’s labour from family care, and increasing their reliance on the low-wage, precarious jobs abundant in urban labour markets (see Ehrenreich and Piven 2006). While poor and working class families struggle to make ends meet in the absence of decent work and in the context of limited state supports for social reproduction, crisis tendencies in social reproduction have escalated. And while crisis tendencies can be seen in a host of social processes (Bezanson 2006: 34), they take one expression in a crisis around care (see Vosko 2006).

The care crisis has been particularly acute in urban regions; for as Mahon (2009: 210) observes, “the impact of post industrialism on labour markets, and, thus, the intensity and extent to which the need for non-parental child care is experienced, are likely to be greatest in major urban areas.” The increase in full-time employment for women, and social changes such as smaller family sizes and geographic mobility, are reducing the number and availability of family members who can provide unpaid care work in urban regions (Glenn 2010: 152). Furthermore, in the US context, low-income households have been disproportionately concentrated in cities since the 1960s (see Wilson 1997). As this study illustrates, aggressive welfare-to-work initiatives that push poor single mothers into the lower reaches of urban labour markets have escalated the care crisis in big cities especially (see also Peck 2001; Reese 2011).

How states respond to the care crisis fundamentally shapes the social organization of care work i.e. the location of care work, the conditions of those who provide it, and the value accorded this work (Glenn 2010: 5-6). In liberal welfare regimes, in which social supports are limited and means-tested and care is largely seen as the private responsibility

of families, policy responses have been partial and inadequate. Whereas women in middle class households can offload their own care work onto low-waged, precarious workers (typically racialized and/or immigrant women), women in poor and working-class urban households cope by intensifying their unpaid care work in the home and/or through increased reliance on extended kinship networks and community to take up the social reproductive slack (see Glenn 2010).

### *Contextual embeddedness*

While my focus above is on liberal welfare regimes generally, these processes have also been geographically variable within particular welfare states. In the US context, variation at the subnational scale was a feature of the postwar welfare state, although national funding and rule regimes provided a degree of uniformity in the organization and quality of social entitlements (see Katz 1986). Yet in an era of welfare state rescaling and restructuring, variation at subnational scales has intensified (see Soss et al. 2011). Neoliberal welfare reform has involved the devolution of policymaking and administrative oversight from the federal government to state and local governments and to some extent, to the private and third sectors. For this reason, work requirements and the provision of employment supports such as child care display variation from state to state, and in some cases locality to locality (see Glenn 2010: 161).

While not losing sight of the “national”—as what happens in cities is governed by processes that combine dynamics at different scales of socio-spatial activity (Boudreau, Young, and Keil 2009: 20)—given this broader context, the urban scale warrants increased scholarly attention in the study of welfare state restructuring and resistance (see Mahon and Macdonald 2010). As Mahon (2001: 30) argues, to neglect the local/urban dimensions of welfare regimes in the contemporary period is to miss crucial aspects of the neoliberal restructuring process and its contestation by social movements. With these arguments in mind, the theoretical framework employed in this study takes into consideration the contextual embeddedness—or place-specific context—of neoliberal projects and the resistance they engender. I now turn to illuminate the national and local contexts for this study.

## Context and Settings

### *The National Context: Welfare Reform and Child Care*

In 1996, President Bill Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), replacing the sixty-year old Aid to Families with Dependent Children program (AFDC) with Temporary Assistance to Needy Families (TANF). PRWORA marked the end of welfare as a federal entitlement, limited welfare benefits to two years consecutively or five years over a recipient's lifetime, and made benefits contingent on efforts to get paid work (Mink 1998). Furthermore, welfare reform shifted provision away from cash assistance and toward a litany of work-support services, central among which are child care subsidies (Houser et al. 2014).

The stated goals of PRWORA were: to reduce the dependence of low-income families on government aid; to promote employment, self-sufficiency, and marriage; and reduce out-of-wedlock births among low-income single mothers—who make up approximately 90 percent of adult TANF recipients (Mink 1998).<sup>6</sup> Under TANF, most states have adopted welfare-to-work programs, or “workfare”, based on a ‘work first’ philosophy designed to push welfare recipients to take the first job offered and which limit access to training and educational opportunities. This approach is designed to enforce work while residualizing welfare (Peck 2001: 10).

While welfare reform abrogated the right of poor mothers to care for their own children, PRWORA did give some recognition to the work of child care. Under TANF, providing child care to enable another welfare recipient to participate in a community services program counts as a “work activity”. And there is evidence to suggest that local welfare bureaucracies have encouraged welfare mothers to pursue child care as a career (see

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<sup>6</sup> The legislation set work participation rates (WPR) for states, starting at 25 percent in 1998 and rising to 50 percent by 2002. The WPR is defined as the degree to which TANF families are engaged in work activities that lead to self-sufficiency (Soss et al. 2011). A family “counts” toward the WPR if an adult or minor head of household engaged in a qualified work activity for a minimum of 30 hours a week, or 20 hours a week if the family includes a child under age 6.

Smith 2007). In addition, policymakers recognized that legislation which firmly recasts poor mothers as employable would dramatically escalate the need and demand for non-parental child care (Michel 1999). To this end, under its accompanying child care bill, the Child Care Development Block Grant (CCDBG), the federal government tripled expenditures on child care and permitted states to allocate a portion of their TANF funds towards child care assistance programs.<sup>7</sup>

Yet despite the increase in federal child care spending, funding levels have never been adequate to cover all subsidy eligible families (Adams and Rohacek 2002). In order to meet federally mandated work participation rates, states have targeted child care assistance to families currently in receipt of welfare in order to facilitate their transition into welfare-to-work programs and the labour market. Furthermore, reflecting the devolved nature of poverty governance under TANF, access to and eligibility for subsidized child care varies by state, and within states, by city/county (Levy and Michel 2002).

For families that do gain access to subsidies, under federal regulations state-level social service agencies must allow parents to choose any legal child care provider that accepts state-issued subsidies or vouchers.<sup>8</sup> In most states, acceptable providers include licensed, i.e. regulated, child care centres and home-based family daycares, but also license-exempt informal care, often provided by kith and kin and colloquially known as “family, friend, or neighbour care”. However, welfare recipients’ child care choices are severely constrained by the availability, accessibility, and affordability of various child care arrangements, the existence of numerous bureaucratic impediments, and a lack of access to information regarding their legislated child care rights, options, and the quality of care

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<sup>7</sup> While TANF recipients are eligible for child care assistance under federal law, they are not entitled under state regulations (Levy and Michel 2002: 246). However, 35 states currently provide a child care guarantee for TANF families, while 27 states continue to guarantee child care for families leaving TANF for up to one year (Adams and Rohacek 2002).

<sup>8</sup> The concept of “parent choice” has been a feature of the federal and state child care subsidy system since 1988 (Adams and Rohacek 2002: 4)



offered by various providers—all of which are shaped by state and local policies (Houser et al. 2014).<sup>9</sup>

Despite impediments to access and low subsidy take-up rates, welfare reform has driven massive growth in publicly subsidized home child care (see Adams, Volker, and Reese 2006). In the wake of welfare reform, policymakers promoted home-based child care as a cost-effective way to rapidly expand the supply of child care services in low-income communities, meeting rising demand while having the spin-off effect of creating employment opportunities for poor women (Reese 2011). As Whitebook (2001: 45) has found, as voucher payments have increased as a proportion of public child care funding under TANF, “the lion’s share of public resources have flowed increasingly to the least-trained and worst-paid sectors of the industry” i.e. informal home child care providers and family daycare providers.

Home child care providers—overwhelmingly women and disproportionately women of colour—face low-incomes, no benefits, and often delays in reimbursement payments from local welfare bureaucracies (Tuominen 2003). State reimbursement levels are set at rates so low that many home child care providers do not earn enough income to lift their families above the poverty line (Blank, Campbell, and Entmacher 2010). Furthermore, as independent contractors or small businesses, home-based child care providers are largely excluded from coverage under labour law and employment protections, including the right to organize and collectively bargain (Boris and Klein 2008). Thus, the work of home child care is characterized by a gendered precariousness actively constructed and maintained by state policies.

While TANF undermined poor mothers’ rights to care for their own children, some observers have argued that it has opened political space to expand and improve subsidized child care (see Reese 2011). Over the past decade there have been a series of union drives targeting home child care providers, which along with campaigns to unionize home health care aides, constitute a new wave of care worker organizing in the

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<sup>9</sup> See Appendix 2.

US (Brooks 2005; Boris and Klein 2008). As low-income women of colour, many of the women engaged in these campaigns share the social location of the families they serve, and often live in the same urban neighbourhoods (see Tuominen 2003, 2008). Home child care providers may have spent time on welfare or earn incomes so low that they qualify for government assistance (see Smith 2007).

Thus, while in the wake of welfare reform, campaigns to defend poor mothers' rights to stay at home to care for their children have had limited success, campaigns to improve child care providers' rights as workers—including higher wages, better working conditions, and the right to influence the development of child care programs through collective bargaining—have had better outcomes (Reese 2011: Chapter 6).

### *The Local Context: New York City and Urban Neoliberalism*

Under the Giuliani administration, New York City became a key site of neoliberal welfare reform, rolling out one of the most punitive workfare programs in the nation (see Krinsky 2007a). For a number of reasons, the city was symbolic for both welfare's defenders and its critics. First, the welfare rights movement of the 1960s and early 1970s had been at its strongest and most effective in New York (see Kornbluh 2007). During this period, thousands of poor mothers previously denied state support for the work of raising and caring for their children, gained access to the city's welfare rolls (Piven and Cloward 1993). While the strength of the welfare rights movement ebbed by the mid-1970s, New York remained a hub of anti-poverty activism and home to a network of social service agencies, community organizations, and welfare rights lawyers dedicated to advancing poor peoples' rights. For welfare's most ardent critics, this "welfare industrial complex" made the city an "ATM machine to non-working unwed mothers, dispensing taxpayer dollars with little asked in return" (MacDonald 2014).

Second, at its postwar peak in 1995, New York City's welfare caseload was larger than that of every state but California (DeParle 1998). The city accounted for around 70 percent of New York State's welfare recipients, while paying 70 percent of welfare's

total local cost (CSWL 2001).<sup>10</sup> These factors contributed to making the city’s welfare system a focus in the national and state politics of welfare reform. Additionally, while the majority of AFDC recipients nationwide were white, in the racial composition of the city’s welfare rolls, New York amplified the racist anxieties that shaped public discourse around women, welfare, and the family.<sup>11</sup> The Giuliani administration employed racially coded language—invoking terms like “dependency”, the “work ethic”, and the “underclass”—to mobilize a policy agenda that targeted not only welfare recipients, but the urban poor in general (see Wacquant 2009a).

The politics of welfare reform also reflected a broader ideological war on postwar urban liberalism, of which New York City was “the symbolic capital” (Brash 2011: 28). Between 1945 and 1975, New York came to embody “a particular style of social democratic politics: one that embraced a strong welfare state, a culture of labour power and solidarity, and a belief in the necessity of using government (even city government) to help the disadvantaged” (Philips-Fein 2013: 25). What Freeman (2000, 2014) has called an “urban social democracy” was embodied in: an extensive system of public housing and rent control; a network of twenty-two public hospitals; a tuition-free municipal university system; cheap and easy-to-use mass transit; and compared to much of the country, generous welfare benefits for the poor (see Freeman 2000, 2014). New York’s fiscal crisis of 1975 was seized upon by political and economic elites as an opportunity to restructure local government along neoliberal lines by cutting welfare benefits, privatizing municipal services, eliminating public sector jobs, and curbing the power of municipal unions.

Yet despite successive rounds of austerity and restructuring, by the early 1990s many of the institutional legacies of social democratic New York remained—although in a more

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<sup>10</sup> New York is one of a minority of states in which welfare is still administered by agencies of local government, rather than by agencies of state government. The city is responsible for administering welfare and for paying for about half of welfare’s local cost net of the federal contribution (CSWL 2001).

<sup>11</sup> In 1998, the racial composition of the city’s TANF caseload was 5 percent white, 33 percent Black, and 59 percent Hispanic (DeParle 1998).

diminished form. This was largely due to the resistance and resilience of the city's unions and social movements and a lingering left-wing political culture that emphasized collective responsibility for social reproduction (see Freeman 2014). One such legacy was the nation's most comprehensive public centre-based daycare system. Across the US, the direct delivery of child care services by local government had all but ended in the 1980s, when many social services were marketized through voucher schemes. In contrast, New York City had preserved its public daycare centres, the product of post-war struggles to save government run day nurseries established in the New Deal and expanded during the Second World War. The city's child care system was notable not only for the number of children it served, but also for its commitment to high quality care that set national benchmarks (see ACS 2005). Furthermore, in the 1960s, the women on whose labour this system rests became the first daycare workforce in the nation to unionize and set the bar for wages and working conditions in the child care sector. In the 1970s, the daycare workers' union had defended child care services against austerity and along with the city's child care movement, had unsuccessfully campaigned for a universal child care program to be funded and operated by the municipal government.

In sum, in New York's urban welfare regime, proponents of neoliberalism—the city's corporate elite, real estate interests, neoliberal think-tanks, and right-wing politicians—saw the institutional legacies of the city's social democracy and the residual power of municipal unions and progressive social movements. Just as New York had once been a laboratory for social democracy, under the Giuliani administration it became a laboratory for an aggressive project of urban neoliberalization. The mayor sought to build on the incremental neoliberal reforms of the past with a sweeping project of deregulation and privatization, rolling back the urban welfare state and the municipal component of the social wage. As this dissertation asserts, while occurring against the backdrop of federal welfare reform, the administration's response to the child care crisis is best understood as part of this broader project of urban neoliberalization.

## Methodology

As described in the opening section of this chapter, this project is concerned with exploring the urban welfare regime as a site of contested, state-driven efforts to mediate crisis tendencies in social reproduction, as expressed in New York City's child care crisis. While the Giuliani administration pursued privatized remedies aimed at mediating this crisis, progressive civil society actors rejected the city's neoliberal agenda and developed resistance strategies that pushed the local state to socialize costs of and responsibilities for care. In order to elevate the contextual embeddedness of these processes, I situate contemporary welfare state restructuring and resistance within the historical context of the city's unique postwar welfare regime and the popular struggles over social reproduction and the social organization of care work that gave it shape.

At a macro-level, this study advances a feminist political economy of urban welfare regimes, bringing together the insights of the FPE tradition with critical geographical approaches to urban neoliberalization. This approach is detailed in Chapter One, but serves as a lens for the study as a whole. FPE is dialectical, concerned with conflict and change, and seeks to understand society from "a materialist perspective that puts women, gender, race and class at the heart of its analysis" (Luxton 2006: 40). It is therefore process-orientated and preoccupied with social relations, attentive to historical context, and to social context and to social location (Vosko 2006: 12). A FPE analysis of welfare state restructuring and resistance at the intersection of welfare reform and child care thus demands a multi-method approach.

Situating contemporary restructuring and resistance in historical context necessitated historical research, including use of the newspaper archives of *The New York Times* and *The Village Voice*. This research provided insights into the city's child care movement and day care workers' union and their role in the emergence of New York's child care "exceptionalism" in the postwar period. I supplemented the data gained from this research with secondary literature on the history of social policy in New York and on the welfare rights and child care movements. This research was integral to mapping working

class women's struggles over the social organization of care work and how these struggles shaped the city's welfare regime. I rounded out my historical research with a number of interviews with child care advocates and welfare rights organizers active in the 1970s and 1980s. This historical research allows me to make the case that the city's unique public child care system and its unionized workforce was an essential element of New York's urban social democracy and thus a target for neoliberal restructuring under the Giuliani administration.

The data employed in the analysis of the Giuliani administration's welfare and child care policies, and the resistance it engendered, was gained through a number of research methods. In order to document the escalation of the city's child care crisis in the wake of welfare reform, I relied on statistical analysis. Through this analysis, I was able to trace the decline in the welfare caseload in New York City, from 1993 to 2010, and subsequent rise in the need and demand for non-parental child care. I also used statistical analysis to chart the child care usage patterns of welfare mothers by child care type, documenting their overreliance on home-based child care. Data on child care usage was also assembled from research reports by the non-profit child care resource and referral agency, Child Care Inc.

To determine that welfare mothers overreliance on home child care was the product of Giuliani administration policies, and not reflective of the preferences of welfare mothers, I engaged in policy analysis, reviewing municipal government documents and reports on welfare reform and child care produced by non-profit groups and social service agencies. I supplemented this research with interviews with eight city bureaucrats who had oversight of welfare and child care, and were forthcoming about the difference between the city's rhetoric around respecting welfare mothers' legislated child care rights—including their right to choose centre-based regulated child care—and the city's preference for expanding the home child care market to meet rising demand. Some of these informants are named while others chose to remain anonymous.

Mapping the administration's policies, and the resistance it engendered, was also done through documentary analysis of media coverage of welfare reform, child care, and social movement organizing. To this end, I conducted a key word search of *The New York Times* archives using the terms "day care", "child care", and "welfare", covering the period from 1993 to 2010. The search produced just over one hundred articles, which were reviewed and coded. In order to understand how progressive civil society actors identified and mobilized around the contradictions produced by the administration's child care policies, I interviewed twenty-one activists and advocates in welfare rights organizations, the day care workers' union, community organizations, and in the city's child care movement. These informants also provided me with access to social movement materials which assisted in charting the multiple resistance strategies developed by civil society groups, culminating in the campaign to unionize home child care providers. Interviews with staff from the home child care workers' union were particularly useful in highlighting the union's strategy to organize home-based providers based on their quasi-public status. As with the civil servants interviewed, some of these informants choose to remain anonymous.

## **Chapter Outline**

In New York, an aggressive welfare-to-work agenda escalated the city's already existing child care crisis. Rather than responding to the child care crisis by investing in the city's high quality, centre-based, unionized daycare system—the product of popular struggles and a key institution in New York's urban welfare state—the Giuliani administration sought to mediate the crisis through overlapping and mutually reinforcing strategies of privatization, closing public daycare centres, marketizing child care services through the expansion of vouchers, and channelling welfare mothers into relying on an expanding pool of precarious, home child care providers for the care of their children—systematically violating welfare mothers' legislated child care rights in the process. By downloading costs of and responsibilities for caregiving onto low-income families and communities, and especially the women within them, New York City delivered child care services "on the cheap". However, these privatized remedies aimed at mediation created

openings for resistance and ultimately led to the unionization of the home child care workforce. This study suggests that under neoliberalism, urban welfare regimes are central sites of contested state-driven efforts at mediating crisis tendencies in social reproduction. While neoliberal restructuring creates crisis tendencies for poor and working class families, privatized remedies aimed at mediation can be contradictory, opening space for alternative political projects that seek a more equitable distribution of the work of social reproduction across the state-market-family/household nexus.

I make my case in five chapters. Chapter One establishes the theoretical framework for this project, which aims to further a feminist political economy of the urban welfare regime by applying a gender lens to processes of urban neoliberalization and an urban lens to feminist political economy analyses of welfare state restructuring and resistance. The chapter is organized into three sections. First, I tease out the relationship between the study's primary concepts—namely social reproduction, crisis tendencies, and the social organization of care work—and situate them within a broader FPE understanding of welfare regimes. Second, I argue that FPE and feminist welfare state scholarship miss crucial aspects of welfare restructuring and resistance by neglecting the urban as a scale of analysis. I draw on feminist insights into the political economy of scale and feminist scholarship on women's urban activism to decentre the “national” as a scale of analysis. I assert the urban as an important site of state intervention in social reproduction under Fordist-Keynesianism and a site of women's activism around social reproduction and the social organization of care work. The third section of the chapter highlights how the restructuring and rescaling of welfare states under neoliberalism has produced crisis tendencies in social reproduction for poor and working-class urban families/households, which take sharp expression in a crisis of care. The concluding section discusses the concept of “actually existing neoliberalism” to draw attention to how restructuring, and the resistance it engenders, are “contextually embedded” and require an analysis that accounts for its place-specific characteristics. This theoretical framework will allow me to analyze contested state-driven efforts to mediate crisis tendencies in a specific urban welfare regime, i.e. New York City.



By exploring its historical context, Chapter Two elevates the contextual embeddedness of contemporary welfare state restructuring and resistance in New York. In the first half of the chapter, I highlight how working class women's struggles over the social organization of care work, as part of broader struggles over social reproduction, were central to the development and character of the city's unique urban welfare regime, i.e. its urban social democracy. Through the child care movement, the welfare rights movement, and the day care workers' union, working class women contributed to shaping an urban welfare regime that socialized more of the costs of and responsibilities for social reproduction than any other city in the United States. The city's unionized, public centre-based daycare system was a product of these struggles as were the relatively generous levels of welfare benefits available to poor New Yorkers. The neoliberalization of New York, which began in response to the 1975 fiscal crisis, restructured the institutions of the city's social democracy through processes of privatization, deregulation, and retrenchment. In the 1980s, the neoliberal practices pioneered in New York were implemented at the federal level by the Reagan administration. The second half of the chapter explores the impact of this restructuring, which produced crisis tendencies in social reproduction for poor and working class households. Although fiercely contested by social movements, successive city administrations emphasized privatized remedies aimed at mediation, shifting costs of and responsibilities for social reproduction onto families/households, the third sector, and the market. However, by the early 1990s, many of the institutional legacies of New York's urban social democracy remained, including its public centre-based daycare system. The Giuliani administration's policies at the intersection of welfare reform and child care were a continuation—and in many ways an intensification—of the neoliberalization of New York's welfare regime since the mid-1970s.

With the historical context for contemporary restructuring and resistance in place, Chapter Three explores the Giuliani administration's policies at the intersection of welfare reform and child care. In the first section of the chapter, I sketch the contours of neoliberal governance in Giuliani's New York, focusing on the transformation of the urban welfare regime. The sections that follow detail the overlapping and mutually reinforcing strategies of privatization employed by the Giuliani administration to mediate

the city's child care crisis, including the expansion of child care vouchers and closure of a number of the city's unionized daycares. With these foundations in place, the third section of the chapter examines how, despite its rhetoric of "parent choice", the city's welfare bureaucracy channelled poor mothers into relying on an expanding pool of precarious, home-based providers for the care of their children. While welfare recipients did not overwhelmingly prefer this type of child care, and furthermore, their right to choose among a variety of child care settings was protected in state and federal regulations, the welfare bureaucracy overcame these barriers by systematically violating welfare recipients' legislated child care rights. By channelling public resources to the least regulated, least-trained, and worst-paid sectors of the child care industry—i.e. home child care—the Giuliani administration provided child care "on the cheap". In the final section of the chapter, I detail how the administration cut municipal investment in child care at a time of peak demand, as federal funds increasingly supplanted municipal child care dollars, further demonstrating the city's lack of commitment to quality, affordable, regulated child care.

Paradoxically, the Giuliani administration's privatized remedies aimed at mediating the child care crisis unleashed a set of contradictions, creating openings for resistance. Chapter Four details the various ways child care advocates, welfare rights organizations, legal aid lawyers, activist mothers, and labour unions challenged the neoliberal logic of "child care on the cheap". The first section of the chapter explores the child care activism of New York City's largest anti-workfare coalition. While this coalition did not give high priority to child care in their organizing, it pushed the issue of child care to the forefront of welfare rights struggles in the city. The second section explores the extensive public outreach efforts of child care advocates, welfare rights groups, and legal-aid lawyers, as they attempted to make welfare mothers aware of their legislated child care rights. Exposing the coercive practices of the city's welfare bureaucracy, which pressured poor women into relying on home child care providers, activists employed the Giuliani administration's "choice" discourse to demand welfare mothers be given real choice in child care. In the third section of the chapter, I discuss the joint efforts of child care advocates and labour movement activists to leverage welfare-to-work grants to establish

an innovative child care program. Rather than resist the expansion of home child care, this program, Satellite Child Care, used welfare-to-work grants to raise the wages and improve the working conditions of home child care providers. While Satellite was defunded by the city, it laid the groundwork for community- and union-led campaigns to organize the home child care workforce. In the fourth and fifth sections of the chapter, I examine two such campaigns. By channelling public funds to the home child care workforce, the Giuliani administration opened up the legal and discursive space for unions to organize home child care workers as public employees providing an essential social service. From an invisible, isolated, and unorganized workforce, home child care providers emerged as a political force in the wake of welfare reform, demanding greater socialization of the costs of and responsibilities for social reproduction, and ultimately more socially just solutions to New York City's child care crisis.

I conclude this dissertation with a discussion of the urban welfare regime as a central site of contested, state-driven efforts to mediate crisis tendencies in social reproduction under neoliberalism. As I argue, resistance to the Giuliani administration's logic of "child care on the cheap" and the success of the home child care workers' union demonstrates that even in the age of the "neoliberal city"—in which privatization, deregulation, and welfare state retrenchment are near hegemonic processes—marginalized communities, precarious workers, and their allies, have the capacity to shape urban welfare regimes from below. Given the transformation of urban labour markets and the growth of low-wage service sector work, including care services, struggles to revalue social reproductive labour must be at the heart of any effort to build a more socially just city.

## CHAPTER ONE

### THE URBAN WELFARE REGIME: TOWARDS A FEMINIST POLITICAL ECONOMY

Feminist political economy has relatively neglected cities and the urban as a scale of analysis while critical approaches to urban neoliberalization often fail to address questions of social reproduction. Situating my contributions within the feminist political economy (FPE) tradition—with its concern for the interrelationships among gender, race, and class as they are shaped by households, communities, markets, and states, and women’s activism (Bezanson and Luxton 2006)—the theoretical framework presented in this chapter aims to further a feminist political economy of the urban welfare regime by applying a social reproduction lens to processes of urban neoliberalization and an urban lens to feminist political economy analyses of welfare state restructuring and resistance.

I start by defining a number of key concepts in a FPE approach to welfare regimes, namely social reproduction, crisis tendencies, and the social organization of care work. I tease out the relationship between these concepts and situate them within a broader FPE understanding of welfare state restructuring and resistance. Next, with an eye to the US context and the intersection of welfare reform and child care, I explore three ways in which the state shapes the social organization of care work: through a reliance on primarily means-tested social programs, making only a small part of socially necessary care work a public responsibility; through the explicit exclusion of home-based care workers from labour protections; and via diverse forms of state coercion—including welfare-to-work programs—which track poor, racialized, and immigrant women into care work.

Welfare state scholarship tends to assume that the national scale is the privileged level of social policy action, contestation, and analysis (see Mahon 2005, 2010). In the second section of the chapter, I highlight the importance of the city and the urban scale as a site of both social welfare provision and contestation. First, drawing on feminist scholarship on cities and social movements, I emphasize the ways in which women’s urban activism

around social reproduction—particularly, working class women’s activism—has shaped urban welfare regimes and the social organization of care work in urban space. I then employ a FPE lens to situate cities and the urban scale in the development and interscalar arrangements of the national Fordist-Keynesian welfare regime and the gendered—and in the United States, racialized—social settlement around which it was built.

The US constitution assigns responsibility for public welfare to state and local governments. However, in two periods of economic and social crisis—the 1930s and 1960s—in which social struggles were especially acute in big cities, the federal state intervened to mediate tensions in social reproduction through the creation and subsequent expansion of a national welfare state. It is in this context that the urban state’s role in social reproduction evolved from a limited one in the pre-New Deal era to greater involvement under Fordist-Keynesianism. During this period, urban social problems came to be understood primarily as structural in nature and city governments bore some responsibility for maintaining a minimum level of social reproduction for all (Vitale 2008). These developments were mirrored across the advanced political economies, as the local state came to play a “managerial-welfarist” function, serving as a relay point for national Keynesian welfare policies and providing benefits, services, and facilities to urban populations (Harvey 1989).

As a political economic project, neoliberalism emerged as a ruling class response to the crisis of Fordist-Keynesianism and represents “a direct challenge to feminist, labour, and left-wing demands for greater social responsibility for care” (Luxton 2010: 163). Under neoliberalism, welfare states have been restructured and rescaled as responsibilities for key aspects of social reproduction have been downloaded to subnational governments—including to cities—and offloaded via privatization to families/households, to the third sector, and to markets (Mahon 2005, 2010). Local relays of national welfare service-provision have been retrenched and urban welfare state apparatuses restructured along neoliberal lines (Brenner and Theodore 2003). From their managerial-welfarist function under Fordist-Keynesianism, under neoliberalism urban governments are increasingly

preoccupied with mobilizing city space as an arena for market-orientated growth and elite consumption practices (Brenner and Theodore 2002, 2003).

The third section of the chapter explores how these processes—along with broader shifts in gender relations—have created crisis tendencies in social reproduction for poor and working-class urban families/households, which find one expression in a crisis of care. From underwriting some of the work of social reproduction under Fordist-Keynesianism, urban governments have increasingly shifted services to unpaid work in families/households, to the third sector, and to the market to provide for a price, often in the name of expanding “choice” (see Lipman 2011). In addition, cities are key sites of workfare initiatives aimed at disciplining urban welfare recipients—including lone mothers—into the lower reaches of the labour market, individualizing responsibility for social reproduction (see Peck 2001). As I note, these processes of privatization are not only profoundly gendered, but in the US also racialized as women of colour are disproportionately represented among beneficiaries of the urban welfare state and as workers employed in the delivery of social services.<sup>12</sup>

This is the context for contemporary urban struggles over social reproduction and contested state-driven efforts at mediating its crisis tendencies under neoliberalism. Yet neoliberal projects—and the resistance they engender—are not even across space and

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<sup>12</sup> By the 1960s, urban poverty in the US was increasingly racialized (and to some extent, feminized), owing to a confluence of factors, including: African-American migration from the South to northern cities; white middle and working class flight to the suburbs; deindustrialization and persistent racial discrimination in urban labour markets; and the growth of female-headed households in urban black communities (see Wilson 1997). Since the late 1960s, African Americans of both sexes have been overrepresented in government work and public administration (see Katz 2012; Wilson 1997). By the early 1990s, one in five African-Americans worked in the public sector (Wilson 1997). Overall, the public sector remains the most important source of good jobs for African Americans: the median income of black men in the public sector is 50 percent higher than among those who work in the private sector. Among black women, that difference is 78 percent (Katz 2012:61-63). This also accounts for the overrepresentation of African Americans in public sector unions, especially in big cities. As Katz (2012) notes, dependence on the public sector for occupational mobility and secure employment leaves African Americans particularly vulnerable in times of austerity and public sector retrenchment.

place. In recognition of the geographic variability of restructuring and resistance, I turn to Brenner and Theodore's (2002) concept of "actually existing neoliberalism," which draws attention to the "contextually embedded" character of neoliberal projects in that they evolve and are deployed within contextually specific political-economic landscapes defined by legacies of inherited institutional frameworks, policy regimes, regulatory practices, and political struggles. Likewise, contestation is also contingent on place-specific dynamics, including pre-existing and locally variable capacities for resistance (Peck 2001). Hence, we need a FPE analysis of urban welfare regimes that accounts for the contextually embedded, or place-specific, character of restructuring and resistance.

### **1. Welfare State Restructuring and Resistance: A Feminist Political Economy Approach**

Feminist political economists have developed an approach to welfare state analysis that understands welfare regimes as: "complex webs of forces in which the relationship between numerous variables—labour markets, unpaid work in the home, family structures, race and ethnicity, political struggles, state policies—can be considered as part of a dynamic whole in which the process of interaction and change is critical" (Porter 2003: 29). As Porter notes, while these variables interact to shape the character and development of a regime, of central importance within this ensemble is the relationship between production and social reproduction, particularly as it is manifested through the nexus between the family/household, the market, the state, and the third (not-for-profit) sector (Porter 2003: 29).

Social reproduction refers to the social processes and labours involved in maintaining and reproducing people, specifically the labouring population and their labour power on a daily and generational basis (Laslett and Brenner 1989). Social reproduction involves: conception and birth; the work of caring for and maintaining people at the immediate daily level (including childrearing and the provision of clothing, shelter, food, health care and basic safety); the development and transmission of knowledge, social values, and cultural practices; and the construction of individual and collective identities (Picchio

1992; Luxton 2014). When employed in a feminist political economy sense, social reproduction provides a basis for understanding how the state, the market, the family/household, and the third sector, “interact and balance power so that the work involved in the daily and generational production and maintenance of people is completed” (Bezanson and Luxton 2006: 3).

Social reproduction occurs at the level of the household through unpaid work, done primarily by women, and at the level of the state through social transfers such as education and health care (Vosko 2006: 456). The market, where services are available for a price, can also provide social reproduction. In the North American context, when organized in the market, social reproduction typically entails low-wage service-sector jobs disproportionately occupied by immigrant women and women of colour (Luxton 2014: 155; see also Glenn 2010).

The organization of social reproduction is a question of politics and power. As Luxton (2014: 154) remarks, “struggles over who bears the costs of social reproduction, as well as over standards and quality of life, are at the heart of class struggle and are central to the oppression of women, and racialized and poor peoples.” The degree to which social reproduction is privatized or socialized in a given historical period—i.e. who bears its costs and responsibilities—is reflective of social, political, and economic struggles, and the balance of social forces (most vitally those of class, gender, and race) in a given social formation (see Cameron 2006).

### *Crisis Tendencies in Social Reproduction*

Feminist political economists maintain that under capitalism, there is a central friction, tension, or contradiction between social reproduction and capital accumulation (see Picchio 1992; Vosko 2006; Cameron 2006). This dynamic results from the separation of production from social reproduction, generating a conflict between the standard of living



of workers and the profit imperative.<sup>13</sup> As Bezanson (2006: 28) notes, “profit-maximization and standard-of-living maximization are rarely compatible.” The relationship between social reproduction and capital accumulation must be therefore be mediated and stabilized by the social institutions of the state, the market, families/households, and potentially, the third sector.

The state plays a crucial role in mediating this contradiction, “or, put differently, limiting persistent crisis tendencies in social reproduction” (Vosko 2006: 147).<sup>14</sup> According to Vosko (2006: 148), “States respond to tensions in social reproduction in various ways. Like crisis tendencies themselves, efforts at mediation are inherently neither regressive nor progressive”, but shaped by politics, ideology, and the orientation of particular governments. As such, the institutional interventions employed by the state to mediate crisis tendencies can and do vary.<sup>15</sup> As Bezanson (2006: 175) has emphasized, “while existing forms of stratification and inequalities of power are ready conduits for the direction that mediation takes in a given period,” political mobilization can reroute the state-household-market-third-sector circuits of mediation.

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<sup>13</sup> There are nuanced differences in how feminist political economists conceptualize this contradiction. For instance, Vosko (2006: 147), following Picchio (1992), remarks that under capitalism there is a tendency toward the separation of the site of procreation and daily and generational maintenance (the household) from the productive sphere of waged work. As such social reproduction is not directly structured by employers but is typically organized and performed in households by primarily women. The separation of production from social reproduction thus gives rise to this “essential contradiction”. Cameron (2006: 46), on the other hand, argues that production and social reproduction should not be understood as two distinct, separate spheres, but as two aspects of one processes of capital accumulation “and the relationship between them is contradictory in a dialectical sense of a unity of opposites.”

<sup>14</sup> See also Picchio (1992) and Ursel (1992).

<sup>15</sup> In mediating this relationship, “the state intervenes to shape and stabilize a particular system of class relationships and, within it, a gender order” (Cameron 2006: 46). The gender order can be defined as a set of social relations characterized by a sexual division of labour and a gender discourse that supports that division. It reflects a historically specific configuration of state-market-household relations so that the work of maintaining and reproducing people on a daily and generational basis is accomplished. However gender orders are not static; they are reflective of social relations, which are constantly in flux, dynamic and shaped by social struggles (see Cameron 2006).

Given their inherently political nature, state interventions can be paradoxical, giving rise to contradictions and creating opportunities for social movement actors, including the women's movement and organized labour, to contest the terms of mediation (see Martin 2010; Vosko 2006).<sup>16</sup> Thus, depending on the balance of social forces within a given social formation, and the political opportunity structures they face, social movements may mobilize around alternative political projects designed to mediate crisis tendencies and secure a viable process of social reproduction on very different grounds than the state. Typically, such projects involve demands for the state to socialize more of the costs of and responsibilities for social reproduction, easing the burden on families/households, and particularly the women within them. Under neoliberalism, one site at which crisis tendencies in social reproduction are evidenced, and where contested efforts at their mediation play out, is the social organization of care work.

### *The Social Organization of Care Work*

In FPE scholarship, the relationship between care work and social reproduction has been conceptualized in various ways.<sup>17</sup> For the purposes of this study, we can understand care work as a particular set of labours that entails providing for the needs and well being of persons and thus facilitates and is central to the daily and generational reproduction of people i.e. social reproduction (see Glenn 2010). This approach differentiates care from other processes and labours integral to social reproduction. For instance, state transfers that support caregiving, while essential to social reproduction, are not in and of themselves care work. And the education system, a key institution in social reproduction, may involve care work—especially in the education of young children—but also encompasses a range of activities beyond care.

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<sup>16</sup> As a result, as Vosko (2006: 167) argues, “the state’s power to mediate crisis tendencies holds both opportunities and dangers.”

<sup>17</sup> As Luxton (2006: 36) notes, early FPE scholarship tended to equate social reproduction with women’s unpaid work in the household, particularly care work. The more expansive understanding of social reproduction employed in this chapter moves beyond the central focus on women’s work in the home that left vague this work’s relationship to the complementary work (also often done by women for pay) provided by state services such as education and health care or in the market.

Care work generally involves three interrelated activities: first there is the direct caring for a person, which includes physical care (e.g. feeding, bathing), emotional care (e.g. listening, offering reassurance), and the direct services that assist people in meeting their physical and emotional needs (e.g. shopping for food); second, care work involves the maintenance of the immediate physical surroundings in which people live—for example, a home, daycare, or long-term care facility; and lastly, care work involves the fostering of people’s relationships and social networks, including the “weaving and reweaving of the social fabric,” or mending and maintaining personal relationships (Glenn 2010: 5-6). When done for pay in occupations such as home health aide, housekeeper, nurses’ aide, or childcare provider, care work typically involves some mixture of these activities.

Beyond the particulars of the labour, the “social organization of care” refers to the location of care work, the conditions of those who provide it, and the value accorded this work (Glenn 2010). It is defined by the systematic ways in which care for those who need it is allocated and how the responsibility for caring labour is assigned (Glenn 2010: 5-6; Meyer, Harrington, and Michel 2000). Like the broader process of social reproduction in which it is embedded, the social organization of care is dynamic and shaped by a range of factors, including gender relations, labour markets, and social struggles. The state, however, plays a crucial role in shaping the organization of care, especially in the degree to which it supports care work in the household, socializes care through the direct delivery or subsidization of care services, or leaves care to be purchased on the market.

In the US context, there are three ways in which the state shapes the social organization of care work that are of particular importance to this study. First, the reliance of liberal welfare regimes on primarily means-tested social programs fundamentally shapes the entire labour market for care (Boris and Klein 2012). Making only a small part of socially necessary care work a public responsibility perpetuates care as women’s work, rendering much of the skill and labour invisible and making it undervalued (Armstrong and Armstrong 2004: 26). And while socializing this work and rendering it visible does not necessarily lead to its valuation, the state has been an important site of women’s struggles

for the valuation of care and its recognition as skilled labour (Armstrong and Laxer 2006).<sup>18</sup>

Second, employment and labour law shapes the social organization of care, especially in the degree to which it provides protections to care workers. For example, in the United States, home-based care workers—home health care aides, homemakers, domestic workers, and home childcare providers—have historically been excluded from definitions of “employee” and from coverage under labour rights and employment standards. The state has actively denied their status as workers and the home as a site of wage labour. By further devaluing home-based care work, these exclusions have interacted with social policy to allow the state to deliver care services—such as home health care or home child care—“on the cheap” (see Boris and Klein 2008, 2012).

And finally, as Glenn (2010: 5-6) has argued, the social organization of care has been “rooted in diverse forms of coercion upheld by the state”—including slavery, indentured servitude, welfare-to-work/workfare policies, and guest worker programs. These forms of coercion have tracked poor, racialized, and immigrant women into work caring for others beyond their immediate kith and kin. Echoing Boris and Klein (2012), as Glenn observes (2010: 5), “forms of coercion have varied in degree, directness, and explicitness but nonetheless have served to constrain and direct women’s choices; the net consequence of restricted choice has been to keep caring labour ‘cheap’.”

As a FPE approach to welfare state analysis makes clear, the state plays a vital role in shaping the social organization of care work, and social reproduction more broadly. The state can intervene “to offset or offload the high costs of social reproduction onto or away from” families/households (Bezanson 2006: 42). Just how the state intervenes to mediate persistent crisis tendencies in social reproduction shapes social relations of race, class, and gender, exacerbating or alleviating existing inequalities in the labour market, family/household, and society more broadly. However, feminist political economists and feminist welfare state scholars have tended to treat the welfare state as a singular entity as

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<sup>18</sup> These struggles have taken numerous forms, including public sector unionism in the caring professions (see Armstrong and Laxer 2006; Boris and Klein 2012).

opposed to a scalar configuration of welfare provision, social policy action, and contestation (Mahon 2005, 2010).

As Mahon (2006: 458) has argued, feminist analyses of the welfare state have privileged the national scale as a level of analysis, “not the least because post-war welfare regimes, and more broadly gender regimes, came to be consolidated at the national scale.” In this, feminist welfare state scholarship has reflected the methodological nationalism of mainstream scholarship with which it is in dialogue. Mainstream scholars, such as Esping-Andersen (1990), constructed a theoretical framework to understand the causes and consequences of *national* welfare state development and variation, focusing on social classes and interest groups engaged in political struggle, including trade unions and left-wing political parties. Scholars working in this tradition—i.e. the power resources school—built a comparative framework based on the construction of Weberian ideal-types that differentiated national welfare state regimes on the axis of decommodification (see Esping-Andersen 1990).<sup>19</sup>

Feminist welfare state scholars have critiqued this approach for its blindness to the gendered character of welfare regimes and social citizenship, and for failing to consider the relationship between unpaid work and welfare, the role of the family and domestic sphere, the consequences for gender equality of various welfare regimes, and the role of women in the origins and development of the welfare state (see Lewis 1992; Sainsbury 1996; O’Connor, Orloff, and Shaver 1999).<sup>20</sup> However, as Mahon (2006: 457) remarks,

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<sup>19</sup> For Esping-Andersen (1990: 21-2) decommodification “occurs when a service is rendered as a matter of right, and when a person can maintain a livelihood without reliance on the market.” Advanced welfare states thus fit into one of three ideal-types (liberal, corporatist, or social democratic) depending on the configuration of services and benefits and to what degree this allows their citizens to exist outside of the market and the wage relation. Decommodification empowers workers against markets and thus it is no surprise that welfare states shaped by the influence and strength of social democratic parties and trade unions have provided the greatest degree of freedom from reliance on the market (see Esping-Andersen 1990).

<sup>20</sup> I opted not to do this extensive literature review of feminist welfare state scholarship. My main concern here is to show how much feminist welfare state scholarship has been methodically national.

while “feminist politics had long transcended national boundaries, and an important strand of feminist research questioned the focus on (national) states ... feminist welfare state scholarship frequently conformed to the methodological nationalism that characterized mainstream research.” This has blinded feminist welfare state scholars to important processes and variations at subnational scales (see Mahon 2010).

While feminist political economists and feminist welfare state scholars has been concerned with understanding the role of the state and social struggles in configuring and reconfiguring the distribution of the work of social reproduction across the state-market-family/household nexus, feminist geographers have asked in what ways these processes are also matters of space, place, and scale (see Marston 2000). By decentring the national scale in welfare state analysis, their work can help forward a FPE of the urban welfare regime. With an eye to the urban scale in particular, it is to questions of social reproduction, scale, and welfare state regimes that the chapter now turns.

## **2. Social Reproduction, Scale, and the Urban Welfare Regime**

Political-economic geography has employed the concept of scale to emphasize the ways social, economic, and political practices are produced and reproduced through spatial practices and discourses (England 2010).<sup>21</sup> Theorizing the relationship between the production of scale and social reproduction, feminist geographers have made important contributions that advance a FPE analysis of welfare regimes. Given the focus of this

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<sup>21</sup> In welfare state analysis, scales reflect “a particular, though neither static nor uncontested, hierarchical relational ordering of spatially bounded political locales” (Paterson 2014: 182). As Paterson makes clear, this approach “serves to distinguish scalar theory from approaches such as institutionalism and multi-level governance. Similar to scalar theory, these approaches emphasize sites of contest and political action; however, unlike scalar theory, they do not question the ways in which those sites are discursively constituted and constructed with references to other arenas of political action. In contrast, from the perspective of scalar theory, these temporally and spatially contingent orderings are referred to as ‘scalar fixes,’ which are constituted by scalar discourses in which specific scales—national, sub-national, local, institutional and so on—and the actors associated with them are assigned various roles within interscalar rule regimes” (2014: 182).

study, I argue that these interventions are useful to understanding how welfare state restructuring and resistance at the urban scale are implicated in social reproduction, care work, and the social relations of class, gender and race through which they are organized.

### *Decentring the National Scale*

Mainstream critical geography aims to understand how political-economic processes—namely production, state regulation, and class conflict—are organized across space and place (Marston 2000). As a corrective to this gender-blind approach, feminist geographers have argued for the integration of gender relations and the scales of the household and the community/neighbourhood in debates on scalar politics and political economy (see Marston 2000; McDowell 2001). Yet far from being relegated to the household or community/neighbourhood, social reproduction can involve processes at multiple scales.<sup>22</sup> For instance, welfare state transfers that support care work in the home or provide care services in the community may involve national, regional, and/or local governments in funding and regulatory regimes (Mahon 2005). And depending on the political opportunity structures they face, social movements demanding greater collective responsibility for social reproduction may make claims on the state at multiple scales (see Mahon and MacDonald 2010).

In this vein, the concept of scale is particularly useful to analyses of welfare regimes, especially in the context of the restructuring and rescaling of welfare states under neoliberalism. As Paterson (2014: 182) observes, “Rather than viewing the state as an ontological given, scalar theory enables researchers to explore the state as a series of socially constructed arenas and associated processes.” Such an approach allows us to decentre the methodological nationalism typical of welfare state scholarship, opening up the space for research on how systems of social provision, social infrastructure, and social policy are necessarily embedded in a complex political economy of scale and to

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<sup>22</sup> As in early feminist political economy scholarship, feminist geographers such as Marston (2000) and McDowell (2001) have equated social reproduction with women’s care and domestic labour in the household.

explore the degree to which national welfare state regimes exhibit variation at subnational scales—with implications for women’s social citizenship and gender equality *within* particular welfare regimes.<sup>23</sup>

Given the centrality of cities in processes of welfare state development, restructuring, and resistance, a feminist political economy of the urban welfare regime is long overdue. I want to make two points in support of this claim. The first, brief point is that cities and urban welfare regimes are vital sites of working class women’s activism and struggles over the social organization of care work and social reproduction more broadly. These struggles have, and continue to, shape the development and character of welfare regimes—a point that I take up in detail in the historical case study presented in Chapter Two (see also Prentice 1989; Mahon 2005).

The second point relates to the importance of the urban scale in the development of the national Keynesian welfare state and evolving role of local government in social welfare provision. As I illustrate, as both a site of social policy action and contestation, the urban scale was central in state efforts to mediate tensions between capital accumulation and social reproduction in the Fordist-Keynesian era. By outlining the role of urban welfare regimes in this period, and their relationship to national welfare states, we are better able to understand their restructuring under neoliberalism and the implications for the social organization of care work and social reproduction more broadly.

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<sup>23</sup> Most comparative feminist welfare state research does not account for subnational variation, for instance O’Connor, Orloff and Shaver (1999) classic study of gender relations and social policy across advanced national welfare regimes.



## *Women's Activism and the Urban Welfare Regime*

Reflecting the methodological privileging of the national scale in feminist welfare state research, Cohen and Brodie have argued: “women’s movements throughout the world have tended to target the national state as the scale at which social reforms could be delivered, supporting the construction of a strong welfare state” (as qtd. in Mahon and Macdonald 2010: 209). While feminists have mobilized to demand national policies that advance women’s social citizenship, from maternity leave to universal child care, such a claim can be read as minimizing a history of women’s activism at the urban scale and the degree to which campaigns targeting the national state have been grounded in local, and specifically urban politics.<sup>24</sup> This is especially true of working-class women’s activism and the anti-capitalist current of the women’s movement for as Brenner (2014: 144) observes, “Partly because of where they live and work, but also because of the many working-class women’s movements that have flourished in cities, socialist feminists have been particularly interested in transforming the urban environment.”

As Brenner (2014) has argued, in the absence of adequate social supports, women in working-class neighbourhoods have often created cross-household networks through which they share the work of social reproduction (see also Haydan 1982; Naples 1998). These caregiving networks have traditionally formed the social base for women’s organizing around the politics of everyday life—the raising of children and the sustaining of households—including around issues such as tenants’ rights, welfare policy, environmental justice, daycare services, and community-based healthcare. This activism has also taken the form of “the defense of and the demand for the expansion of public space” (Brenner 2014: 146): for example, working class women’s campaigns for safe streets, the revitalization of parks and playgrounds, and the preservation of after-school programs, all centre around what Katz (2001) has called “the urban spaces of social reproduction.”

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<sup>24</sup> See for instance Prentice (1989) and Michel’s (1999) studies of women and child care politics in Canada and the US respectively. In both cases, the women’s movement push for universal child care had its genesis in struggles to save publicly funded municipal day care centres in the immediate post-war period.

Furthermore, unlike social transfers that national states can distribute directly to individuals, many services provided by the state are produced and consumed at the local scale—including public housing, education, and child care (Mahon 2005). Women’s struggles have targeted municipal governments and social planning practices, demanding such services be made more responsive to their needs (see Wekerle 1984). For instance, in the United States, working class women have waged campaigns for the inclusion of daycare centres in public housing projects or for twenty-four hour child care centres that accommodate the needs of women working non-standard hours (see Naples 1998). African American women have a long history of struggle for the desegregation of municipal services and an end to institutionalized racism in urban transportation, housing, education, recreation, and welfare (see Hill Collins 2000). Finally, through public sector unions, working class women have been on the frontlines of struggles to protect and expand municipal services, particularly social welfare services (see Boris and Klein 2008).

In sum, these urban struggles have mobilized around working class women’s identities as workers employed by the state, as unpaid community caregivers who link other community residents to the state, and as beneficiaries of state welfare programs (Naples 1998). Even national movements in which working class women’s activism has been central—for example, in the US, the welfare rights movement or the movement for a national child care program—have their roots in urban struggles with the immediate face of the state in local government and social service bureaucracies (see Kornbluh 2007; Michel 1999).

As feminist scholarship on urban social movements makes clear, these struggles have contributed to shaping the built form of cities, their physical and social infrastructure, and the degree to which urban space is configured in such a way that takes into consideration women’s needs as both wage earners and as unpaid caregivers (see Wekerle 1984;

McDowell 1999; Brenner 2014).<sup>25</sup> Thus, working class women's activism has continually challenged urban policies that assume male breadwinners and privatized care work, demanding the state not only socialize costs of care but take into consideration questions of geographic equity, women's urban mobility, and access to services and other social supports. In these struggles, women have shaped systems of social welfare provision at the urban scale, sometimes in ways that necessitate the intervention of higher orders of government to underwrite social reproduction.<sup>26</sup> I take up the intersection of cities, the urban welfare regime, and working class women's struggles over the social organization of care work in greater detail in Chapter Two.

### *Fordist-Keynesianism, Social Reproduction, and the Urban Welfare Regime*

As described in the previous section, the urban scale has been an important site of working class women's activism around social reproduction. As will be explored in Chapter Two, in New York City such struggles contributed to shaping the historical development and unique character of the city's post-war urban welfare regime. In this section however, I employ a feminist political economy lens to give a brief and more general account of cities and urban welfare regimes in the development, and interscalar arrangements, of the Fordist-Keynesian welfare state, highlighting the US context and its liberal welfare regime.<sup>27</sup>

Across the advanced political economies, the national scale was the preeminent locus of capital accumulation and regulation of political and economic life during the Fordist-Keynesian era (Brenner and Theodore 2002; Harvey 1989). As Brenner and Theodore (2002, 2003) observe, in the post-war period cities and local government came to play a

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<sup>25</sup> As McDowell has argued: "the layout of cities, urban transport networks and timetables, as well as the internal layout of individual homes, are based on an assumption of permanent nine-to-five employment by a male breadwinner, with a wife who combines housework and childcare in the local neighbourhood" (1999: 118).

<sup>26</sup> For example, the welfare rights movement in the United States. See Kornbluh (2007), Nadasen (2005), Piven and Cloward (1977).

<sup>27</sup> My reading of these developments has been influenced by Cameron's (2006) study of social reproduction and Canadian federalism.

largely redistributive role in national welfare regimes, acting as local relays for national Keynesian welfare policies. Urban governments maintained a “managerial-welfarist” function, concentrating on the local provision of services, facilities, and benefits to urban populations (Harvey 1989). In terms of services and benefits delivered, with few exceptions, urban welfare regimes tended to reflect the national social policy regimes in which they were embedded and the gender settlements around which they were built (see Mahon 2005).

In the US, municipal governments were generally guided by the principles of urban liberalism which posited that the local state bears some responsibility for the maintenance of a minimum level of social reproduction for all (Vitale 2008). Under this paradigm, urban social problems were largely understood as structural and material in nature and could be solved through government intervention. To this end, local governments actively engaged in the provision of social services while overseeing the administration, and in some cases, contributing to the financing of, social welfare programs established by upper levels of government. This reflected the evolution of the urban state’s role in social reproduction from a limited one in the pre-New Deal era to greater involvement under the intergovernmental arrangements of Fordist-Keynesianism.<sup>28</sup> Through a feminist political economy lens we can understand this evolution as the result of state responses to major economic and social crises, and intense social struggles, in which government intervened to mediate tensions between social reproduction and capital accumulation in the interests of economic, political, and social stability (see Abramovtitz 2010).

With the emergence of industrial capitalism in the late 1800s, urban politicians used public welfare (typically in the form of outdoor relief, including cash and groceries) to command the loyalty of the poor and working class (Katz 1986). Families/households, and women’s labour within them, remained the main sources of welfare for most working class households (Gordon 1994). However, at the turn of the century urban social

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<sup>28</sup> However, even at the height of the post-war period, subnational variation was a feature of the US welfare state (Katz 1986). See Chapter Two for the case of New York City.

reformers—including women in the settlement house movement—concerned with acute problems in social reproduction, and urban elites concerned with growing social instability, pushed city governments to commit to playing a more active role in social welfare provision, creating departments of public welfare and public works projects to augment the efforts of local relief agencies, charities, and churches (see Katz 1986: 151-157).

The Great Depression demonstrated the inability of private institutions and subnational governments to effectively mediate tensions between social reproduction and capital accumulation. With cities and states overwhelmed by rising social needs and civil unrest, the federal government intervened to directly underwrite social reproduction through the creation of a national welfare state (see Piven and Cloward 1977). However, while the national state promoted full employment and provided a safety net for the (white) working class, social programs were constructed around a male-breadwinner, female-caregiver family form, which assumed women's unpaid care work in the home and upheld patriarchal authority (Abramovitz 1996). As such, services supporting women's paid employment were limited; for example, what child care services were available were offered mainly through private charities and churches, not state programs (see Michel 1999). The gender settlement of Fordist-Keynesianism was further reflected in labour laws that excluded female-dominated occupations from coverage under employment standards and labour law, privileging occupations dominated by (white) men (see Boris and Klein 2012).

Furthermore, the US version of the Fordist-Keynesian welfare state was built around a racialized social settlement (see Abramovitz 2010). People of colour did not benefit from social policies and employment/labour protections to the same degree as whites. For example, as I discuss further in Chapter Two, many social programs: excluded African American and Latino families and provided them with lower benefits; reinforced racist labour market policies; and disadvantaged single mothers in particular, who were frequently denied access to welfare. In other words, welfare state racism “deprived families of colour of the resources needed to adequately care for their families”

(Abramovitz 2010: 19). However, while the welfare state treated both women and people of colour as secondary citizens, the rights discourse that framed social citizenship did provide the grounds on which these groups could make future claims on the state in the name of civil, social, and economic rights (Lipman 2011: 11).

In the 1960s, social movements—including the Black freedom movement and the women’s movement—mobilized to demand the expansion of civil rights and social citizenship. As discussed in Chapter Two, rebellions of urban blacks in particular sparked further state investment in social reproduction as the federal government sought to restore civil order and retain the political support of African Americans (see Piven and Cloward 1977). This period marked the greatest increase in federal government spending on social welfare since the 1930s, contributing to the growth of urban welfare regimes, cementing their importance within the interscalar architecture of the Keynesian welfare state (see Katz 1986, 2012).

The federal and state governments increased grants-in-aid to municipalities and state and municipal budgets grew as public sector spending rose dramatically (Piven and Cloward 1977). As discussed in Chapter Two, in major cities social welfare expenditures included increased state support for poor women of colour’s care work in the household, as welfare policy was liberalized in response to urban unrest and the challenges of the welfare rights movement.<sup>29</sup> Public funding for child care services also increased during this period although services remained limited and means-tested, reflecting continued ambivalence about women’s participation in the labour market despite rising rates of female labour force participation in the 1960s (Michel 1999).

As the national state attempted to mediate tensions in social reproduction, urban welfare regimes came to deliver not only a range of federally funded social welfare benefits and services to the poor, but also provided employment opportunities for people of colour in

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<sup>29</sup> This account is not meant to present the urban welfare regime of the period as unproblematic. As Lipman (2011: 11) argues, “Although the welfare state settlement provided social benefits it was also bureaucratic and often unresponsive, especially to poor people, people of colour, and women.”

an expanding public sector workforce (Katz 2012). With the expansion of the welfare state, the public sector became a key site of employment for African-Americans in particular, with black women taking up positions in social services, including in health care, childcare, and welfare administration.<sup>30</sup> In many cities, this period was also marked by the growth of public sector unionism as municipal workers demanded collective bargaining rights, improved wages and working conditions and, along with the broader working class, the expansion of municipal services (see Freeman 2015). Overall, the urban welfare regime emerged as a key site of labour and social movement demands for greater collective responsibility for social reproduction (see O'Connor 1973; Piven and Cloward 1977; Castells 1979).

By the early 1970s, cities across the advanced political economies illustrated the broader contradictions of Fordist-Keynesian capitalism, expressed in escalating tensions between the needs of capital and the rising expectations, bargaining power, and standards of living of the working class. Perhaps to a greater degree than any other advanced political economy, in the United States the crisis of Fordist-Keynesianism was expressed as a urban (fiscal) crisis, owing to a combination of economic restructuring (the shift to a post-Fordist economy), falling tax revenues (due to deindustrialization, suburbanization, and white flight), rising social welfare costs and public sector wage bills (reflecting the gains of the poor and municipal unions in the 1960s), and declining transfers from the federal and state governments (reflecting the turn to the right in national politics) (see Harvey 2007; O'Connor 1973).

However, the US was not an exceptional case. As neoliberal ideas and modes of governance gain ascendancy, urban welfare regimes across the advanced political economies faced increasing pressures to restructure with national governments retrenching social welfare spending and downloading key responsibilities for physical and social infrastructure to subnational governments. Central state supports for municipal

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<sup>30</sup> As Katz (2012: 60) observes, “Public and publicly funded employment has been the most powerful vehicle of economic mobility for African Americans and the most effective antipoverty legacy of the War on Poverty and Great Society.”

activities began to dwindle and fiscal austerity measures were increasingly imposed on urban governments (Brenner and Theodore 2003).

The advanced political economies also faced challenges stemming from changes in social reproduction, particularly the erosion of the male breadwinner/female caregiver family form. With shifts in gender norms, a decline in the family wage, growth of dual earner households, and social policies encouraging women's labour market "activation", rising numbers of women entered paid employment (Mahon 2005). As will be described in the next section, these transformations have had a distinctly urban dimension. Liberal welfare regimes, such as the US, have generally responded to these pressures by privatizing more of the costs of and responsibilities for social reproduction, shifting them to unpaid work in families/households, to the third sector, and to the market to provide for a price. It is in this broader context that the urban scale has become a central site of contested state-driven efforts at addressing escalating crisis tendencies in social reproduction under neoliberalism.

### **3. Social Reproduction, Privatization, and the Neoliberalization of the Urban Welfare Regime**

Across the advanced capitalist world, neoliberalism emerged as a ruling class response to the crisis of Fordist-Keynesian capitalism in the late 1970s.<sup>31</sup> As a class project, neoliberalism seeks to restore the former dominance of capital in the economy as well as in the broader society and entails the increased penetration and domination of the state by capitalist class interests (Larner 2000: 5). Neoliberal states advance policies and forms of governance that eliminate barriers to capital accumulation and effectively shift power and wealth from labour to capital, including but not limited to: the privatization of public assets; the liberalization of world trade and removal of restrictions on corporate investment; the lowering of corporate tax rates; industrial and environmental

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<sup>31</sup> The crisis was manifest in a sustained global recession, declining rates of profit across the advanced capitalist countries, and high unemployment combined with high inflation, or "stagflation". See Harvey (2005), Dumenil and Levy (2004), and Larner (2000).



deregulation; and rolling back costs of social reproduction through welfare state retrenchment and the containment of working class wage demands through anti-union legislation and labour market deregulation (see Cameron 2006; Dumenil and Levy 2004).

At the urban scale, neoliberal projects seek to dismantle the urban institutions of Fordist-Keynesianism, including: public housing and rent control; public monopolies in the provision of standardized municipal services; municipal unions and local collective bargaining regimes; and the redistributive functions of local welfare state apparatuses (Brenner and Theodore 2002, 2003). Neoliberal urbanism emphasizes the mobilization of city space for capital accumulation and elite consumption practices, and market-based solutions to problems of urban governance, including social problems such as poverty and homelessness (see Vitale 2008).

Central to neoliberal restructuring projects at all scales is the ideology and practice of privatization. This section outlines a feminist political economy approach to privatization before exploring how processes of privatization have been fundamental to the neoliberal restructuring of urban welfare regimes with gendered, and in the US, racialized effects.

### *Privatization*

In neoliberal ideology, collective responsibility for social welfare is replaced by the belief that “societies function best when individuals are free to pursue their interests in the market without government intervention ... ‘Freedom,’ ‘choice,’ and ‘individual rights’ are best guaranteed by the market” (Lipman 2011: 8). Privatization is thus central to neoliberal ideology and practice and is intimately linked to the belief that the market is both a guarantor of freedom and superior to the state as a mechanism to allocate goods and services in the economy (Harvey 2005). Privatization can take many forms, including: the sale of public assets to the private sector; the introduction of market mechanisms into existing state institutions; the implementation of user fees for public services; public/private partnerships in infrastructure development; and the contracting out of public services to for-profit companies and/or the third sector (Cooke 2008).

Privatization is often couched in the ideological guise of expanding consumer choice and individual rights to the exclusion of collective rights and public goods (Lipman 2011). Across a range of public services, proponents of neoliberalism cast the state as inflexible and limiting of choice. However, while “choice” suggests the opportunity or privilege of choosing freely, neoliberalism works to constrain real choice by undermining the public sector and directing citizens toward market-based solutions to social problems (see Lipman 2011; Teghtsoonian 1996). Furthermore, as Kershaw (2004: 928) has argued, “The language of choice facilitates the articulation of neoliberal principles with a rhetorical framework that conveys a sense of political neutrality and individualizes responsibility for social inequalities.” In doing so, neoliberal projects relegate the goal of equality—class, gender, racial equality—to a lesser status compared to the goal of individual liberty of choice (Kershaw 2004).

In this vein, feminist political economists have developed a broader understanding of privatization that illuminates how neoliberal restructuring fundamentally reconfigures the distribution work of social reproduction across the state-market-family/household nexus, with gendered effects. For example, Fudge and Cossman (2002: 4) argue that neoliberalism reconfigures the responsibility for individual welfare from a matter of collective, social, or public obligation, to one “increasingly regarded as a private individual or, at most, a family or charitable matter.” Privatization is thus better understood as a “broad policy impulse to change the balance between public and private responsibility in public policy” and as such, involves the “fundamental renegotiation in the relationship between the public and private spheres that characterized the Keynesian welfare state” (Fudge and Cossman 2002: 18).

In a FPE framework, privatization involves the retrenchment of the state in social reproduction, as goods owned or delivered publicly are shifted to the private market, the third sector, or the family/household, manufacturing a new division of responsibility for

individual and social welfare (Fudge and Cossman 2002).<sup>32</sup> This process is profoundly gendered, classed, and often racialized, as privatization builds on existing unequal divisions of care work among men and women, racialized groups, and social classes. As neoliberal states privatize social reproduction, the responsibility for this work disproportionately falls to women, whether as unpaid work in households—heightening tensions between paid employment and unpaid care work—or as low-wage work in the labour market.

Women in middle and upper class households can typically purchase services associated with social reproduction on the market, offloading their care work onto low-waged, precarious workers (typically racialized and/or immigrant women) through the exercise of market-based “choices”. However, in poor and working class households, women may respond to privatization through the intensification of their unpaid labour or through increased reliance on extended kinship networks and community to “take up the slack” for shortfalls in subsistence provision, income, or for an absence of welfare state services (Bezanson 2006: 12).<sup>33</sup> Thus, as Kershaw (2004) notes, while offering the illusion of choice, privatization restricts most women’s choices in terms of the amount of paid or unpaid work, and leisure activities they wish to participate in.

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<sup>32</sup> However, privatization should not be equated with simply the withdrawal of the state from social provisioning. It can involve a reconfiguration of the form of state regulation rather than simply deregulation (Fudge and Cossman 2002: 19). The concept of “re-regulation” helps us understand how state form and the deployment of state power under neoliberalism have enforced new divisions of power and responsibility in social reproduction. For instance, the transition from welfare to workfare can entail an intensification of state involvement in the lives of poor women and an active state role in reconfiguring the care arrangements on which they depend in order to engage in workfare and paid work. Re-regulation thus highlights “the ways in which privatization is a highly selective process of shifting some public responsibilities to the private sphere while diligently protecting and intensifying the role of the state to regulate other areas” (Fudge and Cossman: 2002: 20).

<sup>33</sup> While espousing free markets and less government, the reconfiguration of the work of social reproduction requires an active state. While the neoliberal state seeks to guarantee the necessary political-economic conditions for capital accumulation it also plays a vital role in limiting “the power of those social groups whose interests are most closely linked to social reproduction, particularly labour and women” (Cameron 2006: 66).

In child care, neoliberal states may invoke “choice” to promote tax deductions or care allowances for mothers who reduce their paid workload rather than expanding publicly delivered child care services that would allow women to remain in the workforce (Kershaw 2004: 930). Alternatively, demand-side child care subsidies in the form of vouchers or tax credits may be promoted to purchase care in the market. Yet the value of vouchers or tax credits often preclude the “choice” of high quality, regulated child care options, pushing families to rely on unregulated providers or on family, friends, and neighbours. Furthermore, for poor women such schemes are often rolled out under the auspices of welfare to work programs that preclude the choice of full-time motherhood. As Teghtsoonian (1996: 119) points out, neoliberal policies premised on “choice” thus fail to “acknowledge the persistence of material and ideological constraints on women’s ‘opportunity or privilege of choosing freely’ with respect to the care of their children.”

### *Neoliberalization of the Urban Welfare Regime*

The urban welfare regime is one site at which processes of privatization play out as part of broader projects of neoliberal welfare state restructuring. As Mahon (2005: 341) points out, welfare state restructuring has “often gone hand in hand with rescaling, i.e. the production, reconfiguration or contestation of ... hierarchies among geographical scales.” Across the advanced political economies, neoliberalism sees national states devolve tasks, burdens, and responsibilities to subnational governments, including responsibilities for key aspects of social reproduction (Mahon 2005). Lacking the fiscal capacities to fund these responsibilities, with earlier systems of central government support for municipal activities retrenched, cities are forced to decide whether to finance social infrastructure through the local tax base, redeploy programs and services in more “cost-efficient” ways, or effectively abandon the urban role in “the social” altogether (Hackworth 2007: 12). In liberal welfare regimes, city governments have generally opted to offload costs of and responsibilities for social reproduction onto families/households, the market, and the third sector. In this way, welfare state retrenchment has been in part been engineered via downloading to subnational scales (Mahon 2005).

However, while experiencing pressures to restructure from above, urban governments have also reoriented policy and practices in response to local pressures (see Hackworth 2007). Capitalist class demands for deregulation, privatization, and welfare state retrenchment made at national and regional scales find their urban equivalent in coalitions of chambers of commerce, business improvement associations, urban elites, and neoliberal think tanks and policymakers, that seek to roll back the urban institutions of Fordist-Keynesianism, including the redistributive functions of the local state, as well as contain the power of those social groups most closely connected to social reproduction, including municipal unions and the urban poor. As Brenner and Theodore (2002: 372) put it, in the name of creating a “good business climate” these coalitions seek “the destruction of the ‘liberal city’ in which all inhabitants are entitled to basic civil liberties, social services, and political rights.”

The primary impetus behind these efforts is the desire to mobilize urban space “as an arena both for market-orientated economic growth and for elite consumption practices,” dismantling any barriers to investment and capital accumulation (Brenner and Theodore 2002: 372). Yet regardless of the political stripe of those in municipal office, with national economies opened up to global markets, cities have had to engage in inter-urban competition for highly mobile flows of capital, skilled labour, and culture (Allawhala et al. 2011: 210). Urban governments increasingly rely on policies designed to capture these flows, including tax abatements and other measures aimed at subsidizing capital to relocate and invest in the city. This shift from a “managerial-welfarist” function to “urban entrepreneurialism” has deleterious impacts on the urban welfare regime; as cities attempt to attract investment, “reducing government subsidies for social welfare and privatizing public health, education, transportation, and public housing are axiomatic” (Lipman 2011: 26).<sup>34</sup>

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<sup>34</sup> As Lipman (2011: 24) observes, in the United States, “neoliberal theories of ‘lean government’ and devolution of powers to local governments, justified cuts in federal funding to cities.” These cuts imposed fiscal constraints on local governments and delinked them from national government. With the imposition of fiscal austerity measures upon cities, city governments increasingly turned to debt financing to fund

Thus, under neoliberalism, there is a general tendency for urban governments to shift from underwriting some of the work of social reproduction to downloading services to unpaid work in families/households, to the third sector, and to the market to provide for a price. In the US, privatization of costs of and responsibilities for social reproduction can be witnessed in a range of policy measures and practices, including but not limited to: the expansion of third sector and private sector delivery of urban social services; the abolition of rent control and the privatization of public housing; the privatization of public education and introduction of charter schools; the scaling back of community development agencies; and the introduction of user fees for previously free municipal services, such as public recreation facilities (Lipman 2011; Brenner and Theodore 2003).

Perhaps one of the most widespread forms of privatization employed in neoliberal urban governance is the marketization of urban services through voucher programs in housing, employment services, education, and child care (see Lipman 2012; Hackworth 2007). As mentioned in the previous section, these programs are rolled out in the name of expanding “consumer choice” yet the overall aim is to reduce the size and scope of local government, shifting costs of and responsibilities for social reproduction to households/families. Furthermore, in areas such as education, voucher schemes typically work to weaken the power of municipal unions and lower municipal labour costs as the direct delivery of services by unionized public employees is replaced by non-union third sector and private sector entities.

Processes of privatization at the urban scale are also witnessed in the restructuring of social assistance programs and the shift from welfare to workfare. Welfare-to-work initiatives discipline the poor into the lower reaches of the urban labour market, while individualizing responsibility for social reproduction (see Soss et al. 2012).<sup>35</sup> As Peck

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municipal services and obligations, therefore subjecting them to regulation by powerful financial interests, and especially bond rating agencies (Hackworth 2007).

<sup>35</sup> The roll out of punitive workfare strategies have been paired with aggressive urban policing tactics designed to manage the social fallout from a retreating welfare state, increasingly precarious work, and the gentrification of poor and working class

(2001) observes, while often undertaken at the national scale, neoliberal welfare reforms typically entail some form of decentralization or devolution in policy development and delivery systems. For example, in the US, national welfare reform ended the federal entitlement status of welfare for poor women and children, introduced time-limited benefits, capped welfare spending, and mandated work participation, but also devolved residual provisions to the states (Soss et al. 2012). Welfare reform has thus been implemented in such a way as to encourage new forms of local experimentation (within parameters set by state and federal rule regimes) as policymakers seek “best practices” and tailor programs to the needs of local labour markets (Peck 2001).

In the US, race has played a central role in the neoliberal restructuring of the urban welfare state (see Lipman 2011; Soss et al. 2012). Since the height of Fordist-Keynesianism in the late 1960s, the urban poor have been racially coded as black and Hispanic and “the ‘inner-city’ and the public institutions with which it is identified are pathologized in a racially coded morality discourse that legitimates their dismantling” (Lipman 2011: 12). The mobilization of this racialized logic justifies the privatization of urban services such as public housing, schools, and health clinics. And while national welfare programs serving the “deserving poor” are less politically vulnerable, services and benefits associated with racially marked urban populations are targeted by policymakers for derision and dismantling (see Soss et al. 2012). Finally, this process of racialization is tied up in the reframing of urban social problems, namely poverty. In the 1960s and 1970s, poverty generally understood as structural and material in nature; under neoliberalism, poverty is reframed in cultural terms. Calls for “individual responsibility” and ending “dependency” construct people of colour as an undeserving “urban underclass” mired in a “culture of poverty”, providing policymakers with another rationale to dismantle social programs and privatize social reproduction (see Soss et al. 2012).

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neighbourhoods (see Wacquant 2009a, 2009b). In this context, surveillance, zero-tolerance policing, and the containment of immigrants, the homeless, low-income communities of colour, and the poorest residents of the city, becomes a primary function of the urban state through its police force and criminal justice system (Smith 1996).

## *The Urban Care Crisis*

It is in this broader context that the urban welfare regime has become a central site of escalating crisis tendencies in social reproduction for poor and working class urban families/households and contested efforts aimed at their mediation. These households, and especially the women within them, typically struggle to balance the demands of paid work and social reproduction in the context of dwindling social supports and polarized urban labour markets characterized by the prevalence of precarious, service sector employment at the low-end.

While crisis tendencies can be seen across a range of social processes, they take one expression in a growing crisis of care (Bezanson 2006; Vosko 2006). In liberal welfare regimes, two factors make this crisis especially acute in urban regions. First, shifting gender relations began to disrupt post-war patterns of social reproduction earlier in big cities than in rural areas (Mahon 2005: 342). As growing numbers of women have entered urban labour markets, less are available to provide care at home and in their communities, reshaping the social organization of care work. Second, the concentration of the poor in urban regions—especially in the US context—means that social policies designed to push single mothers into the lower reaches of the labour market have resulted in a growing need and demand for care in big cities (see Reese 2011).

State-driven efforts at addressing the care crisis tend to reflect the characteristics of the broader welfare regimes in which they are embedded (see Mahon 2005). In terms of child care, liberal welfare regimes typically favour demand-side supports, such as vouchers or subsidies targeted at low-income families and child care tax credits targeted to middle-class households. Thus, in the absence of universal, publicly funded child care services and paid family leave, how families/households manage the care crisis is dependent on the resources available to them. In the US, more economically privileged families/households have relied upon a steady stream of low-wage immigrant care workers as well as proliferating high-end preschool and au-pair services in major urban centres. In contrast, poor households must rely on limited, means-tested and often



inadequate publicly funded care services or use state subsidies in the form of vouchers to purchase care from informal providers, including kith and kin (see Polakow 2007).

As Glenn (2000: 84) points out, this response reflects “a privatized and gendered caring regime in which families, rather than larger society, are responsible for caring and in which women (and other subordinate groups) are assigned primary responsibility for care giving.” As will be discussed in Chapter Three, in the wake of welfare reform in New York, privatized solutions to the escalating child care crisis relied upon an expanding pool of precarious, home-based child care providers. New York’s response to the crisis had the effect of shifting costs of care onto low-income families/households and communities, and especially the women within them, as the city attempted to provide much-needed child care services “on the cheap”.

### *Actually Existing Urban Neoliberalism*

While I have noted some general tendencies in welfare state restructuring at the urban scale (highlighting the US context and liberal welfare regimes in particular) neoliberal restructuring projects are geographically variable not only across, but within national states. Brenner and Theodore’s (2002, 2003) concept of “actually existing neoliberalism” reminds us that these projects evolve within contextually specific political-economic circumstances defined by legacies of inherited institutional frameworks, policy regimes, regulatory practices, and political struggles, i.e. they are “contextually embedded”. An adequate understanding of neoliberal restructuring must therefore explore the “contextually specific interactions between inherited regulatory landscapes and emergent neoliberal, market-oriented restructuring projects at a broad range of geographical scales” (Brenner and Theodore 2002: 349).

In keeping with this approach, analyses of “actually existing” urban neoliberalism must also account for the contextually embedded character of resistance and contestation. As Krinsky (2006: 159) has argued, wherever neoliberal governance is tried, “its ‘roll-back’ moment—i.e. the point at which it uproots the existing social policy infrastructure—

generates specific sorts of opposition depending upon the existing configuration of, and division of labour in, the state and civil society groups.” Peck (2001) makes a similar observation in his study of anti-workfare politics, arguing that resistance to workfare is particularized and localized and appears just as variegated as workfare strategies themselves. Anti-workfare politics, he observes, is “contingent on pre-existing and locally-variable capacities for resistance, primarily at the urban scale” (Peck 2001: 496).

In the United States, labour unions, community organizations, anti-poverty groups, social service advocates, welfare rights organizations, public space activists, and child care advocates have combined in different coalitions, in different cities, and with differing degrees of success to contest the neoliberal restructuring of urban welfare regimes (see Reese 2011; Krinsky and Reese 2006). Like the restructuring it confronts, resistance to urban neoliberalization must therefore be understood as contextually embedded in political-economic space.

### **3. Conclusion**

Feminist scholarship on welfare regimes has tended to treat the state as a singular entity, with little attention given to the scalar nature of welfare provision, social policy action, and contestation. The urban in particular has been overlooked as a scale through which to explore questions of social reproduction, welfare state restructuring/resistance, and the reorganization of the state-market-family/household nexus under neoliberalism. Given the importance of cities, as sites of state intervention in social reproduction and of women’s activism around social policy and social infrastructure, addressing this lacuna is one of the primary theoretical objectives of this study. To this end, with an eye to the US context, the theoretical framework presented in this chapter has attempted to outline a feminist political economy approach to urban welfare regimes, mapping their transformation under neoliberalism and the implications for social relations of class, race, and gender.

Under Fordist-Keynesianism, national states came to underwrite some of the costs of and responsibilities for key aspects of social reproduction. Responding to economic and

social crises, and to social struggles from below, the national state intervened to mediate tensions between social reproduction and capital accumulation, constructing a national welfare state—albeit one ordered on a male-breadwinner/female-caregiver gender settlement which assumed women’s unpaid care work in the home. Across advanced political economies, cities played a crucial role in this mediation with local government acting as a relay point for national Keynesian welfare policies and a provider of social services and benefits to urban populations.

The breakdown of Fordist-Keynesianism and rise of neoliberal globalization has been marked by the restructuring and rescaling of economic production and state regulatory activity. Under neoliberalism, responsibilities for key aspects of social reproduction have been downloaded from the national to subnational scales and offloaded via privatization to families/households, to the third sector, and to the market to provide for a price. In response to both fiscal pressures imposed from above and to the mobilization of urban elites around a neoliberal agenda, cities have increasingly adopted entrepreneurial approaches to municipal governance. While cities attempt to attract highly mobile flows of capital with business tax cuts, tax abatements, and deregulation measures, they have rolled back the urban institutions of Fordist-Keynesianism, including the redistributive aspects of the local welfare state, and have sought to contain those social groups—including public sector unions and the urban poor—most closely linked to social reproduction.

Given this overall context, to remain blind to the urban dimensions of welfare regimes under neoliberalism is to miss crucial aspects of welfare state restructuring and resistance (see Mahon and Macdonald 2010). In neoliberalizing cities, urban social services once delivered directly by the local state are increasingly privatized via market mechanisms, contracting out to the third sector, and/or shifted to families/households. Furthermore, mandatory work requirements are imposed on urban welfare recipients, disciplining the poor into the lower reaches of the labour market and individualizing responsibility for social reproduction. As I have pointed out, these processes of privatization are gendered—and in the United States, racialized—with women of colour

disproportionately represented among the frontline providers of urban social services and as beneficiaries of welfare state programs.

As neoliberal states regulate labour markets in favour of capital, implement social policies that elevate private responsibility for social reproduction, and dismantle social and labour market supports, they create crisis tendencies in social reproduction for poor and working class households in particular, which find one expression in crisis of care. As in other periods of escalating tensions in social reproduction, the urban scale remains an important site at which contested state efforts at mediation play out. The directions these efforts take are not only dependent on the orientation of particular governments but shaped by social struggle and the balance of social forces in a given urban welfare regime.

As we see in liberal welfare state responses to the care crisis, state efforts to mediate escalating crisis tendencies in social reproduction have centred on strategies of privatization, eroding the already limited public care infrastructures established under Fordist-Keynesianism, while tracking poor, immigrant, and racialized women into care work. Whether through unpaid care in the household or through precarious, low-waged work in the market, third sector, or a neoliberalizing public sector, liberal welfare states presume these women will pick up the social reproductive slack left in the wake of dwindling social supports and growing labour market insecurity. However, across and even within particular welfare states, these processes have been geographically variable. A focus on “actually existing” urban neoliberalism allows us to better identify, analyze, and understand the contextually embedded character of these processes as exhibited by welfare reform in New York City, the reorganization of care work it entailed, and the politics of resistance it engendered.

## CHAPTER TWO

### THE SOCIAL ORGANIZATION OF CARE WORK AND THE URBAN WELFARE REGIME: WELFARE AND CHILD CARE IN NEW YORK CITY, 1935-1993

#### **Introduction**

This chapter explores the historical context of neoliberal restructuring and resistance at the intersection of welfare reform and child care in New York City. As discussed in Chapter One, Brenner and Theodore's (2002, 2003) approach to "actually existing" urban neoliberalism emphasizes the "contextual embeddedness" of neoliberal restructuring projects insofar as they are produced within contextually specific political-economic circumstances defined by the legacies of inherited institutional frameworks, policy regimes, regulatory practices, and social and political struggles. It is only by examining these legacies in some depth that we can fully appreciate the contextually embedded—or place-specific—character of welfare reform in New York, the reorganization of child care work it entailed, and the politics of resistance it engendered.

With these theoretical concerns in mind, the aim of this chapter is threefold. The chapter highlights how popular struggles over the social organization of care work—as part of broader struggles over social reproduction—shaped the historical development and unique character of New York City's urban welfare regime. For as I argue in Chapter Three, it was the product of these struggles, in the institutional legacies of the city's social democracy, which the Giuliani administration sought to restructure along neoliberal lines.

I also seek to illustrate the ways in which contemporary struggles over the social organization of care work—the focus of Chapter Four—are situated within a long history of contestation over child care, welfare, and the value of women's care work in the city; struggles in which working class women and women of colour's activism have been central. As this chapter suggests, opposition to the Giuliani administration's neoliberal project was very much rooted in place-specific legacies of resistance.

Finally, through New York City the chapter tracks escalating crisis tendencies in social reproduction for poor and working class families/households under neoliberalism. Although fiercely contested by social movements, successive city administrations emphasized privatized remedies aimed at mediation. The Giuliani administration's response to the child care crisis was a continuation—and in many ways an intensification—of the neoliberalization of New York's welfare regime and ongoing privatization of social reproduction since the mid-1970s.

However, before providing a detailed outline of the chapter, it is necessary to briefly introduce New York's post-war welfare regime. While urban welfare states of the Fordist-Keynesian era generally acted as a relay point for national Keynesian welfare policies, New York was exceptional in the degree to which local government underwrote social reproduction, providing a wider range of benefits, services, and protections to poor and working class families/households than any other city in the US.

### *New York's Urban Social Democracy*

Under Fordist-Keynesianism, New York City built what Freeman (2000, 2014) has alternatively called an “urban social democracy”, “social democratic polity” or “welfare state in one city.”<sup>36</sup> Between 1945 and 1975, New York came to embody “a particular style of social democratic politics: one that embraced a strong welfare state, a culture of labour power and solidarity, and a belief in the necessity of using government (even city government) to help the disadvantaged” (Philips-Fein 2013: 25). In response to the demands of the city's working class and progressive social movements—as expressed through electoral politics, a robust labour movement, and participation in tenants groups,

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<sup>36</sup> New York's urban welfare state could arguably be described as “social liberal”, denoting a social policy/welfare regime that has both the characteristics of a means-tested, liberal welfare state and some of the universalistic programs typical of a social democratic welfare regime. However, I choose to follow Freeman (2000, 2014) and others in characterizing the constellation of social programs, a strong labour movement, and a left-wing political culture as an urban social democracy.

block associations, welfare rights, civil rights, and women's organizations—the city came to “underwrite a vision of urban social citizenship, unique to New York” (Phillips-Fein 2013: 25; see also Freeman 2000, 2014).

By the height of the Keynesian welfare state in the early 1970s, New York City was home to: an extensive system of public housing; a network of twenty-two public hospitals; a tuition-free municipal university system; cheap and easy-to-use mass transit; a wide range of social services and community agencies serving poor and working class neighbourhoods; and compared to much of the country, generous welfare benefits for the poor (see Freeman 2000, 2014). The city also boasted the largest publicly funded child care system in the nation, staffed by a unionized workforce and notable not only for the number of children it served, but for its commitment to quality child care that set national standards (see ACS 2005).

The neoliberal restructuring of New York—initiated as a response to the fiscal crisis of 1975—can be understood as an effort by political and economic elites to rollback the gains of popular struggle, diminish the power of progressive social movements and public sector unions, and shift costs of social reproduction away from the state and onto families/households.<sup>37</sup> From 1975 onwards, drastic cuts to social services and income supports—including to welfare and child care—and general disinvestment from the city's social infrastructure has shifted more of the burden of social reproduction onto families/household. This restructuring has had markedly gendered and racialized impacts, as working class women, and especially women of colour in the city's low-income neighbourhoods, struggle to balance the demands of paid employment and social reproduction.

This chapter highlights five key moments—divided into five corresponding sections—that have shaped the social organization of care work in New York and the historical development and character of the city's welfare regime, providing the historical context

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<sup>37</sup> On the crisis as opportunity to roll back working class gains, see Tabb (1982), Freeman (2000), Sites (2003), Moody (2007), Philips-Fein (2013).

for contemporary restructuring and resistance.<sup>38</sup> The first section traces the roots of the city's child care exceptionalism in the New Deal welfare state and immediate post-war period. Public child care in New York was established during the Great Depression as part of the federal government's New Deal efforts to create jobs for unemployed school teachers. At the start of the war, this nascent public child care system was bolstered by the establishment of wartime day nurseries and preserved by social movement struggles to save municipal child care services in peacetime (see Michel 1999).

In the 1960s, New York was the epicentre of a national movement for welfare rights (Kornbluh 2007).<sup>39</sup> Amidst Civil Rights demonstrations, urban riots, and the federal government's Great Society initiatives, poor women of colour demanded state support for the work of raising and caring for their children. In the second section, I explore how the militant activism of welfare mothers, combined with rising levels of civil disorder, led to the liberalization of social assistance in New York City and the reorganization of poor women of colour's care work.

The demands of the urban poor triggered demands by other groups, such as municipal workers and daycare activists (Piven and Cloward 1977). In the third section of the chapter, I examine how New York's daycare movement, driven by a vision of universal child care, mobilized to demand the expansion of the city's public daycare system. The movement's voice was amplified by the city's daycare workers who became the first child care workforce in the country to unionize, setting national standards for wages and working conditions in the sector. Their success was part of a broader wave of municipal unionism in New York City, as public sector workers improved wages and working conditions in a range of municipal and social services (see Freeman 2015).

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<sup>38</sup> As Kornbluh (2007: 197) has argued, local case studies are essential to the study of twentieth-century American politics because "much political power was exercised, and fought, at the local level." While the development of New York's welfare state is intimately tied to politics at the national scale, the aim here is to elucidate the unique history of the city's welfare regime and especially popular struggles over the social organization of care work at the local scale. As such, I highlight federal policies and politics only when particularly relevant to the New York context.

<sup>39</sup> See also Piven and Cloward (1977) and Nadasen (2012).



The fiscal crisis of 1975 marked a turning point in New York politics and led to numerous battles over daycare services, public assistance, and the future of the city's welfare state. Political and economic elites blamed the crisis on "overly generous" social programs and the city's municipal unions. As New York became a test case for neoliberal policies and practices (see Harvey 2005: 44-48), welfare rights groups, the daycare movement, and the daycare workers' union fought to defend past gains and protect the legacies of the city's social democracy. I explore these struggles in the fourth section of the chapter.

The fifth and final section looks at the impact of the neoliberal turn at the national scale on welfare and child care in New York. In the 1980s and early 1990s, the federal government drastically cut aid to cities and rolled back many aspects of the New Deal and Great Society welfare state.<sup>40</sup> During this period, the real value of welfare benefits fell precipitously. As New York adopted welfare to work policies designed to push poor mothers into the labour market, social spending cuts led to the contraction of the city's public child care system, escalating the child care crisis for poor families/households. At the same time, federal funding for child care became closely tied to the notion of "parent choice" and increasingly delivered through vouchers as municipal services were restructured along neoliberal lines.

In the chapter's conclusion, I detail what remained of New York's social democratic welfare state come the election of Rudolph Giuliani in 1993. Whereas previous mayoral administrations chipped away at the institutional legacies of popular struggle in New York, Giuliani sought to radically restructure the role and scope of local government through strategies of privatization. As social supports were cut and growing numbers of poor mothers entered paid work, New York became the site of escalating crisis tendencies in social reproduction, which took one expression in a growing child care crisis.

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<sup>40</sup> Together, the reforms and social welfare programs of the 1930s New Deal and the 1960s Great Society constituted the American version of the Keynesian welfare state.

## 1. The Roots of New York City's Child Care Exceptionalism

Child care in the United States has largely been considered a private responsibility (see Levy and Michel 2002). Historically, public funding for child care services is limited, means-tested and tied to efforts to move poor mothers from welfare into paid work. Furthermore, the lack of public investment in child care has had deleterious consequences for both program quality and the quality of working conditions of child care providers: most child care programs have been considered to be of low to mediocre quality, while child care providers are among the most poorly paid workers in the country (Whitebook 2001; Polakow 2007).

New York City has stood as somewhat of an exception to these national trends, an outlier amongst municipal child care regimes. At various points in the city's history, social movement struggles—in which working class women's activism has been central—have pushed the local state to socialize more of the costs of and responsibilities for child care. Partly as a result of these struggles, the city has come to boast the largest municipal child care system in the nation and has traditionally been committed to strong regulations and the delivery of high quality services that set national standards (see ACS 2005). This section examines the historical roots of New York's child care exceptionalism.

### *From the New Deal to the Post-War Era*

Public child care in New York City has its origins in the New Deal welfare state, a suite of social welfare programs introduced by the federal government as a response to social and economic disruption of the Great Depression (see Piven and Cloward 1977; Katz 1986).<sup>41</sup> During the 1930s, rent strikes, mob looting, bread riots, and demonstrations—often led by Communist Party organizers and other left-wing activists—spread across the US. This unrest was at its most acute in major urban centres. Confronted with mass unemployment, rising levels of unrest, and declining tax revenues, local governments and

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<sup>41</sup> For an account of the role of popular struggles in the rise of the New Deal welfare state, see Piven and Cloward, (1977), Chapter Two.

municipal relief agencies were overwhelmed by demands for assistance. Many cities, including New York, were pushed to the brink of bankruptcy, unable to cope with growing social need. Big city mayors and other urban elites demanded aid from the federal government to quell social disorder and save local government from fiscal ruin (Piven and Cloward 1977). This social and political instability led to the election of Franklin Delano Roosevelt, the launch of the New Deal, and the introduction of social programs such as emergency relief, Social Security, and unemployment insurance (Piven and Cloward 1977; see also Katz 1986).

A key agency created by the New Deal was the Works Projects Administration (WPA). The WPA hired millions of unemployed workers to carry out public works projects across the country. As part of its mandate, the WPA also established a program of Emergency Nursery Schools (ENS) under which New York established fourteen school-based nurseries; the city's first publicly funded child care infrastructure (see Michel 1999). Prior to the New Deal, child care services in the city had taken the form of day nurseries—many of questionable quality—run almost exclusively by private philanthropy, non-profit, and religious organizations (ACS 2005).

New York's ENS nurseries met the needs of only a small number of the city's poor families; their primary purpose was to create jobs for unemployed teachers, nurses, and nutritionists, in addition to caring for children while unemployed parents looked for work (Michel 1999). As the nation recovered from the Great Depression, federal funding for the ENS program was ended and the survival of New York's nascent public child care system was put into question (Michel 1999: 194).

With the onset of the Second World War, rising numbers of women entered New York's war industries and the lack of adequate child care services prompted Mayor Fiorella LaGuardia to establish a Committee on the Wartime Care of Children. Through this committee, New York committed to saving the ENS nurseries and became the only city

in the nation with publicly subsidized daycare services (ACS 2005).<sup>42</sup> New York provided an example to the nation and between 1943 and 1945 wartime daycares were established in hundreds of cities under the federal government's 1941 Lanham Act (Michel 1999). At the height of the war, approximately 130,000 children in 47 states were being served in 3,000 publicly-funded daycare centres. As Fousekis (2011) has argued, it was the closest the country has come to establishing a universal child care system.

However, an anomaly in wartime planning had initially threatened New York's daycares: the city escaped designation as a "war-impact area" and as a result, its daycare services—some public, others voluntary—were not eligible for federal funds under the Lanham Act (Michel 1999: 193-194). As growing numbers of women found work in the city's factories, the LaGuardia administration struggled to provide child care services. In the midst of an escalating child care crisis, and as result of intense lobbying from the city, New York State agreed to jointly fund child care, appropriating \$2.5 million for daycare for mothers engaged in defense-related industries (Michel 1999: 194).

During this period, the city government's role in the administration of child care became firmly established as New York was home to just over eighty daycares serving the children of working parents (DCCNY 2012). Pushed by women in the social reform movement and child studies experts, City Hall committed to establishing and maintaining high standards in the system through the creation of the Day Care Unit in the municipal Department of Health. The unit was a pioneering institution in the field, overseeing the introduction of educational programs, improving hygiene, and developing physical infrastructure (Michel 1999: 194; see also ACS 2005: 38). According to Michel (1999: 194), upon the conclusion of the war, New York City officials, civic leaders, and parents, were all "eager to see that their model system lasted into the postwar period."

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<sup>42</sup> The Committee also laid the groundwork for a partnership between City, State, and non-profit child care sponsoring boards that continues to this day (ACS 2005).

### *The Post-War Fight to Save Child Care*

At war's end, women were expected to return to the home as demobilized soldiers returned to the nation's factories (see Michel 1999). Bureaucrats within New York State's youth authority argued that the city's daycare services were too costly and that access should be restricted to needy families, effectively reducing child care to a welfare service. They recommended the withdrawal of State aid and the relegation of daycare to an issue of local welfare (Michel 1999: 195). Many of the city's working class women strongly opposed these recommendations and a citywide grassroots mobilization of parents and children—driven by several left-leaning Popular Front groups under the banner of the United Parents Association (UPA)—demanded the continuation of State funding and the preservation of public daycare services (Michel 1999: 193).

The United Parents Association consisted of liberals, socialists, and communists, and called for child care as a universal right, seeing it as an essential component of women's social citizenship (Michel 1999: 194). The organization was born in the milieu of what Freeman (2000) has called "Red New York" as communists and other leftists exerted influence in the social, cultural and political life of the post-war city.

In its fight to preserve public daycare, the UPA was joined by the Day Care Council of New York (DCC). In contrast to the former's working class base, the DCC found support in the city's upper-class philanthropic organizations and civic circles and "emphasized the financial need of specific families as rationale for the public funding of child care" (Michel 1999: 194-195). Despite their ideological differences, as Michel (1999: 195) writes, the joint campaign of the UPA and DCC was "part of a wave of postwar activism in which, for the first time, American parents directly expressed their need for child care in a visible and organized fashion."

While the State ignored the burgeoning daycare movement's demands, under intense pressure from the UPA and DCC, the city government agreed to make up the State's portion of the funds and keep New York's wartime daycares operating (Michel 1999:

195). This was a massive victory for New York's daycare movement as it marked the first peacetime allocation of municipal tax dollars for child care programs (DCCNY 2012). The city's New Deal nurseries—expanded into wartime daycares—were now an established feature of post-war New York's welfare state, funded exclusively through the municipal tax base.

In the aftermath of the victory, New York's daycare movement continued to be an influential actor in city and State child care politics. Activists continued to press City Hall to expand its commitment to public child care and by 1950 New York was serving over 4,600 children in close to 100 daycare centres, a quarter of which were located in the city's newly constructed public housing projects (Michel 1999: 195). Eighty-four percent of child care funding came from the municipal government, with parent's fees and participating agencies making up the remainder (Michel 1999: 195). As evidence of New York City's child care exceptionalism, the State of California was the only other jurisdiction in the nation to establish a post-war, publicly-funded child care system (see Fousekis 2011).

### *Child Care Politics Enters the Cold War*

Yet as the country descended into the anti-communist hysteria of the Cold War, the tenuous coalition at the heart of the day care movement began to unravel (Michel 1999: 196). While the movement's left-wing continued to argue for child care as a universal entitlement for working mothers, middle-class women in the DCC found political expediency in emphasizing child care as a welfare service. Subject to redbaiting, the city's radical daycare activists were marginalized while municipal officials welcomed more "respectable" advocates into the policymaking fold (Michel 1999: 197). At the national level, the child care coalition established during the war, which mirrored that of New York, broke apart as moderate groups feared they would be labeled "communists" and distanced themselves from the demand for universal child care (Fousekis 2011).

The marginalization of the radical left, and the likes of the UPA, had important implications for local and federal child care policy going forward. The DCC was to become the dominant force in New York City, and national, child care politics (Michel 1999). The organization emerged as the core of a new national daycare movement that framed child care primarily as a welfare service for the poor, not a social right (Fousekis 2011). As Michel (1999: 210) remarks, by the beginning of the 1960s, national child care organizations were fighting a losing battle to “reverse the dangerous trend toward linking child care with efforts to reduce the welfare rolls.”

In places like New York and California, where the daycare movement’s ambitions had been high and the goal of universal child care within reach, means-testing came to determine eligibility for subsidized daycare (Fousekis 2011). Despite these shifts, publicly-funded child care services emerged as a fixture of New York’s post-war welfare state—setting national standards for early childhood education, and unique in the support it received from city government. While the system fell far short of the vision of New York’s radical daycare activists, the demand for universal child care would be revived in the 1960s and early 1970s by organizations such as the Day Care Forum and the Committee for Community Controlled Day Care.

## **2. The Welfare Rights Movement in New York City**

From the early 1960s to the mid 1970s, New York was the epicentre of a national movement of poor women demanding reform to welfare policy, greater respect and dignity, and state support for their care work in the home (see Piven and Cloward 1977; Kornbluh 2007; Nadasen 2005, 2012).<sup>43</sup> Though an interracial movement, African-American women took the lead in the struggle for what became known as “welfare rights” (Nadasen 2005, 2012). Black women had long been excluded from poor relief programs by racist local authorities that deemed them “employable”. However, amidst

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<sup>43</sup> As Kornbluh (2007: 17) writes: “The forces that spawned welfare rights organizing were national in scope. They inspired poor women and men to mobilize all over the country. But New York City led the way.”

insurgencies of the urban poor, and the political response they provoked, millions of poor women and children gained access to welfare (Piven and Cloward 1977). Together, these women demanded, “a decent standard of living based on the work they performed as mothers, regardless of behaviour or personal morality” (Nadasen 2012: 13). But as New York emerged as a symbol of the movement’s success it quickly became a target for those who sought to roll back the gains made by poor women of colour and their allies.

### *Welfare and Women of Colour’s Care Work*

To understand why welfare rights mounted a challenge to the prevailing social organization of care work, we need to briefly explore the history of poor relief. In 1935 the Social Security Act (SSA), a key part of the New Deal, established Aid to Dependent Children (ADC). ADC was modeled on state laws and locally administered programs, known as “mothers’ pensions”, that from 1908 to 1935 provided cash grants to poor single mothers and their children (Gordon 1994). Mothers’ pensions were based on the principle that the state should underwrite the social reproduction of families lacking a male breadwinner, allowing mothers to remain home to care for their children (Abramovitz 1996). In response to the social and political turmoil of the Great Depression, the SSA established in ADC a federal entitlement to relief for poor women and their children. However, while the federal government jointly funded the program with states and local governments, the latter retained administrative authority (Piven and Cloward 1971).<sup>44</sup>

States and localities used this authority to exclude the vast majority of black, Hispanic and other women of colour, and sometimes poor whites, from eligibility for ADC, often under the guise of ‘suitable home’ provisions which allowed welfare case workers to

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<sup>44</sup> This was the product of a compromise by the FDR administration with Southern Democrats who feared welfare would jeopardize the supply of cheap black labour relied upon by white farmers and wealthy white households. As a result, in order to accommodate local labour requirements and the demands of powerful Southern politicians, the new legislation gave a great deal of discretion to state legislatures and local officials in program design and administration (Piven and Cloward 1971).



deny aid based on moral evaluations of a home's fitness for raising children (Piven and Cloward 1971).<sup>45</sup> On these grounds, welfare authorities frequently denied aid to unwed mothers, who were disproportionately black women (Soss et. al 2012: 87). Yet moralizing concerns about black mothers' 'worthiness' overlapped with the priorities of states and local authorities for the regulation of the labour supply (Piven and Cloward 1971). Since the time of slavery, black women's work outside of their own home had defined their social role: "they reproduced for slave masters, nannied white children, worked as wet nurses, yet had little opportunity to nurture and care for their own children on a full time basis" (Nadasen 2010: 116). Their exclusion from poor relief programs reflected socially defined gender roles as workers, not homemakers or mothers.

The result of these exclusions was a highly racialized social welfare system, which favoured social reproduction by white households, while channelling poor women of colour and immigrant women into low-wage employment in the agricultural sector or in the homes of wealthy white families (Abramovitz 2010: 19). Until the 1960s, few women were actually admitted to the welfare rolls: poor black mothers in the South, Mexican-American mothers in the Southwest, and many immigrant women were all routinely denied access to welfare on the grounds that they were "employable" (Piven and Cloward 1971). By 1939, four years after the introduction of ADC, 89 percent of welfare recipients were white and racialized exclusions and lagging state implementation meant that by 1940 two-thirds of all eligible children were not covered by the federal program (Abramovitz 2000: 65). For those mothers who did gain access to ADC, rates were set at levels that compelled many to engage in wage work to supplement their benefits (see Piven and Cloward 1971).

Denied financial support to raise and care for their own children, the work of domestic service, including child care, served as one of the primary sources of employment available to women of colour and to black women in particular (Glenn 2010). However,

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<sup>45</sup> Local authorities could adjust ADC regulations in order to keep these women in the labour pool when there was an insufficient supply of low-wage men to meet the needs of local labour markets (Piven and Cloward 1971).

New Deal labour legislation denied home-based workers' basic labour rights, including old age insurance, unemployment benefits, the right to collective bargaining, and minimum wage and maximum hours protections (see Boris and Klein 2012). The exclusion of domestic service from employment protections and labour laws reflected the historical privileging of white male industrial workers by policymakers and the unwillingness to recognize women's paid domestic and care work as legitimate labour (see Tuominen 2007). In sum, welfare policy and New Deal labour legislation conspired to systematically devalue the care work of poor women of colour, whether unpaid work in their own homes or paid work in the homes of wealthy white families.

### *The Welfare Explosion*

In the 1960 and early 1970s, the prevailing social organization of care work was challenged as the traditional restrictions on access to welfare collapsed (see Piven and Cloward 1971, 1977). The welfare rolls tripled and millions of previously excluded women gained access to public assistance: from 1960 to 1972, the number of families on welfare rose from 745,000 to 3 million (Piven and Cloward 1993: 273-275). However, as welfare costs rose, policymakers looked for ways to impose restrictions on access. The welfare explosion would spark debates about the employability of poor mothers and the need for public child care to support their return to the labour market (Quadagno 1994). These debates were indelibly shaped by the politics of race: as ADC recipients became increasingly black and never-married, politicians declared a "welfare crisis" and called for increased work expectations (see Reese 2005).

According to Piven and Cloward (1977), the relief explosion of the 1960s, particularly post-1964, was primarily a response to the civil disorder of the urban black poor, which had emerged as a political force—electorally and in their exercise of disruptive power—in northern cities. Beginning with Rochester, New York, in 1964, Watts in 1965, Harlem and Bedford-Stuyvesant in 1966, poor African Americans rose up in urban rebellions against police brutality, institutionalized racism, mass unemployment, and the squalid living conditions of the black ghetto (see Katz 2012). While the rise in welfare caseloads

occurred across the country, it was far greater in older industrial cities, such as New York, where black rebellion was met with a combination of state violence and federal efforts to restore social order by expanding access to public assistance (see Piven and Cloward 1977).

Under the guise of the Great Society, the federal government intervened in local relief arrangements in primarily three ways: by establishing new services that provided the poor with information about welfare entitlements and gave them assistance in accessing welfare; with federal litigation which challenged local laws and policies that restricted access to welfare; and by supporting new poor peoples' organizations which informed the poor of their entitlements and put pressure on local officials to approve applications for assistance (Piven and Cloward 1993: 250). The latter development fostered the growth of nascent organizations of poor black women who asserted their right to welfare as a citizenship right, part of a groundswell of civil rights activism around economic issues such as jobs and housing (Nadasen 2005).<sup>46</sup>

In 1966 these organizations came together to form the National Welfare Rights Organization (NWRO), which at its peak had 30,000 members and 540 chapters nationwide (see Kornbluh 2007). Demanding higher benefits and a right to a guaranteed annual income, women in the welfare rights movement made claims on the state based on the work of social reproduction done in their homes and communities.<sup>47</sup> They argued that access to subsistence outside of the labour market was emancipatory for women who had otherwise been condemned to low-wage, menial, and sometimes dangerous employment

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<sup>46</sup> As early as the late 1950s, poor women on welfare had started coming together in local, community-based groups around the country, attempting to address violations of their civil rights, low benefit levels, and negative portrayals of welfare recipients in the media (Nadasen 2010: 103). Federal funding through the War on Poverty provided these organizations with the resources needed to expand their organizing and develop political influence (see Piven and Cloward 1977; Nadasen 2005, 2010; Kornbluh 2007).

<sup>47</sup> Access to decent welfare benefits not only permitted a degree of decommodification, but also expanded poor women's power vis-à-vis men. The ability to maintain autonomous households, and exit unloving and/or abusive relationship, was thus central to the struggle for welfare rights (see Federici 2006; Abramovitz 2000; Mink 1998).

outside of their own homes, while being denied the right to raise and care for their own children on a full-time basis.<sup>48</sup>

### *Welfare Rights in New York City*

While the NWRO was national in scope, the epicentre of welfare rights was New York City. As Kornbluh (2007: 4) writes, New York City's welfare rights groups were "by far the largest, had the greatest network of support from middle-class professionals such as social workers, lawyers, and priests; and they were the most important sources of strategy and personnel for the national welfare rights movement." By the early 1960s, activist groups of welfare recipients—predominantly African-American and Puerto Rican mothers—had begun to sprout up across New York, many of them under the auspices of local anti-poverty programs funded by the federal government. These groups worked with middle-class allies to form welfare rights chapters, coming together under the umbrella of the City-Wide Coordinating Committee of Welfare Groups (Kornbluh; 2007).

Several thousand public assistance recipients, the majority of them poor women of colour, strategized and mobilized to change welfare in New York. The City-Wide Coordinating Committee led protests, marches, and mass demonstrations on the streets

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<sup>48</sup> As both Nadasen (2005, 2012) and Federici (2006) have argued, in their demands, welfare rights activists articulated a working class black feminism distinct from the politics of the mainstream, and predominantly white, middle-class, women's movement which rejected domesticity as oppressive and emphasized equality of opportunity in the labour market and equal rights at work. As Federici (2006: 76) notes, the movement "gave voice to the dissatisfaction of that many American women felt with a social policy that ignored their work in the home, stigmatizes them as parasites when they demand public assistance," while benefiting from their work in the social reproduction of the American workforce. The valorization of motherwork led movement organizers and participants to rethink the welfare system and reframe the politics of "welfare crisis". Prefiguring the demands of some currents of the women's movement in the 1970s, the movement campaigned for state-funded "wages for housework" and asserted the value of the work of social reproduction by declaring welfare a woman's right.

and in welfare offices, which led the city to further liberalize welfare. As Kornbluh (2007: 3) writes:

Activists used tactics that ranged from demonstrations, sit-ins and other forms of civil disobedience, to legislative lobbying, registering voters to participate in elections, and suing welfare department officials in court. By 1970, the City-Wide Coordinating Committee of Welfare Groups had helped welfare families gain cash grants worth hundreds of thousands of dollars.

Lawyers and grassroots organizers worked with welfare mothers to challenge the arbitrary decisions of their caseworkers. Legal processes such as ‘fair hearings’ were used extensively: for example, in the fall of 1967 alone, welfare rights groups sponsored 3,000 fair hearings cases in New York City—a massive increase from the annual average of fifty (Nadasen 2005: 111).

Along with the threat of further civil disorder, the impacts of these and other movement tactics was significant: fewer welfare recipients were subject to sanctions or eliminated from the public assistance rolls; more applicants were able to get assistance as traditional procedures for investigating welfare eligibility broke down; caseworkers began ignoring regulations as they attempted to process a mounting number of applications; and more poor families got access to the full range of benefits—including clothing assistance and furniture allowances—to which they were entitled (Piven and Cloward 1977). These factors contributed to the significant growth of the city’s welfare rolls: By 1973, *one out of ten* of the nation’s welfare recipients were New Yorkers (Jackson and Johnson 1973; emphasis added).

For those seeking to roll back the gains of the welfare rights struggle, New York became a symbol of everything that was wrong with the welfare state and the Great Society programs introduced by the Johnson administration. Conservatives, and some Democrats, proclaimed a “welfare crisis”, and the heart of the crisis, New York City (Kornbluh 2007). Writing in 1973, presidential advisor Daniel Patrick Moynihan argued that this crisis was tearing apart “the social fabric” of the city:

The social fabric of New York City is coming to pieces. It isn’t just ‘strained’ and it isn’t just ‘frayed’; but like a sheet of rotten canvas, it is beginning to rip, and it won’t be too long until even

a moderate force will be capable of leaving it in shreds and tatters... (Moynihan as qtd. in Piven and Cloward 1977: 338)

When New York's reformist mayor, John Lindsay, ran for re-election in 1969, his opponents made welfare spending a central issue of the campaign, claiming his administration had allowed poor people to "defraud the city" (Kornbluh 2007: 4). As white working and middle class voters became increasingly conservative on issues of racial equality, Lindsay abandoned his commitments to the city's poor and pledged to cut the welfare budget and tighten eligibility requirements (Kornbluh 2007: 10).

By the mid-1970s, the national welfare rights movement had fragmented and lost momentum (Nadasen 2005; Piven and Cloward 1977). As the urban disorder and protest movements of the previous decade ebbed, national politics took a turn to the right. With the election of Richard Nixon in 1968 and legislation that tied welfare receipt to participation in paid work, New York's welfare recipients faced severe cuts in benefits and restrictions on their eligibility (Kornbluh 2007). According to Kornbluh (2007: 4), the city's welfare rights activists confronted "a new set of strategies by the city and state that undercut their organizing efforts and ultimately decimated their membership ranks." The epicentre of the movement was to become a focus of national backlash against welfare mothers and the urban poor in general, as racially-coded narratives about the "culture of poverty", "welfare dependency", and the breakdown of the black family animated neoliberal efforts to dismantle the social movement gains of the 1960s and roll back the welfare state (see Reese 2005).

### *The Legacy of Welfare Rights in New York*

For the purposes of this chapter, the legacy of welfare rights in New York is threefold: First, as Piven writes (2012: 111), "for a brief time during the more liberal period of welfare in the 1960s and 1970s, a good many single mothers had been permitted to live on the dole while their children were young, and even to live at levels not worse than low wage workers." Nowhere was this more apparent than in New York: over a period of twelve or so years, thousands of the city's poorest mothers—predominantly women of

colour previously denied access to welfare—won financial support for the work of raising and caring for their children. Due to the militancy of the movement, the welfare system came to provide some of the most generous benefits in the country, easing the poverty experienced by poor women and their children (see Piven and Cloward 1977; Kornbluh 2007).

Second, women in the welfare rights movement reframed their unpaid care work as legitimate work worthy of a wage; in this they were the forerunners of future struggles by women of colour—and some white women, in movements such as Wages for Housework—to have their care work socially recognized and economically valued (see Federici 2012). Finally, in their militancy and success—given the sheer number of families who gained access to assistance and to the full range of benefits to which they were entitled—welfare rights expanded social citizenship and the reach of the city’s post-war welfare state (see Freeman 2000).

The welfare rights movement was part of a moment in which popular struggles demanded economic, social and racial justice. In response to the urban unrest and the social movements of the 1960s, the Johnson administration not only liberalized welfare but also established a series of social programs under the Great Society (see Katz 2013). In New York, these programs buttressed the city’s social democratic orientation and by the early 1970s, the local welfare state included free tuition in the municipal university system and a vast network of community agencies and economic development projects in low-income neighbourhoods (see Phillips-Fein 2013). With its comparatively generous social programs and large welfare caseload, the city became “the scourge of conservatives everywhere” (Freeman 2000); some critics took to referring to New York as “Moscow-on-the-Hudson” (Magnet 2004). New York City would become a symbolic target of the neoliberal counterrevolution to come, and within a few years, many of the historical achievements of working class and social movements in the city were at risk of being undone.

### 3. Care Workers Organize and the Fight for Universal Child Care in New York

#### *Daycare Workers Unionize*

While welfare rights activists asserted the value of their care work by declaring welfare a woman's right, the welfare rights movement also sought the creation of daycare centres to support poor mother's employment.<sup>49</sup> However, activists criticized the dynamic created when poor women were hired to care for other women's children and the way institutionalized child care could oppress underpaid women care workers (Nadasen 2010). According to Nadasen (2010: 115-116), movement leaders warned that the fight for "child care should ensure that it did not create 'a reservoir of cheap female labour' that 'institutionalized, partially self-employed Mammies,'" for while daycare centres "could potentially free some women from the constraints of child care, they could just as likely increase exploitation of other women." In this, the movement levelled a critique of the race and class blindness of a mainstream women's movement's that demanded daycare but paid little attention to the working conditions of those employed as child care providers.

Perhaps owing to the strong left-wing presence in New York City's women's movement, the child care demands of welfare rights activists complemented the political thrust of the city's daycare movement. Daycare activists made important gains in the mid- to late-1960s and saw levels of mobilization reminiscent of the fight to preserve funding for wartime daycare (Interview 21). An important element in this wave of organizing and advocacy was the struggles of the city's daycare workers, which included child care providers and support staff such as assistants, maintenance workers, and cleaners. This workforce cared for the children of low-income families in New York's publicly-funded daycares. Given their poverty-level wages, they were the "reservoir of cheap female labour" welfare rights activists sought to bring attention to. However, like the welfare

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<sup>49</sup> The national NWRO office produced a guide for local welfare rights chapters on how to organize a comprehensive community-controlled child care program and demanded universal child care (Nadasen 2010)



mothers they served, daycare workers collectively organized to assert the value of their care work, and to demand better wages and working conditions.

Although postwar New York had emerged as a centre of labour movement power, according to Freeman (2015), by the early 1960s “only a handful of city workers were covered by collective bargaining, and most did not belong to a union. Pay and working conditions in many agencies were miserable, and there was little workers could do about it.” However, in January 1965, eight thousand social workers went on strike, demanding improvements in their pay and benefits and in the treatment of their welfare clients. According to Freeman, the social workers’ strike “sparked organizing by other workers and led the city to set up a new system of labour relations that formalized collective bargaining.” Unions such as the American Federation of State, County and Municipal Employees (AFSCME) District Council 37 and 1707, won important organizing drives in city-owned hospitals, and with school lunch workers, school aides, building cleaners, chemists, librarians, actuaries, lifeguards, and court reporters. Many of these newly organized city employees were African-American and Puerto Rican; collective bargaining lifted many of these workers above the poverty line for the first time (Freeman 2015).

As part of the wave of public sector unionism sweeping New York, the city’s daycare workers set about organizing. By 1967, they had become the first child care workforce in the nation to unionize, forming what would become Local 205 Day Care Employees, AFSCME (Whitebook 2002). After a bitter three week strike, in which 1100 daycare workers shut down 113 of the city’s child care centres, members of the daycare local voted 643 to 65 in favour of their first contract (“Day-Care Workers”, 1969). The contract included recognition of a union shop, the introduction of a welfare fund, and a series of pay increases paralleling recent settlements won by other municipal employees (Clines 1969). Perhaps most importantly, the wage scale for child care providers was made comparable to that offered to elementary teachers in the public school system (Clines 1969). Daycare workers were incorporated into one of the city’s growing

municipal workers' unions, Local 1707 of the Community and Social Agency Employees.

It did not take long for the newly unionized workers to exercise their political power. In 1969, after intense lobbying, New York City introduced the first for-credit training program to upgrade the skills of daycare workers (DCCNY 2012), making the link between child care quality and the quality of working conditions and wages of child care providers. And as was the case in the 1940s and 1950s, what happened in New York child care politics had ripple effects beyond the city. The success of Local 205 sparked a wave of child care worker organizing across the nation: daycare workers joined social service employees', auto workers', and even painters' unions in Massachusetts, Michigan, and Wisconsin (see Blank et al. 2010).

However, while in the proceeding decades unions such as the American Federation of Teachers (AFT) and the Service Employees International Union (SEIU) would go on to organize daycare centres in scattered cities across the US, by 2004 only three percent of the child care workforce was in a union or covered by a union contract (Blank et al. 2010). In this regard, Local 205 were trailblazers in the fight for dignity, respect, and better wages and working conditions in the sector, and today remain the largest daycare local in the country (see DC 1707 2012).

In addition to the struggles of daycare workers, growing child care activism led by feminists in the New Left, civil rights activists, and early childhood advocates, pushed the administration of Mayor Lindsay to initiate a Task Force on Early Childhood Development. The Taskforce would put early childhood education and care squarely onto the city's policy agenda (DC1707 2012). Many of these activists would coalesce into the Day Care Forum, a coalition of child care interests, which emerged as the city's most prominent and progressive child care advocacy group—a 1960s version of the UPA (Interview 21). While the Day Care Forum mobilized for the expansion of public investment in child care throughout the late 1960s and early 1970s, it would emerge as central player in the struggle to resist daycare cuts in the wake of the fiscal crisis of 1975.

### *Home Care Workers Organize*

Like the city's daycare workers, New York City's home health aides were part of a growing public sector workforce as the welfare state expanded during the Great Society years. Home health aides cared for infirm and elderly individuals supported through Medicare and Medicaid programs, funded by all three levels of government but administered by the city's public health department. Municipal employment and training programs channelled increasing numbers of poor women of colour into these jobs, often directly recruiting women from New York's welfare rolls. As increasing numbers of poor people accessed Medicare and Medicaid in the mid- and late 1960s, the ranks of the city's home health care workforce swelled (Boris and Klein 2012).

As Boris and Klein (2012: 69) remark, during these years “the remaking of poor women into caregivers became a nationally articulated goal of the federal government.” Thus the increased health care funding that marked the Great Society saw care work become more intimately tied to an emerging federal welfare to work agenda that sought to move single mothers on welfare into paid employment. Local government, community service agencies, and welfare groups could apply to the federal government for grants to place welfare recipients and the unemployed in home health care jobs. In this way, poor women of colour were tracked into low-wage, precarious care work that allowed government to expand social services “on the cheap”, in many ways providing a template for the expansion of publicly subsidized home child care in the wake of welfare reform (see Boris and Klein 2012: Chapter 3).

However, like the city's daycare workers, by the late 1960s New York's home health care aides had formed a union, AFSCME Local 371, and struggled to have their care work recognized and valued. With a growing membership, the union engaged in political action, public appeals, and legislative lobbying to address wages, working conditions, and client well-being, asserting itself as a force in New York City politics. Citing budgetary concerns, the city and state government countered this growing militancy by downsizing the home health care workforce and reclassifying workers as independent

contractors. The restructuring effectively busted the union, excluding the city's home health workers from the right to organize and collectively bargain. After 1970, the work was outsourced from the city altogether through vendor contracts (Boris and Klein 2012).

### *The Fight for Universal Child Care*

While New York's daycare workers organized in the late 1960s, their ranks expanded in the early 1970s when the city's publicly funded daycare centres proliferated at an extraordinary rate (see Brozan 1979). The cause of this expansion was fourfold: First, under the Great Society, federal aid to big cities had provided local government with the means to expand social services, including daycare.<sup>50</sup> Second, in the late 1960s and early 1970s, black and Latino struggles for "community control" of social services led to growing enrolment in daycare programs in previously underserved communities.<sup>51</sup> Third, the push for community control overlapped with a resurgent daycare movement, which found its voice in the Day Care Forum and the Committee for Community Controlled Day Care. Daycare activists, including progressive child care advocates and feminists, worked alongside the daycare workers union to pressure the city to expand quality child care. And finally, the daycare movement found a sympathetic ear in the city government as feminists and child care advocates entered a newly created municipal agency expressly devoted to children's services (Interview 21). The confluence of these factors led not only to the expansion of daycare services in New York but a push for universal child care.

Much of the child care activism and advocacy of this period centred on the Agency for Child Development. In 1969, the Lindsay administration appointed the noted African-

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<sup>50</sup> Some of this money was intended to provide women on welfare with the supports needed to transition into the labour market (Quadagno 1994).

<sup>51</sup> The community control movement had its origins in struggles for racial justice and the Johnson administration's War on Poverty. The Economic Opportunity Act of 1964, a central piece of the Great Society, stated that federally funded programs would be "developed, conducted, and administered with the maximum feasible participation of the residents of the areas and members of the groups served." It called for community action programs to mobilize resources that could be used in a direct attack on the roots of poverty and racial injustice (Katz 2008).

American social worker, Georgia L. McMurray, to head an Early Childhood Taskforce (Carney Smith 1996). Along with child development experts, the Taskforce included a number of feminists from the civil rights movement and the New Left, including the co-founder of *Ms. Magazine* and daycare activist, Dorothy Pitman Hughes (Love 2006). The Taskforce recommended the creation of an agency to deal exclusively with children's services, focusing particularly on the needs of pre-school children and their families. In 1971, ACD was founded and McMurray appointed its first commissioner. Under McMurray's leadership, New York City went from serving 15,000 children in 260 daycare centres in 1969 to well over 300 centres, serving a total of 45,000 children five years later (Carney Smith 1996: 461).

With input from the city's daycare movement, ACD introduced a number of pioneering reforms, such as ten hour a day child care services to meet the needs of parents working non-standard hours—although the more radical demand of “around-the-clock” day-and-night care, while supported by McMurray, was deemed too costly by the city (Carney Smith 1996: 461). ACD also established public outreach programs to encourage immigrant and non-English speaking communities to place their children in city daycares, contributing to expanding enrolment in the public system (Interview 21). In addition, the agency introduced citywide counselling resource centres for parents and expanded the number of home-based daycare programs to service the needs of families in underserved neighbourhoods. Finally, McMurray established a number of state subsidized child care programs for working and middle-class families who could afford to pay a portion of program operating costs (Carney Smith 1996: 461).

While the daycare movement welcomed these reforms, activists pushed McMurray and her agency to fulfill their vision of universal child care (Interview 21). At the national level, from 1969 to 1971, a coalition of feminists, early childhood advocates, labour and civil rights leaders had worked with Congress to legislate universal child care policy. Their efforts came to a halt when President Nixon vetoed the Comprehensive Child Development Act of 1971 (Michel 1999). The makeup of the national child care coalition was mirrored in New York City, as organizations such as the Day Care Forum and the

Committee for Community Controlled Day Care—harkening back to the days of the UPA—demanded a universal, publicly-funded, high quality child care system; even if the federal government refused to fund one (Interview 21).<sup>52</sup> New York’s daycare movement sought to build on the city’s tradition of child care exceptionalism, but in the absence of a significant increase in State and federal child care funding, the city claimed the vision of universal child care was too costly to realize (Interview 21). New York was already on the hook for a substantial portion of the welfare and Medicaid costs that rose rapidly in the 1960s and early 1970s (Kornbluh 2007).

The tensions between the city and the daycare movement came to a head when ACD sought to impose new child care eligibility requirements handed down from the State. Against the backdrop of President Nixon’s veto and federal efforts to more closely tie child care funding to welfare to work initiatives, these new regulations were designed to restrict access to the city’s publicly-funded daycares to the poorest of the poor. Furthermore, they required program directors to behave like welfare caseworkers, recording the details of their clients’ lives, including marital status, income, health, and their “addictive habits” (see Feigelson 1973). Both parents and daycare directors found the new procedures “outrageous and demeaning” (Feigelson 1973: 41). Sixty daycare centres, all members of a coalition called the Committee for Community Controlled Day Care (CCCDC), refused to comply with the new regulations. In response, ACD threatened to withhold funding from the centres. The CCCDC replied by taking the city to court, claiming ACD was violating the terms of its contract (see Feigelson 1973).

At stake in this fight were competing visions of New York City’s child care system. McMurray, the feminist and child care advocate, was presumably sympathetic to the idea of universality. However, she was no longer an advocate, but a city commissioner

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<sup>52</sup> The city’s day care movement also sought to build on its local success by organizing a child care coalition at the state level. In 1973, the Day Care Council of New York, the organization representing the city’s non-profit child care agencies, spearheaded the first state-wide association of child care advocates and child care development councils in the country (DDCNY 2012). New York’s day care movement continued to lead the nation in innovative organizing and advocacy work, establishing a strong political presence in the state capital of Albany to match their work in New York City.

accountable to the Mayor and ultimately to the State government, which held ACD's purse strings. As federal child care funding—administered by the State—had grown during the 1960s, it came to account for 75 percent of the city's total child care pot, with the city and State each contributing half of the remaining 25 percent (Lacks 1971). Federal funds were dispensed under Title 4A of the Social Security Act which defined daycare as a social service for which parents must be “income eligible”. To their credit, McMurray and Mayor John Lindsay had lobbied the State to relax the new regulations, but to no avail (Lacks 1971). With limited funds at ACD's disposal, McMurray argued the city's priority must be on serving the poor (Feigelson 1973: 42).

On the other side were the CCCDC and the Day Care Forum, both driven by a vision of a universal child care (Interview 21). In keeping with this vision, community controlled daycare programs, of which there were 75 in the city (out of a total of 200 publicly-funded daycares), had been enrolling children based on a loose definition of “community need”. As a matter of policy, these 75 programs, run by parents but funded by the city, did not require families to disclose their earnings, “considering such questions an invasion of privacy and a means of reinforcing class distinctions” (Lacks 1971: 11). As Bob Gangi, a coordinator of the CCCDC said, “When a parent tells us they need day care for their children ... we take their word. It's not our province to dictate what families have a right to day care” (qtd. in Lacks 1971: 11). For the city's daycare movement, the CCCDC's programs were the building blocks of a municipal, universal child care system.

The push for community control in child care services had challenged the old system in which established non-profit agencies, such as the YWCA, operated the city's publicly-funded daycare centres. As African Americans and Latinos organized to have a say over social services, most notably public education, the old system was giving way to “newer organizations that were emerging from low-income communities, communities of colour, coming together to provide child care as the system expanded” (Interview 21). The CCCDC opposed New York State's new child care regulations—and resented the city for adhering to them—on the grounds that low income eligibility cut-offs effectively excluded middle-income families from public daycare, cut existing programs that were

economically and racially integrated, and rendered child care services a “holding operation for the very poor” (Lacks 1971). Shirley Johnson, an African-American daycare activist, summed up the daycare movement’s vision:

We think everyone should be allowed to put his or her kids in day care. If you want to leave your kid to go downtown to look in Macy’s window you should be able to ... I know lots of women got off welfare because day care allowed them to work. Not made them. Allowed them. But I don’t believe a day care center should be a welfare center. That would change our whole movement. That’s what’s at stake in our fight with the city. We want the classes to come together ... That’s why we’re having so many problems. [Daycare] is good for me and the lady down the street whose husband makes \$15,000, or even \$25,000, and that lady she goes and has tea—like some people still do that you know—it’s good for us all to talk together. And our kids talk together. If you got kids together in day care really sharing, you got okay kids. And then you got an okay society (qtd. in Feigelson 1973: 41).

Daycare activists were incensed that McMurray, whom they considered an ally, had threatened to defund their programs for failing to comply with regulations she herself had opposed. One activist said she felt “betrayed” by the Commissioner: “I’d always thought of her as a friend. She’s black. She had always seemed to support us. What was she doing? How could she smash us in such a personal way?” (qtd. in Feigelson 1973: 42).

As the battle between CCCDC and the city dragged on, of the original sixty daycares refusing to go along with the regulations, only thirteen held out. The CCCDC staged a demonstration on New York City’s Triborough Bridge, temporarily tying up traffic, and later set up a one-day model daycare centre on the lawn of City Hall (Feigelson 1973). At a press conference, an impassioned Dorothy Pitman Hughes, who had sat on the taskforce that led to ACD’s creation, said the State and city’s policies were tantamount to creating daycare “concentration camps for minority children” (qtd. in Feigelson 1973: 42).

Despite the fiery rhetoric and demonstrations, unable to operate without ACD funding, the CCCDC and its community controlled daycares ultimately lost its battle with the city. The city forced all publicly funded daycares, including community-controlled programs, to fall in line with the new State regulations. As with the left-wing daycare activists of the late 1950s, the dream of a universal child care system in New York City had once again been crushed. According to CCCDC’s Bob Gangi, ACD’s tough stance was evidence that the “city had swung to the right” (qtd. in Feigelson 1973: 42). However, things



would soon get a lot worse for the daycare movement. New York's fiscal crisis of 1975 threatened the city's reputation as a leader in child care and the existence of public daycare all altogether.

#### **4. Disciplining Daycare: Neoliberalism, Child Care, and the Fiscal Crisis**

As the previous section illustrates, throughout the 1960s and early 1970s, popular movements in New York made numerous claims on local government. Alongside other social movements, the struggles of working class women, and particularly poor women of colour—whether through the welfare rights movement, the daycare movement, or female-dominated unions like Local 205 Day Care Employees—pushed the city to expand social welfare programs and underwrite more of the costs of and responsibilities for social reproduction. As with the post-war fight to save public child care, the social organization of care work had emerged as a key site of contestation in the urban welfare regime.

With the roll out of the federal government's Great Society programs (including Medicare and Medicaid), the expansion of social services, and free tuition in the municipal university system, New York's urban social democracy had reached its apex. Over a period of a decade, the city government had dramatically increased its spending on welfare, child care, and on the municipal payroll (see Moody 2007). Nationally, welfare, health care, and education had come to make up the largest portion of big city budgets (see Piven and Cloward 1977). But as politics took a turn to the right—and as the daycare movement's fight for universal child care had clearly demonstrated—the project of building a social democratic “welfare state in one city” was pushing up against political constraints.

The fiscal crisis of 1975 marked a turning point in the history of post-war New York. As Harvey (2007: 8) remarks, “New York City was heading towards becoming a social democratic, almost socialist, kind of municipality. The big businesses were terrified politically. So they launched a financial coup against the city.” In the midst of the crisis,

governance of the city was effectively transferred from democratically elected politicians to state appointed technocrats and financial elites insulated from popular pressures (Harvey 2005). According to Harvey (2005: 48), the terms on which the fiscal crisis was resolved “pioneered the way for neoliberal practices both domestically under Reagan and internationally through the IMF in the 1980s.”

While the causes of the crisis are complex (see Tabb 1982), economic elites and conservative politicians blamed the city’s woes on its extensive welfare state, the “dependent” poor whom it benefitted, and “greedy” public sector unions, including municipal workers who delivered social services (Freeman 2000).<sup>53</sup> When the city needed loans to meet its debt obligations, Wall Street bankers refused to continue lending unless New York curtailed some of its “generous” social policies, restructure its welfare state, and essentially offload costs of social reproduction onto families/households. When John Lindsay’s successor in the Mayor’s Office, Abe Beame, bypassed Wall St. and went to the White House to ask for financial assistance, President Gerald Ford refused. Ford offered “as support for his decision the data on supposed welfare frauds that had become common fodder in the city’s political discourse” (Kornbluh 2007: 181-182).

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<sup>53</sup> On the causes of the crisis see Tabb (1982), Moody (2007), Freeman (2000), and Phillips-Fein (2013). According to Phillips-Fein: “Many observers in the early ’70s had noticed that New York was entering a period of difficulty and falling tax receipts, as the city’s economy was rocked by the decline of manufacturing and the flight of the white middle class to the suburbs. New York did provide more services than most other American cities ... although contrary to the railing of conservatives at the time, its public workers were not paid wages out of line with those of workers in other cities. During the Great Society years, the expenses of the city climbed, particularly those for Medicaid (for which it bore almost 25 percent of the cost, in accordance with state law) and welfare. At first, increases in federal and state aid helped fuel this expansion. But when the economy turned south in the early 1970s, New York turned to borrowing to make up the budget gaps. The tacit assumption of city leaders ... was that the borrowing was merely a temporary measure. Perhaps national healthcare would pass and the city would no longer have to foot a massive Medicaid bill. Once the economy recovered, the city would regain its fiscal footing. But by 1975, as recession enveloped the American economy, the banks that marketed New York’s debt ... became increasingly wary about the city, as did investors around the country ... By the spring, the banks told the city that the bond market had closed. As soon as its credit was cut off, it became apparent that New York did not have the money to pay its debts—or even to continue to cover payrolls without access to more borrowed funds.”

In return for bailing out New York, the federal government, the State, and Wall St. demanded austerity and a reorientation of the role of city government. As Harvey (2007: 9) states, “The municipal government was no longer about benefiting the population; the municipal government had to address creating a good business climate.” Tuition was charged for the first time in the city’s university system, user fees were introduced for previously free public services while other services were privatized outright, fire stations were closed, city employees laid off en masse, and social welfare spending was significantly curtailed (Tabb 1982; Harvey 2007). Poor women on welfare were subject to increasingly punitive reforms and new eligibility restrictions (see Kornbluh 2007). And the daycare services many low-income families relied upon were among the social services targeted for restructuring.

### *Daycare Default*

At the onset of the crisis, New York State froze \$23 million in child care funding to the city (“Day-Care Default,” 1975). State administrators charged ACD with falling behind on its licensing regulations and health and safety standards. But the primary source of tension between city and State was the gradual expansion of daycare services to include a growing number of children from working class families. As mentioned in the previous section, these families’ incomes exceeded subsidy eligibility limits under the federal Social Security Act and State regulations. While the income eligibility ceilings had been raised in the early 1970s, some publicly-funded centres had begun to operate using even higher income thresholds, leading to expanding enrolments and rising daycare costs (“Day Care Default,” 1975: 24). Although the fight between ACD and the Committee for Community Controlled Day Care showed that the city had reined in this practice, in the midst of the fiscal crisis, the State government pushed for drastic action, instructing ACD to phase all non-eligible children out of the system by attrition (Weisman 1975). The *New York Times* called it a “Day-Care Default” and “a blow to a city desperately in need of more and speedier state and Federal assistance for a wide range of services” (“Day-Care Default,” 1975: 24).

The likes of Georgia McMurray and other progressive voices at ACD were criticized for their “mishandling” of the agency’s finances (see Weisman 1975: 1). Of course this “mishandling” was really McMurray’s willingness, at least for a time, to expand the city’s public child care system beyond the narrow parameters set by the State and federal government, responding to the demands of the daycare activists. State and federal government child care funding, as with other urban social services, became conditional on the city imposing austerity measures, forcing ACD to rollback the expansion of daycare and further contain the ambitious agendas of the CCCDC, the Day Care Forum, and the daycare workers’ union.

Austerity measures would severely impact New York’s child care sector and the ability of working class families, particularly poor single mothers, to meet their care needs. For instance, ACD reported a “rising fear by many day-care mothers that they would be forced to return to welfare rolls for lack of an alternative to child care” (“New Federal Rules,” 1976: 33); other women said they would scale back their work hours from full-time to part-time in order to care for their family (Sheppard 1976a: 35). In desperation, ACD and the city’s daycare movement made the case that cutting child care funding ran counter to the other major initiative of the austerity agenda: slashing the city’s welfare rolls (see Sheppard 1976a). The argument fell on deaf ears and as the fiscal crisis escalated, further efforts were made to restructure the city’s child care system along neoliberal lines and shift costs of social reproduction onto households.

In 1976, “emergency” arrangements for governing the city effectively weakened the power of the Mayor and City Council (see Tabb 1982). Control of the city’s finances shifted from City Hall to the State and a cabal of bankers, bondholders, and other Wall Street interests known as the Emergency Financial Control Board (EFCB) (Moody 2007). The federal government proved unwilling to bailout New York and the city flirted with default. Municipal politicians had to prove their willingness to impose massive austerity before the city would qualify for federal aid and bankers reopen the bond markets (Tabb 1982).

With city finances now under the control of the EFCB, rollbacks came fast and furious and had an immediate impact on social services. By late 1975, the city was forced to close twenty-eight daycare programs due to budget cuts and ACD's \$159 million budget was cut by \$31 million (Maitland 1975: 18). New child care subsidy eligibility limits eliminated 7,200 children from the city's daycare programs, rolling back the gains made by community control (Maitland 1975: 18).<sup>54</sup> A mayoral-appointed special taskforce on child care—the first since the Lindsay administration's Early Childhood Task Force—was tasked with “cutting waste” in the system and transferring responsibility for determining eligibility for subsidies from local daycare programs to a newly disciplined ACD (Maitland 1975).

In addition, rather than adopting administrative measures that would ensure the full utilization of existing daycare spaces, programs running under capacity had their budgets cut or were threatened with closure. According to members of the taskforce, these measures were taken in the name of “efficiency”, “addressing mismanagement”, and “improving productivity” (Sheppard 1976b: 27). The city's extended day (i.e. ten hour) child care programs, one of the most progressive reforms of the early 1970s, were eliminated (see “New Rules Sought,” 1976: 32). Furthermore, the State introduced parental co-payments for families now deemed ineligible for free child care (“New Rules Sought,” 1976: 32), effectively imposing user fees, further shifting child care costs onto households.

### *Eroding Quality Care and Quality Care Work*

By the spring of 1976, the city had closed another 49 daycare programs that served 3,000 children. 75 percent of these children were transferred to “underutilized” daycares, resulting in severe overcrowding (Kihss 1976a: 1). These measures undermined the high standards the daycare movement had long fought to establish and threatened New York's

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<sup>54</sup> Federal funds paid 75 percent of the city's day care costs mainly under Title XX of the Social Security Act. The city and New York State shared the remaining 25 percent.

exceptionalism in child care. The closures also meant that 1,500 unionized daycare workers, members of Local 205, lost their jobs (Kihss 1976a: 1).

An audit by the city's comptroller stated that daycares were "required to have too many employees with overly high qualifications" (qtd. in Kihss 1976b: 97). ACD subsequently increased staff-child ratios, which impacted both working conditions and child care quality. Furthermore, the audit quoted research reports that found high qualifications and low staff-child ratios had "little impact" on the quality of care and openly questioned ACD's adoption of professional qualifications for program directors and child care providers that exceeded those of New York State's (and most other states') requirements (Kihss 1976b). Austerity in child care was taking the form of cuts to services, an erosion of quality, and an attack on daycare workers, eliminating their jobs and undermining their wages and working conditions, while questioning their skills and professional status.

Daycare activists and Local 205 organized to resist this agenda (Interview 21). More than 1,000 angry daycare workers, parents, and children took to the streets and marched on the headquarters of the EFCB to demand it stop "the hatchet job on the day care program" (qtd. in "Day Care Cuts," 1976: 40). Local 205 and the Day Care Forum worked to bring together child care activists, providers, parents, and unions to lobby the State government with a grassroots movement to fight the cuts (Interview 21). They framed their struggle as one of ensuring children had access to good quality care by protecting the city's traditional commitment to high standards and tough regulations. As one activist involved in the Day Care Forum puts it:

The union's vested interest was they didn't want their members to lose their jobs. The Forum was very focused on parents losing access to subsidies. The Day Care Council of New York, representing the boards of directors, was concerned with the agencies losing resources to provide the services in their communities. So while each organization had something they were concerned about, they all agreed that they would be stronger working together. The union would bring its political clout, the Forum its ability to organize parents and low-income communities, and the Council its ability to interface with the 350 or so program sponsors to get them behind whatever efforts were going on. (Interview 21)

The most powerful of the three actors in this coalition appeared to be organized labour. Despite the fiscal crisis, New York's municipal unions had made some headway in the

child care sector. In 1976, DC 1707 had organized and chartered Local 95, a union of daycare workers employed in the city's Head Start agencies (DC 1707, 2012). Union power in the sector expanded even further when the Council of School Supervisors and Administrators (CSA), the union representing principals and vice-principals in the city's public schools, organized the directors and co-directors of publicly funded daycare programs (CSA 2012).

However, these successes were countered by union trade-offs with City Hall and the State. New York's public sector unions agreed to no wage or benefits increases in return for state legislation granting them an agency shop, guaranteeing a regular flow of union dues (Moody 2007: 47). Such "sweetheart" deals were hardly the makings of a successful fight back against austerity. While the unions had initially organized large demonstrations against the banks and the Emergency Financial Control Board—even hinting at a general strike—they eventually fell in line with the program of retrenchment (Moody 2007; see also Freeman 2000).

The weakness of public sector unions, illustrative for Local 205 in particular, was demonstrated in the tepid response to State changes to child care funding arrangements. In 1977, two years into the crisis, New York State withheld federal child care dollars from the city unless it develop its family daycare sector i.e. home-based providers that were non-union and required less state funding than centre-based programs. In addition, ACD had to agree to contract with private, for-profit agencies for daycare services ("New York Human Resources," 1977: 43). These changes effectively allowed public funds to escape the municipal child care system for private, for-profit operators and was one step toward the funding arrangements that facilitated the expansion of non-union home child care following welfare reform in 1996. As part of a municipal labour movement on the defensive, Local 205 appeared to do little to resist these changes. Thus in addition to funding cuts, daycare closures, staff lay-offs, and an erosion in standards, the city's public child care system was being increasingly deregulated and privatized.

*From the “Best Legacy We Have” to New Neoliberal Normal*

Four years into the crisis, New York City’s daycare programs had learned to do “more with less”, adjusting to neoliberal austerity (see Brozan 1979: C13.). The Agency for Child Development’s new commissioner, Lewis Frankfort, said the city’s child care system had undergone a metamorphosis that it was “ill prepared for when the fiscal crisis first struck” (qtd. in Brozan 1979: C13). While Frankfort called New York’s public daycares “the best legacy we have of the 1960s Great Society,” the State and EFCB continued to impose retrenchment in social provision and cuts to standards. While some federal funds had become available for child care, enrolment only recovered to 1974 levels and inflation ate up much of the new funding (Brozan 1979).

The impact of neoliberal restructuring on the city’s child care system was clear: In addition to outright closures, twenty daycare programs that lost their funding in 1976 were, three years later, receiving a two-year start-up grant from the State to “demonstrate economic alternatives to publicly funded day care” (Brozan 1979: C13). In other words, public funding became increasingly premised on the privatization of service delivery. Furthermore, subsidy eligibility ceilings remained low, and while some money for training had come forth to bolster the child care workforce, staffing cuts had not been reversed. These cuts intensified the workload of daycare workers and eroded child care quality: as one program director explained, “[child care] aids have been cut from working 38 hours a week to 20, so instead of having three adults per classroom, we have two and a half” (qtd. Brozan 1979: C13). And like all municipal employees, the wages of city daycare workers did not grow in either nominal or real terms during this period (see Moody 2007: 81).

In the midst of austerity, the victories of the childcare movement were ultimately defensive in nature. As one advocate put it “we were successful in staving off a number of cuts; they weren’t as bad or as draconian as they would have been if there was no action at all” (Interview 21). There were some important victories: for instance, the city committed to contribute more of its own tax levy dollars for child care to complement



federal and State funds—essentially a modest renewal of arrangements won by the daycare movement after the war. Daycare activists had been successful in beating back a wholesale withdrawal of municipal support for child care (Interview 21).

Beyond public child care, the neoliberal discipline imposed on New York's urban social democracy had overwhelmed the political forces of the left (see Moody 2007; Freeman 2000). With the federal government steadily withdrawing aid from big cities, cuts were imposed on a range of municipal services and the city's public sector unions were weakened as result. Neoliberal restructuring negatively impacted the municipal university system, the city's public hospitals, public housing, and the provision of other social services, such as home care (see Moody 2007). In terms of the municipal payroll, the number of police officers and teachers dropped by around 6,000 and the number of firefighters by about 2,500 (Tabb 1982). According to Kornbluh, "Two fifths of African American municipal employees, and half of the Latino/a employees, were dropped from the city payroll" (2008: 182).

In 1975, welfare rights organizer Beluah Sanders had led the city's International Women's Day march, demanding child care available twenty-four hours a day, regardless of family income (Kornbluh 2007: 182). In the context of the fiscal crisis, a weakened welfare rights movement, and a daycare movement on the defensive, Sanders vision seemed little more than a pipe dream. The city's fiscal crisis afforded New York's political and economic elite the opportunity to roll back the gains of popular struggles, restructure the urban welfare state, and neutralize the power of public sector unions. Ruling elites insisted on the municipal government slashing its payrolls, wages, and benefits, in addition to curtailing public services and social welfare programs.

The ramifications of the city's restructuring went far beyond the five boroughs. As Piven (2011: 159) has argued, New York City "was only the exemplary case, the means that was used to instruct poor and working-class groups in other cities not to resist similar and even more drastic cost-cutting campaigns by local elites." The crisis was employed as rationale for an elite mobilization against the urban working class, and particularly poor

people of colour who had successfully forced concessions from the state in the 1960s and early 1970s (Piven and Cloward 1977).<sup>55</sup>

With the election of Ronald Reagan in 1981, the neoliberal turn in New York would be scaled up to the national stage with deleterious consequences for the city's working class and poor women of colour especially.<sup>56</sup> Through the city's daycare and welfare rights movements and care workers' unions, poor and working class women of colour had asserted the value of their care work and mobilized to demand state investment in social reproduction. Through retrenchment, deregulation, and the increasing marketization of social welfare services, the neoliberal restructuring of New York had reprivatized more of the costs of and responsibilities for social reproduction, shifting them back onto the city's families/households and communities, and especially the women within them.

## **5. Federal State Restructuring and Child Care and Welfare in New York**

With New York City as a neoliberal test case, the election of Ronald Reagan in 1981 marked the beginning a full-scale assault on the welfare state (see Piven and Cloward 1985; Block et al. 1987). The Reagan administration attacked organized labour, cut taxes for the wealthy, deregulated labour markets, eliminated environmental controls, and made significant cuts to federal funding for cities, limiting the scope of services they could provide urban populations (Katz 2008).<sup>57</sup> Social supports for the poor were significantly diminished throughout the 1980s as the federal government slashed income support programs and cut funding for social services.<sup>58</sup> For the Reagan administration,

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<sup>55</sup> As Piven (2011: 160) writes: "Under the guise of the urban fiscal crisis, in short, local and national business interests joined to reassert control over the municipal level of the state apparatus, for it was on the municipal level that popular struggles by working-class groups had forced some concessions in the 1960s."

<sup>56</sup> As Harvey (2005: 44) notes, New York pioneered the way for neoliberal practices domestically under Reagan and internationally through the IMF.

<sup>57</sup> In what became known as the New Federalism, policy authority was increasingly devolved to states and redesigned along market models (see Katz 2008).

<sup>58</sup> For instance, in Reagan's first two years in office alone, means-tested programs were cut by 54 percent, housing assistance by 47 percent, and job training by 81 percent (Danziger 1983).

the nation's social problems could be solved through deregulation, privatization, and retrenchment.

Neoliberal restructuring at the national scale began in earnest with the Omnibus Budget Reconciliation Act (OBRA) of 1981, which Boris and Klein (2012: 152) have called the “probably the most significant piece of social legislation since the Great Society.” The Act restricted eligibility for welfare, cut benefit levels, and reduced funding for a range of social services. It also marked a significant shift in urban policy as the federal government dramatically withdrew support from cities, ending a federal aid program that provided more than half the money for some municipal budgets (Katz 2008). Furthermore, in place of matching state expenditures, after an across the board cut of 22 percent the OBRA capped federal funding for social programs and introduced block grants, giving states the means to displace social welfare programs run by big cities.<sup>59</sup> Lastly, the OBRA placed the funding of community services directly under state governments, reversing a key legacy of the Great Society in which the federal government had bypassed states to directly fund urban anti-poverty initiatives (Piven and Cloward 1985).

The OBRA was designed to roll back the gains made by popular movements in the previous decades. According to Boris and Klein (2012: 152), the legislation “blindsided big cities and rebuffed their recently mobilized constituencies of African Americans, Latinos, poor people, feminists, and public employees.” Under the new funding arrangements, states had to choose which social services to reduce or eliminate, and administrators shifted costs to users through increased fees and eligibility restrictions until programs served only the poorest of the poor (Boris and Klein 2012: 152).

In doing so, the Reagan administration effectively downloaded the costs of and responsibilities for key aspects of social reproduction from the federal government onto state and local government, rolling back many aspects of the New Deal and Great

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<sup>59</sup> Federal aid to state and local governments declined in real dollars for the first time in two decades (Boris and Klein 2012: 152).

Society. In turn, state and local governments shifted more of these costs onto households (see Abramovitz 2010). For working class women, and poor women of colour in particular, these reforms meant less state support for care work—whether the unpaid work of caring for their families or their paid work providing social services like daycare and home health care.

### *New York City Child Care Under Reagan*

The impact of the OBRA on New York City’s public child care system was drastic. New York’s publicly-funded daycare programs lowered their nutritional standards for children’s meals, raised their co-payments for low-income families, and further reduced the income level at which families qualified for child care subsidy (“U.S. Cuts Limiting Day Care,” 1982). At the time, the city was serving 43,000 children from low-income families—down from 45,000 in 1975—70 percent of whom were near or below the poverty level. And over 7,000 families were on ACD’s waiting list for subsidized care; a number that grew steadily throughout the 1980s (CCI 1990). More and more of New York’s low-income families had to rely on exclusively private means to meet their child care needs.

In addition to funding cuts, the Reagan administration sought to use public dollars to further expand the private child care market, privatizing social services by marketizing their delivery. To this end, the federal government passed legislation permitting the states to use federal funds for child care voucher programs (Interview 8).<sup>60</sup> Federal regulations governing social service provision previously mandated states to spend federal dollars on either state-owned and operated child care centres or for contracts for child care spaces with selected not-for-profit providers (Meyers 1990). In the name of “parent choice”, federal policymakers ended these restrictions and encouraged states to expand what had previously been very small child care voucher programs (see Savas 2002). The move

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<sup>60</sup> This shift entailed a change to Title XX of the Social Security Act of 1935, which provides for funding for social services through the Social Services Block Grant. Under Reagan, states were more discretion in the use of SSBG funds. Each State determines what services are provided, who is eligible to receive them, and how funds are used.

reflected the neoliberal emphasis on decentralization, deregulation, and privatization, and “profoundly altered public financing for child care” (Meyers 1990: 562). At the local level, privatization was accompanied by “a reduction in child care standards, monitoring and enforcement” (Meyers 1990: 567).

In New York City, these changes had the intended effect. In 1984, the city introduced child care vouchers for low-income families. ACD cited efforts to make child care coverage available in neighbourhoods with few or no daycare programs, and with cuts to federal child care funding, the agency sought to maintain service levels (Interview 8). For the city, vouchers were one way containing both capital (building maintenance etc.) costs and labour costs. Public dollars would be increasingly channelled away from the city’s unionized, centre-based daycare programs.

While the number of vouchers offered by the city was initially small, ranging from 1,000 to 1,500 annually (McCall 1997), it marked an important shift in how the city dealt with rising demand for child care. During the welfare state expansion of the 1960s and early 70s, child care funds went into new contracts with non-profit child care providers, expanding centre-based care in poor neighbourhoods. Vouchers on the other hand could be used to purchase services from for-profit centres, family daycares, or unlicensed informal child care, representing a fundamentally different way of meeting low-income families’ child care needs. The new emphasis on vouchers stood to erode the child care system founded in the New Deal, saved in the post-war period, and expanded during the 1960s and ‘70s.

However diminished, New York City’s public daycare centres weathered Reagan’s cuts. While voucher use expanded as a percentage of overall subsidies, unlike other cities, New York continued to contract with non-profit agencies for the provision of daycare services (arrangements that had been in place since the war). In the few big cities that had managed to hang onto to their New Deal and wartime day nurseries, and expand child care programs in the 1960s, vouchers marked the end of this model of service delivery

(Interview 21). While battered by years of cutbacks, New York's system of quality, centre-based, unionized daycare programs stood alone in the country.

### *Child Care and the Family Support Act*

Reagan was elected in part on racially coded promises to end “welfare dependency” and restore the “work ethic” (see Piven and Cloward 1985). Although the proportion of single mothers on welfare had declined significantly since the early 1970s, and remained steady since 1980, the forces calling for more widespread reform were not satisfied with the draconian measures of the OBRA (Piven and Cloward 1985). In 1988, the US Congress passed what was arguably the most important welfare reform legislation since the Social Security Act of 1935 created ADC (Katz 2008: 57). The Family Support Act (FSA) transformed welfare from an “income maintenance program designed to help single mothers stay home with their children into a mandatory work program designed to channel welfare recipients into the low wage labour market” (Rose 1990: 18).

The FSA expanded federal requirements for states to shift their welfare caseloads into work-related programming and increased obligations on welfare recipients to work in subsidized and unsubsidized jobs, enter job training, or enrol in education (Peck 2001: 97).<sup>61</sup> The legislation also increased state discretion in the design of welfare-to-work programs, provided they met federally set participation requirements of 7 percent of their welfare caseload by 1991 and 20 percent by 1996 (Collins and Goldberg 2004). States were threatened with funding cuts if they failed to meet these targets. In states such as New York, where counties and municipalities had always maintained a significant degree of autonomy in program design and delivery, devolution gave more room for New York City to experiment with workfare (Krinsky 2007a).

The FSA also marked a shift in the definition of employability for poor mothers. Work-related activities were now *mandatory* for welfare recipients whose youngest children

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<sup>61</sup> This was done under the auspices of the new Job Opportunities and Basic Skills (JOBS) program.

were 3 years of age or older.<sup>62</sup> However, the federal government gave states the option to include mothers with children as young as 12 months (Naples 1991). In addition, all teenage parents were required to participate in a “learnfare” component regardless of the age of their children. The new rules and expectations raised the question of “who will care for the children of mothers engaged in welfare to work?”<sup>63</sup>

The FSA revisited the paradox of cost-cutting welfare reforms that required public investment in child care to be successful.<sup>64</sup> To meet rising demand for child care services, the FSA required states to provide subsidy for up to one year for families transitioning from welfare to paid work, known as Transitional Child Care (TCC). In addition, states were required to guarantee child care to welfare mothers participating in training or education programs approved by the state under another federal program, called AFDC-Child Care. Under both programs states were authorized to operate their own daycare programs or issue grants and contracts with private agencies. But in keeping with the reforms of the OBRA, states were also authorized to provide parents with vouchers or even cash for child care (Besharov and Samari 2001: 196).

Despite these policies, a significant increase in federal child care funding was not forthcoming and by 1990 TCC and AFDC-Child Care programs were limited to such an extent that the implementation of the FSA was at a virtual standstill in many states. As a result, local welfare bureaucracies exempted many welfare recipients with children younger than school age from welfare to work (Levy and Michel 2002: 244). A growing

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<sup>62</sup> Down from 6 years of age under the previous major welfare reform legislation, the Work Incentive Program or WIN passed in 1969.

<sup>63</sup> Policymakers argued that these expectations mirrored those facing other women: according to Lurie and Sanger (1991: 48), “Given the labor-force participation among mothers with young children in the country as a whole, Congress felt similar expectations for welfare mothers were appropriate.”

<sup>64</sup> As Levy and Michel (2002: 256) point out, the very political forces that were intent on reducing welfare rolls were also opposed to expanding government services like child care, which encouraged maternal employment.

number of participants were placed on child care waiting lists, which grew rapidly as a rising number of working poor mothers were also applying for subsidized child care.<sup>65</sup>

The lack of federal funding for the FSA meant only a small fraction of welfare mothers actually participated in locally administered workfare programs (Katz 2008: 75).

However, the failure to adequately fund child care should not be understood as a failure of welfare reform. If the goal was to reduce the welfare rolls and discipline poor mothers into the labour market, the FSA was a success. As benefits became stingier and states were emboldened to make life on welfare more difficult than it already was, workfare participants and welfare leavers were often reliant on kith and kin for the care of their children (Levy and Michel 2002: 244).<sup>66</sup> The neoliberal state continued to shift costs of and responsibilities for care work onto low-income families/households and communities.

Despite the child care rhetoric that accompanied the FSA, almost all of the increases in child care spending during the Reagan administration went to middle- and upper-income families (Michel 2004). Forms of indirect child care support to these families, in the

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<sup>65</sup> The FSA exposed other paradoxes at the intersection of welfare and child care policy: For instance, a shortage of public transportation in low-income areas, a lack of child care options available during non-traditional hours of work, or child care that was flexible enough to accommodate part-time JOBS participation hours, were all be barriers to securing adequate child care arrangements. Most day care centres would only enroll children on a full-time basis and few were open during non-traditional hours. These facts would later be marshalled in the argument for the expansion of vouchers under TANF and the expediency of family day care and informal care. See Levy and Michel (2002).

<sup>66</sup> This policy tilt was also evident in the FSA's focus on 'marriage promotion', also a precursor of TANF. These measures sought to reassert patriarchal norms and 'traditional' family forms in keeping with conservative claims that overly 'generous' welfare payments and ease of access to AFDC had led to the breakdown of two parent families, African-American families (Katz 2008). The measures included a requirement for states to establish paternity and garnish the wages of non-custodial parents (Collins and Goldberg 2004: 83). Under the FSA, women were subject to new rules which forced them to identify the fathers of their children as a condition of receiving assistance and employers were required to withhold child support payments from the pay checks of absent fathers. However, like other aspects of the FSA, implementation of child support policies varied from state to state (Katz 2008: 74-75).



form of tax incentives and deductions increased, stimulating the growth of for-profit child care (Michel 2004: 156). In contrast, by the end of the decade, only 18 percent of low-income families used child care centres or preschools, with family, friends, and neighbours the most common source of child care (Levy and Michel 2002). According to Michel (1999: 259-64), this meant a large percentage of children were in unlicensed home settings, possibly under inadequate safety conditions, and with limited educational and developmental opportunities.

### *The Family Support Act in New York City*

Under the FSA, New York City initiated a welfare-to-work program, Begin Employment Gain Independence Now (Krinsky 2007). As previously mentioned, New York State has traditionally given local districts considerable discretion in designing and managing their employment and training programs. This continued under the new legislation as the city took a more workfarist approach and increasingly relied on sanctions, not employment, to reduce welfare grants (Lurie and Sanger 1991). Still reeling from the fiscal crisis, policymakers saw the reduction of New York's welfare caseload as vital to the health of the city's finances (Moody 2007).

Child care played an important role in the design of BEGIN. As welfare mothers without adequate child care arrangements could be exempted from participation under FSA regulations, how child care was secured had a significant impact on the compulsion welfare recipients felt to participate in the program (Lurie and Sanger 1991). According to Lurie and Sanger (1991: 60), New York City and State welfare bureaucrats "debated over how much the burden of finding and choosing satisfactory child care should rest with the client and how much compulsion there should be to accept any available arrangement."

As this discussion indicates, the city's welfare bureaucracy saw child care as a tool to discipline AFDC clients into accepting low-wage employment and federal regulations guaranteeing parent choice in child care as a potential barrier to welfare-to-work

programs. As pressures to slash the welfare rolls intensified, developing front-line practices that restricted a recipient's child care options and limited their choices could function to push poor mothers into workfare or low-wage employment. These discussions would inform the practices of the city's welfare bureaucracy under TANF.

*Mandating Marketization and the Rise of "Parental Choice": Child Care and Welfare in the Early 1990s*

Despite the shift towards workfare, the Family Support Act did not have the drastic impact on the welfare rolls that policymakers had anticipated (Quadagno 1994). For many, the law's failure to move welfare mothers into paid work demonstrated that "successful" welfare reform must include significant levels of public investment in child care. Without this key employment support in place, many policymakers argued, any attempt at far-reaching welfare reform was doomed to failure (Levy and Michel 2002).

With this in mind, Congress passed the Child Care and Development Block Grant (CCDBG) in 1990. The centrepiece of the CCDBG was a block grant allocating \$825 million to individual states for child care services. Yet while the rhetoric was promising, CCDBG did little to reverse the funding cuts of the 1980s (Michel 2004: 156).<sup>67</sup> In addition, the CCDBG marked further moves to deregulate and marketize public child care: under the legislation, a portion of child care dollars transferred to the states *had* to give parents the option of receiving a child care voucher with which they could purchase any form of child care, including unregulated, license-exempt care (i.e. informal care) or home-based family daycare (Besharov and Samari 2001: 196). Thus, unlike under the Family Support Act, in which states were *authorized* to provide child care vouchers, under the CCDBG the federal government made vouchers *mandatory*.

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<sup>67</sup> The legislation had four main components: expanded funding for Head Start; a new entitlement program that increased child care assistance for families deemed "at-risk" of welfare receipt, At-Risk Child Care; an expansion of the Earned Income Tax Credit designed to help low-income families with their child care costs; and the block grant (Michel 2004).

In essence, the CCDBG marked the deregulation and privatization of local and state child care programs from above. As mentioned previously, by the late 1980s, fewer and fewer states and cities could offer parents the option of child care in a non-profit, regulated, centre-based setting. Informal child care and family daycare had become the default “choice” for many of the nation’s poor families (see Levy and Michel 2002). And while the portion of funds subject to these new regulations was initially small, by 1997 nearly half of all federal child care dollars fell under the “parental choice” requirement (Besharov and Samari 2001).

Combined with welfare reform, these changes would increase the proportion of public dollars flowing to the home-based sector of the child care market. For the neoliberal policymakers and powerful think tanks pushing these measures, the CCDBG was a victory, further introducing market forces into a key program of the post-war welfare state, and encouraging competition among for-profit child care providers. In the words of researchers affiliated with one such think tank, the legislation marked the end of government “instructing parents on how to care for their children” (Besharov and Samari 2001: 217).<sup>68</sup>

### *The CCDBG in New York City*

The impact of the CCDBG in New York was gradual but significant. The number of child care vouchers issued by the Agency for Child Development grew from between 1,000 and 1,5000 annually (from 1984 to 1990) to 12,660 in 1995, just six years after the passage of the law (McCall 1997). Not all child care advocates were opposed to vouchers: vouchers made child subsidies available in neighbourhoods that did not have publicly-funded daycare programs and therefore stood to benefit families in underserved

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<sup>68</sup> Child care vouchers were concomitant with the Reagan and Bush administrations’ broader emphasis on decentralization, deregulation, and privatization. Voucherization was increasingly tied to federal funding in a range of programs such as education and housing, reflecting the broader neoliberal shift toward private responsibility for social reproduction.

low-income communities (Interview 21). Thus, even for advocates of high-quality public child care, in the neoliberal context of a municipal child care system battered by years of underfunding, vouchers held a compelling logic.

Yet the federal mandate for “parental choice” would contribute to a fundamental reshaping of New York City’s child care system, perhaps far beyond what advocates expected. As a harbinger of this change, up until 1994 ACD had prohibited the use of child care subsidies for informal child care, reflecting its commitment to developmentally appropriate child care and strong regulations. However, the agency was forced to change this practice after the passage of the CCDBG (Interview 21). Parents could now use vouchers to purchase care in unregulated settings such as the homes of family, friends, or neighbours. The city’s commitment to high-quality, centre-based child care programs, undermined by a decade of neoliberal austerity, had suffered yet another blow.

## **6. Conclusion**

This chapter set out to elevate the contextual embeddedness of neoliberal restructuring and resistance in Giuliani-era New York by highlighting its historical context. I have explored how popular struggles over the social organization of care work—as part of broader struggles over social reproduction—shaped the historical development and character of New York City’s post-war welfare regime. The chapter also situates contemporary struggles at the intersection of welfare and child care, discussed in Chapter Four, within a long tradition of struggles by working class women, and especially working class women of colour, over welfare, child care, and the value of women’s care work. Finally, the chapter has illustrated how neoliberal restructuring has created crisis tendencies in social reproduction for poor and working class families/households in New York City and detailed contested state efforts at their mediation.

From the post-war campaign to save public day nurseries and the efforts of the United Parents’ Association, to the fight for universal child care in the early 1970s, working class women’s activism played a central role in fostering New York City’s child care

exceptionalism. While the principle of child care as a social right was never realized, between 1945 and 1975 New York built the largest public child care system in the nation, one recognized for its commitment to high quality, centre-based programming delivered by non-profit community agencies. By the late 1960s, the women on whose labour this system rests had formed a union and struck for three weeks, part of the wave of municipal unionism that swept New York. The city's daycare workers came to set national standards for wages and working conditions in the child care sector. While never fully breaking from the liberal-residualist model of child care provision, in its combination of affordable, regulated, quality child care with quality care work, New York's municipal child care regime reflected the city's social democratic ethos.

Like New York's daycare workers, the women of the welfare rights movement demanded their care work be socially recognized and economically valued, while also insisting on access to public child care services and decent wages for women working as professional child care providers. Against the backdrop of the civil rights movement and widespread urban unrest, poor women of colour claimed a right to public assistance on the basis of the work of raising and caring for their children. The militancy of welfare rights activists contributed to the liberalization of welfare policy in the late 1960s and early 1970s, as thousands of New York's poor single mothers gained access to the city's welfare rolls. Overall, the women of the welfare rights movement demanded access to benefits and services long enjoyed by working class white New Yorkers. In response to their demands, the state extended social citizenship entitlements to poor women of colour.

These movements—welfare rights, care worker unionism, and the child care movement—were part of broader struggles over social reproduction that shaped the distinct trajectory and character of New York City's welfare regime. From the era of the New Deal to the Great Society, popular struggles pushed the city government to underwrite more of the costs of and responsibilities for social reproduction than any other municipality in the US. Supported by federal funds, but also dependent on the local tax base, New York's "urban social democracy" came to include a wide range of social welfare programs and social services. Yet the fiscal crisis of 1975 revealed the escalating

contradictions inherent in the city's social democracy and in Fordist-Keynesian capitalism more broadly. This crisis was quickly seized upon by political and economic elites as an opportunity to roll back the gains of popular struggle, contain the power of social movements and municipal unions, and increasingly shift costs of social reproduction away from the state and onto families/households and communities.

With the election of Ronald Reagan, the neoliberal practices pioneered in response to New York's fiscal crisis were elevated to the national scale. The Reagan administration drastically cut aid to cities, reduced funding for social welfare programs, and passed welfare reforms that tied benefits to participation in welfare-to-work programs, while at the same time failing to provide poor mothers with requisite child care supports. Reflecting the broader neoliberalization of social policy, when the federal government did provide limited investment in child care supports, funding was framed by a neoliberal rhetoric of "parent choice" and tied to demand-side subsidies such as vouchers. In place of the direct delivery of child care services by local government, the voucherization of child care reflected the marketization and privatization of urban social services more broadly.

And yet despite more than a decade of neoliberal restructuring, by the early 1990s many of the institutional legacies of New York's social democratic welfare state remained, however diminished. Welfare rights struggles had contributed to making public assistance comparatively more accessible in New York than in other locales: by 1993, the city remained home to one in ten of the nation's welfare recipients (DeParle 1998). Poor New Yorkers continued to have access to a range of social welfare services and supports that were not available elsewhere. Furthermore, whereas most municipal child care systems had withered away after successive rounds of retrenchment—the legacy of wartime childcare all but erased—thanks to the resistance of the city's child care movement, New York's publicly-financed daycare programs had weathered the neoliberal storm. As for the city's municipal unions, while fighting mainly defensive battles, unions such as Local 205 Day Care Workers remained influential actors in local politics, and continued to defend public services and protect the wages and working

conditions of their members.

These were the institutional legacies of popular struggle at which the Giuliani administration's project of neoliberal restructuring took aim. For the political and economic elite who had driven the neoliberalization of New York, the city's social programs remained too generous, its taxes too high, and its public sector unions too powerful. In an era of neoliberal rule, New York was a reminder of politics done differently. As presidential candidate Bill Clinton campaigned on a promise of "ending welfare as we know it", Republican politician Newt Gingrich (1992) said of New York: "the malignant combination of machine politics, bankrupt welfare statism, and rapacious unionism ... is contributing to the slow-motion suicide of the once world's greatest city."

Against the backdrop of federal welfare reform, thousands of the city's poor single mothers would soon be called into a notoriously punitive workfare program, one designed to push them into the lower reaches of the labour market, heightening the need and demand for non-parental child care. As welfare reform escalated the city's child care crisis, the neoliberal preference for privatization and a militant anti-unionism would combine as a new mayoral administration sought to provide social services "on the cheap". It is to these reforms and their impact that the dissertation now turns.

## CHAPTER THREE

### “BUT WHO WILL CARE FOR THEIR CHILDREN?” WELFARE REFORM AND THE NEOLIBERAL RESTRUCTURING OF CHILD CARE IN NEW YORK CITY, 1994-2005

“The new social contract with welfare recipients will require many more mothers to take jobs. But who will care for their children while they work?” – Editorial, *New York Times*, October 21 1996

“In the Bronx, a city caseworker searching for licensed baby sitters finds only six names in her computer, and all six have let their certification expire. She prints the useless list for a welfare mother with worried eyes and says, ‘You’ll just have to do the best you can.’ In Brooklyn, a harried caseworker refuses to even hunt for openings, offering her welfare clients an outdated child care directory instead. But of the providers listed in Brownsville, where nearly 900 children need care, the only two available centres have room for 15. And in Queens, a caseworker nods impatiently as a nervous mother ticks off the twelve places she has called, none of which could watch her baby son. But instead of excusing the mother from workfare, the caseworker leans across his desk and threatens her, slowly and deliberately and in violation of state law. ‘They’re going to reduce your benefits if you can’t find anyone,’ says the worker, Anthony Sweeny. ‘Can you survive on less money? No? Well, you have to find somebody—a neighbour, a friend, somebody. You have 10 days. No more excuses.’”<sup>69</sup>

“If a welfare mother went and looked at a daycare program suggested by her caseworker and came back and said ‘I’m not happy with it, I don’t like their philosophy’, well they’d just be laughed out of the welfare office.” – New York City welfare rights organizer

“Choice suggests the opportunity or privilege of choosing freely.” – Webster’s Collegiate Dictionary

#### **Introduction**

Prior to welfare reform, New York City had a shortage of affordable, quality child care (see CCI 1990, 1994). Since the 1970s, the erosion of the family wage and decline in the real value of welfare benefits saw growing numbers of the city’s poor and working class women enter the labour force. Despite boasting the largest municipal child care system in the nation, the supply of child care has not kept up with rising demand. As illustrated in the previous chapter, austerity policies worked to limit families access to subsidized child care, put downward pressure on care quality and standards, and negatively impacted the wages and working conditions of the city’s daycare workers. As one of New York’s leading child care advocates put it, “long before welfare reform, the city had a child care crisis” (Interview 8).

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<sup>69</sup> From Swarns (1998: A1) investigative report into welfare reform and child care in New York City.



As welfare reform dramatically increased need and demand for child care—escalating the care crisis—the City of New York revisited a classic neoliberal dilemma over welfare-to-work: its failure to adequately fund child care provision threatened to undermine the very transitions into work it sought to encourage (see Peck 2001: 251).<sup>70</sup> As thousands of poor single mothers entered workfare programs and the lower reaches of the labour market, the question “who will care for their children?” was thrust to the forefront of New York City politics.

In this chapter, I argue that under the administration of Mayor Rudolph Giuliani, New York City’s effort at mediating the child care crisis was grounded in overlapping and mutually reinforcing strategies of privatization, which shifted costs of and responsibilities for child care onto low-income families/households and communities, and especially the women within them. The primary outcome of these strategies was the expansion of the home child care market in which a precarious workforce provided publicly-subsidized care services “on the cheap.” Prior to welfare reform, only a small number of home child care providers—disproportionately women of colour in the city’s low-income neighbourhoods—received public dollars to care for the children of welfare recipients engaged in welfare-to-work programs. Welfare reform saw the ranks of these providers expand dramatically as they became a key workforce in the city’s neoliberalizing welfare state.

I map the development and analyze the impact of the Giuliani administration’s policies at the intersection of welfare reform and child care, making my argument in five sections. In the first section of the chapter, I sketch the contours of “actually existing neoliberalism” in New York, providing a brief overview of the Giuliani regime, its ideological orientation and approach to urban governance. While occurring against the backdrop of

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<sup>70</sup> Between 1995 and 2003, the city slashed its welfare rolls by just over two-thirds—or 222,973 cases—with an estimated 450,000 children leaving welfare over the space of eight years. Yet at its post-1995 peak in 2003, New York City’s publicly funded child care system served only 98,158 children (CCI 2004). Over this period the average number of people per caseload was approximately three (a parent and two children). 1995 marked the postwar peak of New York City’s welfare caseload (Krinsky 2007a).

federal welfare reform, the city's response to the child care crisis is best understood as one component of a broader project of urban neoliberalization in which the Giuliani administration transformed the local state through processes of deregulation, privatization, and retrenchment, shifting public services to unpaid work in families/households, to the third sector, and to the market to provide for a price. In this, the administration sought to dismantle the institutional legacies of New York's urban social democracy and curb the power of municipal workers and their unions.

In section two, I analyze the administration's child care policies prior to municipal and federal welfare reform.<sup>71</sup> In his first two years in office, Giuliani marketized municipal child care services through the expansion of a previously small voucher scheme. The Agency for Child Development was instructed to permit the use of child care vouchers for informal care, reneging on its historical commitment to quality, centre-based care. Furthermore, the Giuliani administration cut child care funding overall and closed a number of unionized city-run daycares, cutting capacity in the regulated child care sector and putting downward pressure on daycare workers' wages and working conditions.

In the build up to federal welfare reform, civil society groups and the city's own child care taskforce warned that an aggressive welfare-to-work agenda would intensify New York City's child care crisis. In the third section of the chapter, I discuss the findings of these reports and analyze the Giuliani administration's response. The reports documented the city's increasing reliance on informal, home-based child care providers in the years leading up welfare reform and questioned the reliability, safety, and quality of unregulated care. The administration responded to critics with a neoliberal rhetoric of child care "choice", insisting that poor families preferred informal child care. As these reports make clear, the administration made no effort to expand the centre-based child care system and provide families with a range of flexible, responsive, and inclusive child care options.

As predicted, the federal welfare reform act of 1996 dramatically escalated need and

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<sup>71</sup> The former predated the latter by one year (see Krinsky 2007a).

demand for non-parental child care. For the Giuliani administration, putting children in the care of “family, friends or neighbours”, i.e. home-based informal care, proved the quickest and cheapest route to moving welfare mothers into workfare and paid employment. However, contrary to the claims of the administration, welfare recipients did not overwhelmingly prefer this type of child care, and furthermore, their right to choose among a variety of child care options was protected in New York State and federal welfare laws. To overcome these barriers, the city’s welfare bureaucracy engaged in the systematic violation of welfare recipients’ legislated child care rights. In the fourth section of the chapter, I detail the policies and front-line practices that were in large part responsible for welfare mothers’ high reliance on informal child care in the wake of welfare reform.

In addition, the city’s welfare administration employed practices that stigmatized and deterred welfare receipt, including the public shaming of workfare participants, excessive requests for personal information, cumbersome and deliberately confusing application and appeals processes, and mandatory drug testing (Krinsky 2007a). These “rituals of degradation” (Piven and Cloward 1971) had the effect of both deterring poor people from applying for welfare and pushing existing recipients off the rolls. Diverted from welfare, thousands of poor mothers eligible for cash assistance and therefore guaranteed a child care subsidy, did not gain access to them. These families were forced to rely on exclusively private means to meet their child care needs.

In the fifth and final section of the chapter, I document the municipal retreat from child care funding in the years following federal welfare reform. Rather than keeping city dollars in the municipal child care pot and investing in improvements in quality and access, the Giuliani administration cut its child care budget as federal and state funds flowed into city coffers. This reversed the post-war trend of strong city government support for municipal child care services. From 1996 onwards, federal and state funds increasingly supplanted municipal child care dollars, further demonstrating the administration’s lack of support for quality, affordable, child care, and preference for privatized solutions to the child care crisis.

## 1. “Actually Existing Neoliberalism” in Giuliani’s New York

In November of 1993, Rudolph Giuliani, a neoconservative Republican, won New York City’s mayoral election. He succeeded David Dinkins, a liberal Democrat and the city’s first African-American mayor. While Dinkins had promised a more socially just New York—emphasizing community development, economic opportunity, and racial justice—his administration was effectively “disciplined by a resurgence of elite mobilization aimed at safeguarding the city’s neoliberalization” (Brash 2011: 31). In the context of this opposition, and the recession of the early 1990s, Dinkins adopted a more “market-friendly” approach to urban governance. As a result, his administration failed to provide progressive solutions to a number of social crises wrought by neoliberal policies, most notably sharp rises in homelessness, street crime, and public disorder (Vitale 2008). According to Vitale (2008), Giuliani’s electoral success represented a reaction against the perceived failures of urban liberals to resolve these crises and mitigate their impact on New Yorkers’ quality of life.

Giuliani’s electoral coalition consisted of conservatives, disaffected upper and middle-class liberals, and enough outer-borough Jewish and white working-class Democrats to secure a narrow victory over Dinkins (Moody 2007: 127-132). The first Republican mayor of New York in thirty-odd years, his campaign had the overwhelming support of the city’s ruling class, including the backing of banking, insurance, and real estate interests, and the endorsements of all three of the city’s daily newspapers (Brash 2011). As New York struggled to recover from recession, Giuliani’s austerity agenda and promise of fiscal responsibility was heralded by economic elites, including the Wall Street bond-rating agencies that had become powerful agents in the neoliberalization of New York since the fiscal crisis of 1975 (Hackworth 2007: 33-36).

### *Transforming the Urban Welfare Regime*

Politically, the Giuliani administration sought to roll back what remained of New York’s Fordist-Keynesian welfare state and roll out a punitive, neoliberal workfare state (see

Wacquant 2009a, 2009b).<sup>72</sup> Backed by neoliberal think tanks, such as the influential Manhattan Institute, and bankrolled by the city's corporate elite, Giuliani sought to continue the neoliberal counterrevolution in New York, shrinking the size and scope of local government and restructuring the institutional legacies of New York's urban social democracy along neoliberal lines (see O'Connor 2008).

Many of the administration's social policy measures were introduced under the guise of a campaign to improve New Yorkers' "quality of life" (Vitale 2008). Giuliani took a "zero-tolerance" approach to the behaviours of the so-called "urban underclass", manifest in aggressive policing tactics targeting marginalized populations; especially the homeless, sex workers, and Black and Latino youth. The street life of these populations was said to be undermining the quality of life of "average New Yorkers" and harming the marketability of the city abroad (Vitale 2008). Social services for these most marginalized segments of the urban poor were cut and new methods of social control—such as strict by-law enforcement around loitering, sleeping in public spaces, and graffiti writing—were rolled out in their place (see Wacquant 2009a).

Welfare recipients featured prominently in the new mayor's urban imaginary. In his 1993 and 1997 election campaigns, welfare reform was a key plank in Giuliani's platform, employed to rally the support of white working class New Yorkers (traditionally Democrats) to the business-friendly agenda of a Republican mayor (Freeman 2000). Harkening back to the fiscal crisis of 1975, Giuliani publicly denigrated the city's "welfare dependent" poor and blamed public assistance programs for New York's fiscal ills. Lacking "personal responsibility" and "individual initiative", welfare recipients were contrasted to the city's "hard-working taxpayers" (see Krinsky 2007a). In a major mayoral address on welfare, Giuliani promised to "restore the work ethic to the center of city life and transform New York City from the former welfare capital of the world to the work capital of the world." As he proclaimed in a 1998 town hall meeting, "I want to be

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<sup>72</sup> According to Wacquant (2009a: 10), under Giuliani's tenure, New York became a "crucible for the new penal reason", bringing together "stingy workfare" and "generous prisonfare" which together constituted "a single organizational contraption to discipline and supervise the poor under a philosophy of moral behaviourism."

remembered as the man that took a city of dependency and made it into a city of workers!” (qtd. in Cole 2006).<sup>73</sup>

The administration blended a neoconservative approach to family and community life—elevating the (white) hetero-patriarchal family while emphasizing law and order, public civility, and personal responsibility—with a neoliberal preference for market solutions to problems of urban governance (Vitale 2008). A key element in the transformation of the local state was the embrace of strategies to reduce the cost and size of government through deregulation, privatization, and managed competition for public services (see Weikart 2001; O’Connor 2008; Cooke 2008). In the language of neoliberalism, the mayor aimed to improve public services by dissolving state monopolies and introducing competition and “choice” for the “clients” of services (Savas 2002).<sup>74</sup>

To this end, Giuliani implemented *over eighty* privatization initiatives over his two terms in office, including the contracting out of city services and the sale of city-owned assets (Cooke 2008; emphasis added).<sup>75</sup> In social welfare, the city contracted out services to

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<sup>73</sup> Neil Smith (1998) has characterized the Giuliani regime as a form of “urban revanchism”. For Smith, the mayor and his allies sought “revenge” against the public enemies of New York’s “bourgeois elite”, namely people of colour, feminists, sex workers, gays and lesbians, anti-poverty advocates, welfare mothers, squatters, the homeless, and left-wing academics. All of these groups were understood to be associated with New York’s progressive political culture and the city’s social democratic leanings. They were deemed responsible for the city’s fiscal and social “excess” and “duly execrated for having stolen New York from a white middle class that sees the city as its birthright” (Smith 1998: 1). Giuliani singled out two academics for particular scorn: Frances Fox Piven and Richard Cloward’s “flood-the-rolls, bankrupt the cities strategy”, as conservatives called it, was deemed responsible not only for New York’s welfare explosion in the 1960s and early 70s and the city’s ‘culture of welfare dependency’, but ultimately the fiscal crisis of 1975. Of course, this represented a gross perversion of the strategic impetus behind what was essentially a strategic plan to end poverty developed by two activist scholars committed to welfare rights (Schram 2002: 66-69).

<sup>74</sup> Such reforms had been implemented under the Reagan administration and according to Weikart (2001) Giuliani dedicated his time in office to bringing the “Reagan realignment” to New York.

<sup>75</sup> This included: the contracting-out fleet management in the Parks and Recreation Department and custodial work at public schools; franchising private ferries; divesting radio and television stations; crafting a public-private partnership for new school

private providers in home health care, homeless shelters, and employment training. Voucher programs were introduced and/or expanded in a wide range of services, including child care, public housing, education, employment, and homeless services (see Weikart 2001). Welfare offices were converted into Job Centers and worked closely with private for-profit employment agencies mandated to assist welfare recipients with job search and skills development on a pay-for-performance basis (Krinsky 2006).

The restructuring of public services had a deleterious impact on the municipal workforce. Thousands of full-time positions were eliminated through layoffs and severance programs (see Cooke 2008). The cuts included front-line social service providers, with 21,000 jobs lost in the city's welfare bureaucracy alone (Moody 2007: 132-133). Municipal labour costs were also lowered by the contracting out of: custodians in public schools; security guard services; vehicle maintenance; data-entry services; tax billing; medical labs in the public health department; road resurfacing; and a host of other public functions (see Savas 2005). In some city agencies, such as the Parks Department, municipal employees were replaced with workfare participants, slashing the city's payroll while weakening public sector unions (see Weikart 2001; Krinsky 2006).

This restructuring disproportionately impacted African Americans who had gained access to public sector employment in the 1970s and 1980s, and black women in particular, who were concentrated in social service jobs. Given some of the shared characteristics of home health care and home child care work, including as a site of employment for women of colour, Giuliani's approach to the city's home care program is instructive. In 1993, over 67,000 unionized home care attendants were employed in New York City's \$1.2 billion home care program (Ness 2009). The program provided care to home-bound people needing assistance with daily activities such as dressing, bathing, and taking medicine. These services were covered under the federal Medicaid program—overseen by the state and city—and jointly funded by all three levels of government. The Giuliani administration argued the program was too generous and imposed costs that the city

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construction; and, privatizing the day-to-day production and management of Central Park (Cooke 2008).

could not afford (Ness 2009: 59). With the mayor's backing, New York State governor George Pataki cut home care spending by 30 percent, causing thousands of elderly and disabled New Yorkers to lose their eligibility for services, while thousands of unionized home care aides either lost their jobs or worked too few hours to support their households (Ness 2009: 93).<sup>76</sup>

On the fiscal side, the administration sought to lock-in such reforms by pairing welfare state restructuring with property tax reductions and ongoing subsidies to corporate and real estate interests—despite inheriting a \$2.3 billion deficit (see Moody 2007). Giuliani's fiscal approach effectively limited City Hall's capacity to spend on social welfare (Brash 2011: 37-39). Thus, as the local government withdrew from underwriting costs of social reproduction—raising tuition in the municipal university system by one-third, slashing the homeless services budget, gutting anti-poverty programs and related community services, and even making a failed attempt to privatize the city's public hospitals—the administration augmented capital accumulation with tax giveaways to big business (see Sites 2003; Brash 2011).

In sum, the restructuring of New York's welfare state was marked by an emphasis on privatization and market models of service delivery, a shift from redistribution to punitiveness, and overall shifting of costs of and responsibilities for social reproduction onto families/households, the third sector, and the market to provide for a price. This transformation had markedly gendered and racialized impacts, with women—and particularly women of colour—disproportionately represented among both the beneficiaries and providers of welfare services. In the wake of these transformations, low-income families, and the women within them, were left to pick up the social reproductive slack left by a retreating welfare state, intensifying their unpaid labour in the household and community. And as workers in the welfare state, women had to cope with

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<sup>76</sup> The city also alleviated itself of the responsibility of providing foster care payments for orphaned children by promoting adoption. Under Giuliani's tenure, the number of children in foster care (who were wards of the city) dropped by 12,000, and the number adopted rose by 21,000 (Savas 2005).



increasing levels of job insecurity and precariousness as the delivery of social services were contracted out to private providers, public sector jobs slashed, and the power of municipal unions weakened.

### *Political Opposition*

Despite a slim margin of victory in the 1993 election, political opposition to Giuliani's agenda was weak (Moody 2007). The reasons for this are two-fold: First, New York has a "strong-mayor system" in which the mayor has total administrative authority in a powerful executive branch of government. He/she is responsible for appointing the heads of approximately fifty city departments as well as several Deputy Mayors to head major offices within the executive (Berg 2007). Furthermore, in addition to setting the budgetary agenda, the mayor has veto power over legislation passed by city council, which can only be overridden by a two-thirds 'super majority'. This structure centralizes power in the mayor's office, giving the executive branch a great deal of influence over the direction of municipal government. Furthermore, Giuliani benefited from the strengthening of the mayoralty and weakening of council in the 1989 city Charter Revision. According to Krinsky (2007), this revision meant there was little effective legislative counterweight to mayoral initiatives.

However, the lack of effective opposition to the Mayor's agenda was not solely down to the structure of urban government but broader political dynamics as well. Although City Council had a Democratic majority, the neoliberal drift of the Democratic Party under Clinton, combined with Giuliani's public popularity, saw a number of council Democrats vote in favour of the mayor's bills. For example, the city council Speaker, a conservative Democrat, voted overwhelmingly with the mayor (Moody 2007: 144). As for opposition from organized labour, the city's unions were deeply divided (see Freeman 2000). Some traditionally conservative unions, such as those representing police officers, firefighters,

and the building trades, supported the mayor's agenda.<sup>77</sup> And for much of Giuliani's rule, the city's largest municipal employees union, District Council 37, was mired in a corruption scandal and under undemocratic and ineffective leadership (see Moody 2007; Krinsky 2007b).

Giuliani did not encounter much opposition from upper levels of government either. Both federal and state governments were ideologically aligned with the mayor on key policies.<sup>78</sup> The neoliberal Clinton administration worked with a Republican-controlled Congress to pass legislation that effectively facilitated the mayor's urban agenda; most notably, federal welfare reform and a series of anti-crime bills.<sup>79</sup> In addition, a number of federal urban policies, such as Clinton's "urban enterprise zones" and federal housing strategy, fit Giuliani's agenda of urban neoliberalization and an increased role for market models in the provision of public services (Hackworth 2007).

At the state level, Giuliani found an ally in New York's Republican governor, George Pataki. Pataki had been elected on a platform of resorting New York State's "competitiveness", attracting investment and creating jobs through a classic neoliberal mix of tax cuts and austerity. According to Duggan (2012: 31), any resistance to a neoliberal policy agenda in New York State was "largely swept from many state level

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<sup>77</sup> Police officers stood to benefit from Giuliani's law-and-order agenda while unions in the building trades supported the mayor's aggressive pro-development policies. See Moody (2007) and Freeman (2000).

<sup>78</sup> Actions by both the state and federal government impact New York City's budget, tax base and ability to raise its own revenue. There are few areas of public policy where the city can act alone without influence from the federal or state levels of government (Berg 2007: 13). In the US federal system, municipalities are creatures of the state. However, New York State employs the legal principle of home rule to grant local governments the limited power to run themselves. From the New Deal of the 1930s through to the New Society programs of the 1960s, the federal government directed funds directly to cities, bypassing states. Yet federal retreat from an urban agenda and a strict adherence to constitutional federalism has characterized the neoliberal era in the US (see Hackworth 2007).

<sup>79</sup> On the Clinton crime bill, Mayor Giuliani noted, "no one thing in this bill turns around the problem of crime ... but it helps us in every single area in which we have been doing things" (qtd. in Berg 2007: 107). Among other things, the bill provided a significant allocation of federal funds for the hiring of additional police officers.

institutions as downsizing and privatization, along with tax cutting and ‘welfare’ shrinkage became policy priorities.” While Pataki was liberal on social issues, supporting gay rights and a woman’s right to choose, he was a firm supporter of welfare reform. As evidence, New York State’s welfare reform bill, passed in 1997, ratified nearly all of Giuliani’s locally initiated reforms (Krinsky 2007).

In summary, at the federal and state levels, Giuliani found policy agendas closely aligned to his.<sup>80</sup> At the municipal level, the structure of New York City’s government and the rightward shift of the Democratic Party meant legislative resistance to the mayor’s agenda was weak. The city’s labour movement was divided and its most powerful municipal union mounted weak opposition to Giuliani’s centrepiece policy: workfare (see Krinsky 2006). As will be discussed in Chapter Four, at the intersection of welfare reform and child care, opposition to the mayor’s agenda was rooted in a diverse group of progressive civil society actors: community and welfare rights organizations, child care advocates, legal aid lawyers, and some union activists. However, these forces would have to navigate an unfavourable political opportunity structure that severely constrained the possibilities of collective action, discouraged social movement formation, and made difficult the advancement of a progressive policy agenda.

## **2. Closures, Cuts, and Vouchers: Child Care Policy Before Welfare Reform**

Ten months before Rudy Giuliani was elected mayor, and three years prior to federal welfare reform, four year-old Matthew Hintzen and seven year-old Terrance Fisher died in a fire in an unlicensed home daycare in Queens, New York (“Death and Day Care,” 1993). The daycare was run by 82 year-old Eleta Brown. Brown cared for up to six children or more at a time, charging parents just \$60 a week for her services. Hintzen and

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<sup>80</sup> Giuliani did face some opposition at the state level from Comptroller Carl McCall, a relationship that was “particularly partisan and conflictual” with the mayor accusing McCall of using his office to promote a partisan agenda. The Mayor ordered city agencies to stop sharing various types of information with the State Comptroller’s office. McCall, on at least one occasion, sued Mayor Giuliani in order to obtain information (Berg 2007: 64).

Fisher were found in the cellar, next to a pile of mattresses near a non-working smoke detector.

At the time of the tragedy, New York City was home to 178,000 children whose parents were in paid work and who were cared for outside of the home (“Death and Day Care,” 1993). The number of regulated child care spaces in the city—including private daycare centres, publicly-funded child care centres, and licensed family daycares—was 51,000, leaving 127,000 children “at risk in places that are too often unsafe and under-supervised” (“Death and Day Care,” 1993: A18). For every child under the age of three in a regulated child care setting, fifteen children were cared for in unregulated settings.

After the tragedy, *The New York Times* set about documenting what it called “Nannygate for the Poor” (Richardson 1993). Armed with statistics wrested from City Hall, the newspaper’s investigative reporters revealed the extensive use of unregulated child care by low-income New Yorkers and put a spotlight on the city’s burgeoning underground daycare industry. According to reports, subsidized child care served only 13 percent of eligible families. An estimated 25,000 daycare providers in New York’s low-income neighbourhoods operated without official oversight or licenses (Richardson 1993: 52).

In a scathing editorial, the *Times* criticized the lack of child care choices available to the city’s poor families and urged policymakers to do better:

If parents weren’t so desperate, they could demand more from their caregivers. If an understaffed City Health Department were better able to register, train and monitor caregivers, they would certainly be able to give more. “It doesn’t matter if they make \$500,000 or \$5,000,” a union official said about the Queens tragedy, “parents have to have child care.” True. But parents who make \$500,000 have the kinds of choices that the parents of Matthew Hintzen and Terrance Fisher did not have. (“Death and Day Care,” 1993)

As the editorial acknowledged, for moderate and low-income New Yorkers, choice in child care was a fiction; their choices constrained by their own economic realities and the city’s lack of quality, affordable, regulated child care.

By the time Rudy Giuliani was sworn in as mayor, the names of Hintzen and Fisher may not have been forgotten, but the call for investment in quality, subsidized child care services certainly was. Making good on a campaign commitment to marketize the city's social services, Giuliani announced a "tuition-voucher plan" for child care (Treater 1994). The mayor defended his plan to the public: the city could cut costs, serve a greater number of children, and give parents more "choice" by reducing child care subsidies to city-contracted centres and providing vouchers to parents instead (Treater 1994). The plan sought to shift the city's child care resources from maintaining buildings and operating programs—supply-side subsidies—to an emphasis on demand-side subsidies, i.e. vouchers, which would, in theory, increase parents' purchasing power in the child care market. The plan clearly framed child care as a private, not public, responsibility.

One of Giuliani's earliest and most outspoken critics, the city's Public Advocate, Mark Green, predicted the voucher plan would force the closure of a significant number of the 445 child care centres funded by the city: "While promising more choice and less bureaucracy," Green explained, "the proposal would actually provide less day care in poor neighbourhoods and less choice" (qtd. in Treaster 1994: 26).<sup>81</sup> As the city's child care advocates argued, public funding under the new scheme fell below the minimal operating costs for many child care centres. Vouchers were set at rates significantly below the real cost of child care in a centre-based setting. With direct public funding withdrawn in place of vouchers, capital and operating costs would have to be covered by increased user fees or co-payments for parents, many of whom could not afford to pay more than they already did. From the perspective of critics, it was clear that the new administration sought to increase the flow of public dollars to the private child care market, including to unregulated, license-exempt providers, while defunding the city's unionized daycare programs (Treater 1994: 26).

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<sup>81</sup> The Office of Public Advocate is a citywide elected position in New York City, which is first in line to succeed the Mayor. The office serves as a direct link between the electorate and city government, effectively acting as an ombudsman for New Yorkers by providing oversight for city agencies, investigating citizens' complaints about city services and making proposals to address perceived shortcomings or failures of those services.

Despite opposition from child care advocates, New York City Council adopted the voucher plan (Treaster 1994). It was a clear victory for Giuliani and his neoliberal vision for child care: while the Human Resources Agency had previously issued a small number of vouchers to welfare mothers transitioning to employment, for the first time in its history, the Agency for Child Development—with its historic commitment to quality, centre-based care—would now issue child care vouchers with no conditions on how they were spent. While ACD vouchers could be used to purchase care from regulated, non-profit providers, the more likely scenario was that they would increasingly be used for home-based family daycare and informal care (Kolben 1997: 2). The administration had effectively channelled public dollars away from the city’s unionized, centre-based child care infrastructure and towards the private child care market and its patchwork of low-cost, home child care. Public resources would increasingly flow to the least-regulated, least-trained, and worst paid sectors of the child care industry.

The introduction of Giuliani’s voucher plan came in the wake of a widely reported national study on home child care. According to the New York-based Families and Work Institute, home-based daycare “fails children even if by relatives” (qtd. in Chira, 1994: A20). The report was the first nationwide study of home child care in more than ten years and explicitly made the link between quality care and improved working conditions for child care providers: when providers had higher wages, better working conditions, job security, training, and education, the result was better quality care. In addition, the study directly confronted the neoliberal language of “choice” which surrounded debates about family daycare and informal care, noting that of those families relying on home child care providers, 65 percent said they had no other choice of care; 28 percent said they would prefer to use other care if it was available (Chira 1994).

### *From Vouchers to Closures*

A year after the city’s voucher plan was rolled out, and on the eve of federal welfare reform, Giuliani proposed the closure of nine of the city’s unionized public daycares. The closures added up to a potential loss of 1,900 quality, affordable, regulated child care

spaces (Hevesi 1995: B4). In the face of opposition, the administration reiterated the logic behind its agenda: closing centres saved on rent and capital costs, displaced children could be moved into other city daycares, and more parents would be provided with vouchers to pay for care in the private market. The claim that for-profit centres would accept vouchers was questioned by Public Advocate Green: “They [city hall] would give a voucher to a woman who could ‘spend’ it in a private daycare facility ... it’s hard to believe that a below-market voucher will enable low-income women to put their children in an expensive private facility in a different community” (qtd. in Hevesi 1995: B4).

At one of the city-run daycares targeted for closure, a low-income mother, who had recently transitioned from welfare to work, pleaded with the mayor to keep the facility open: “It took me twenty years to come off welfare and I refuse to go down that road again. Self-respect, self-esteem, and independence, because I’m a single parent, that’s what this center has done for me” (qtd. in Hevesi 1995: B4). The administration proved unconcerned that the realities of child care did not match up to its rhetoric of parent “choice”. Nor did it consider the shrinking number of spaces in the city’s publicly funded centres a threat to poor mothers’ abilities to transition from welfare into paid work.

These early policy shifts signalled the approach the administration would take as welfare reform rolled out the following year. By 1996, thousands of single mothers on welfare were being called into the city’s workfare program, putting massive pressure on New York’s publicly-funded child care infrastructure, with welfare leavers competing with working poor families for regulated child care spaces. The expansion of vouchers early in Giuliani’s term in office was clearly made with an eye to welfare reform. Indeed, as two supporters of the mayor’s child care policies put it, in expanding vouchers the administration sought to create “a responsive market for child care”, encouraging the entry of informal providers into the market, “increasing supply and improving parental choice during a period of sudden demand for child care services” (Besharov and Samari 2005: 1).

Under the ideological cover of “parent choice”, the city was expanding a low-wage labour market in which home child care workers would provide a necessary social service “on the cheap”. And in closing a number of the city’s publicly funded daycare centres, Giuliani had made clear his preference for the privatized delivery of social services and disdain for the unionized workers who had traditionally provided them.

### **“From a city of dependency ... into a city of workers!” Federal Welfare Reform and Child Care Rights in New York City**

“From 1960 to 1994, the work ethic was under attack in New York City. New York City viewed welfare as a good thing, as a wonderful thing. They romanticized it and embraced a philosophy of dependency, almost as if it’s better to have somebody on welfare than to help somebody to work.”  
–Rudy Giuliani<sup>82</sup>

#### *The Federal Context: PRWORA, TANF and the CCDF*

In the year following the New York daycare closures, President Clinton made good on his 1992 campaign promise to “end welfare as we know it.” White House negotiations with a Republican controlled Congress resulted in the passage of Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in the summer of 1996.

PRWORA ended any legally enforceable right of individuals to collect welfare under federal law, defined time-based benefit limits, and further devolved responsibility for welfare programming to state governments. In making these changes, PRWORA promised to cut federal expenditures by \$55 billion over six years (Bashevkin 2002: 74).

PRWORA replaced AFDC with TANF, a block grant to states that gave state and local governments broad flexibility in determining eligibility, methods of assistance, and benefit levels. Under TANF, adults can receive welfare benefits for a lifetime maximum of five years, allowing states to exempt up to 20 percent of their caseload for hardship reasons and to set shorter time limits if desired. Welfare recipients are required to begin work within two years of receiving welfare and 50 percent of single-parent families were to be working (i.e. engaged in paid work or eleven other work activities) thirty hours a

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<sup>82</sup> As quoted in Schram 2002: 66.



week by 2002.<sup>83</sup> PRWORA also eliminated federal aid and cash welfare for immigrants for five years after attaining citizenship (Peck 2001).

PRWORA introduced a series of measures designed to regulate the conduct of single mothers on public assistance. Lone mothers now have to disclose the paternity of their children, teenage parents have to live with an adult, and states are offered various incentives to reduce out-of-wedlock births without increasing abortion rates (Vosko 2002). PRWORA framed marriage as an institution that promotes the interests of children and the foundation of a healthy society (Vosko 2002: 169). The legislation emphasized responsible fatherhood and motherhood as essential to a child's wellbeing.

In sum, PRWORA told “the poor single mother that if she doesn't participate in a father-mother family, she surrenders her right to care for her children” (Mink 1998: 103), or as Vosko (2002) puts it, her options are “mandatory marriage or obligatory waged work.” In this vein, neoliberal welfare reform should be understood within the broader context of privatization as policy shifts such as PRWORA exemplify “the coincidence of social conservative and family values rhetoric and the neo-liberal goals of self-reliance in public policy” (Fudge and Cossman 2002: 4). As such, the TANF regime marked further retrenchment of the state in social reproduction, leaving families and the charitable sector to shoulder a greater part of the responsibilities for and costs of social reproduction (Fudge and Cossman 2002: 18; see also Abramovitz 2010).

PRWORA also involved a major reconfiguration of federal child care policy and funding streams. Four pre-TANF child care programs were merged into a single block grant called the Child Care Development Fund (CCDF). Prior to PRWORA, funding for three of these programs (serving AFDC families, families at-risk of requiring public assistance, and families transitioning from AFDC to work) was open-ended: states were required to

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<sup>83</sup> Under the new law, 25 percent of a state's adult AFDC caseload was to be working or engaged in work-related activities by 1998. This increased incrementally by 5 percent for a total of 50 percent participation by 2002 (by contrast, AFDC/JOBS required that percent of the caseload be enrolled in work-related activities at any one time).

put up matching funds in order to draw down federal dollars, but there was no maximum for how much they could access (Levy and Michel 2002: 250). Under TANF, the three categories of recipients were absorbed into the larger groups of those who are *eligible* for benefits under federal law but not *entitled* under state regulations, leaving these groups of recipients to compete for a share of limited child care funds with welfare “leavers”, who are typically granted the highest priority by states and localities (ibid.). However, only lone mothers entering workfare programs were guaranteed child care assistance in law.

Under TANF/CCDF, state-level decision-making became a key determinant of how much child care would be available and how it would be distributed. Need, state fiscal capacity, and fiscal effort, all factored into the availability and quality of child care under TANF. In addition, states varied on income eligibility limits, parent co-payments, and maximum payment rates to providers. And while states were given the option of using surplus TANF funds for child care as welfare rolls fell, not all have chosen to do so (Levy and Michel 2002).

According to the legislation, all children receiving CCDF services were to benefit from the health and safety requirements, consumer education, parental choice, and other provisions of the statute. Yet while all children under age thirteen in families with incomes below 85 percent of a state’s median income are eligible for child care services under the CCDF, in reality levels of funding have meant only a fraction of those eligible are actually served (Levy and Michel 2002: 247).

#### *The Local Context: Welfare Reform in New York City*

In 1995, New York City anticipated federal welfare reform by initiating the nation’s most ambitious work-first welfare program, making the city a workfare pioneer (see Peck 2001). Without waivers from the federal government, the Giuliani administration expanded an existing—but relatively small—municipal workfare program, the Work Experience Program (WEP), tightened eligibility procedures for new applicants, and introduced a strict sanctions regime to enforce compliance (Krinsky 2007a).

At the state level, New York's welfare reform process (bringing it in compliance with PRWORA) concluded in the summer of 1997. As New York City was home to over 70 percent of the State's AFDC caseload—and paid half the cost of the state's share of AFDC—state welfare reform was necessarily conceived with an eye to the city (CSWL 2001: 327). For the state to meet federal work participation requirements under TANF, and continue to draw down federal dollars, the city would have to drastically cut its welfare rolls. New York State's Welfare Reform Act (WRA) reproduced much of what was already on the ground in the city and extended it to the entire state. The Giuliani administration was successful in convincing the State to certify nearly all the parts of WEP (Krinsky 2007a: 158).<sup>84</sup> By mid-1998, New York City's TANF regime was fully operational.

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<sup>84</sup> In a post-passage press release Governor Pataki boasted of “defeating efforts to water down welfare reform” by: defeating attempts to unionize workfare participants; repealing a provision of law that would have required workfare participants to be paid higher, union-level prevailing wages instead of minimum wage; refusing to grant workfare participants government employee status, which would have given them all the benefits of public employment, including vacation time; turning back demands for more liberal definitions of disability in the Americans with Disabilities Act, a change that would have expanded exemptions from workfare; defeating other attempts to expand workfare exemptions; and repealed current law restriction that workfare participants have 20 hours minimum work per week to be eligible for workfare (NYSOG 1997).

Table 1.1

NYC AFDC/TANF CASELOAD BY YEAR

Year	# of Cases	# of People
1993	293,962	792,263
1994	312,127	842,246
1995	312,220	845,910
1996	293,303	794,876
1997	258,387	695,648
1998*	225,651	609,126
1999	202,764	556,158
2000	178,821	480,259
2001	153,239	403,013
2002	97,487	227,084
2003	89,247	202,425
2004	88,811	201,199

\*TANF

(Source: New York State Office of Temporary and Disability Assistance)

WEP was part of the broader welfare reform scheme known as Work, Accountability and You (NYC WAY). NYC WAY’s stated goal was to engage the entire welfare caseload in “activities that reduce dependency and increase employability”, a strategy known as “full-engagement” (Besharov and Germanis 2005: 146). Before 1998, the program was heavily reliant on public-sector work placements through WEP. WEP went from a program requiring just under 10,000 welfare recipients to be engaged in work-related activities—including education, training or job search—to one requiring up to 40,000 recipients to do work for city agencies and contracted non-profits (Krinsky 2007a).<sup>85</sup>

As Krinsky (2006: 158) notes, WEP was designed with “enormous disincentives to remain on welfare, and created more opportunities for the state to sanction—or cut off—welfare recipients’ grants.” In the year before Giuliani assumed office, 13.1 percent of recipients were thrown off the city’s welfare rolls for failure to comply with program requirements. Between 1995 and 1996 the rate more than doubled to 30.2 percent

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<sup>85</sup> No other jurisdiction had New York City’s level of commitment to workfare via public works programs. In other states and cities the fraction of the caseload in public works programs was about one percent; in New York City it was close to 50 percent. See Clark (2005: 177).

(Krinsky 2006). As the program expanded, WEP workers became increasingly noticeable around the city; sweeping streets, cleaning parks, and picking up trash while sporting bright orange vests. The Giuliani administration sought to publicly humiliate welfare recipients, thereby discouraging potential applicants from applying for public assistance.

However, as New York State and New York City moved to comply with TANF, WEP was scaled back and NYC-WAY became increasingly focused on job-search and rapid, “work-first” labour-force attachment by denying aid to new applicants until they had completed an initial job-search process and by emphasizing “diversion” from benefits (Krinsky 2007a). The 1998 arrival of Wisconsin’s welfare guru, Jason Turner, to the Human Resources Administration and the conversion of the city’s welfare offices into Job Centers marked this shift.

Two features of New York City’s welfare reforms are of particular importance for understanding the nexus of welfare and child care: the age of dependents at which a mother on welfare is deemed *employable* and subsequently called into welfare-to-work programming,<sup>86</sup> and second, welfare recipients’ *child care rights* under New York State and federal law.

#### *Determining the Employability of Lone Mothers*

Initially, NYC WAY was applied only to recipients of the state-funded general welfare program (known as Home Relief), who were by definition able-bodied childless adults and disproportionately men. Yet in March 1996, WEP expanded to AFDC recipients with a child over the age of three (Krinsky 2007a: 38). The BEGIN program under HRA’s

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<sup>86</sup> Under TANF, states (and in some instances, localities) have the option of exempting mothers with children twelve months or younger from work or work-related activities (Urban Institute 2008). Workfare regimes frame particular social groups—at least for certain time periods—as having a legitimate claim for non-participation: the elderly, the ill, those with severe disabilities, and those with very young children (Peck 2001). As illustrated in the previous chapter, and by recent research into TANF (Soss et al. 2011), employability is also racialized.

Office of Employment Services (OES) administered NYC WAY for AFDC recipients. Participants were assigned to a six-month, 20-hour per week WEP assignment, followed by four weeks of job search (typically 30 to 40 hours a week) at an approved employment services program. If the client had not secured employment at the end of the job search period, they were assigned another six months of WEP (Krinsky 2007a).

By the end of 1997, federal and New York State welfare reforms were fully implemented by the Giuliani administration (Krinsky 2007a). The city expanded its work requirements to include TANF parents with children three months or older. Despite massive shortages of infant and toddler care in the centre-based system, as well as growing pressures on the system overall as a result of WEP's extension to TANF recipients, the Giuliani administration chose not to exempt parents of children under the age of three months from work requirements.<sup>87</sup>

According to one of Giuliani's key welfare policy advisors, New York City (and by default, New York State) could not meet TANF participation mandates if it exempted recipients with pre-school age children (L. Mead, personal communication, June 12, 2009). Such a scenario would jeopardize the State's, and thereby the city's ability to draw down TANF funds from the federal government. However, according the Independent Budget Office (1998), due to the aggressive nature of the administration's work-first approach, by early 1998 city officials did not have to increase the number of welfare recipients enrolled in work programs in order to meet either federal or State mandates. Meeting these mandates was therefore not the primary reason for the city's punitive exemption policy.

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<sup>87</sup> 22 of 50 states exempted single parents from work-related activities if they cared for a child under the age of 12 months. Vermont was the most liberal of jurisdictions, exempting recipients caring for a child under the age of 24 months. New York City found itself in the company of traditionally conservative states such as Alabama, Arkansas, and Florida, and of course, the workfare pioneer, Wisconsin (see Welfare Rules Databook 1996-1999).

By 1998, Wisconsin welfare mandarin, Jason Turner, had been recruited by the Giuliani administration to head up HRA and oversee the city's welfare regime. According to Turner, New York's decision to consider welfare mothers employable when their youngest child was three months old had to do with "replicating, to the extent possible, the conditions and expectations of workers with those of recipients" (J. Turner, personal communication, August 29, 2009). Turner argued that for the working population, a three-month paid maternity leave "is usually the maximum companies provide, so we did the same ... After three months, mothers would be required to participate in activities up to 40 hours, the same as the working population" (ibid.).

As the next section will show, the administration was unconcerned by the city's shortage of infant and toddler care or the general lack of regulated, subsidized care to meet rising demand. An aggressive "work-first" approach for all but recipients with the youngest of children was intimately tied to the Giuliani administration's strategy to privatize the costs of and responsibilities for social reproduction by facilitating the expansion of informal and family daycare, partly through front-line practices which would push TANF mothers to either "choose" this care or divert them from public assistance altogether.

As Turner argued, "there was no shortage of child care in New York City. There was ample care, e.g. paid care in the homes of others, or unpaid care with grandmothers" (ibid.). For Turner, child care was to be secured with minimum state support (in the form of vouchers) via the family or the market. This opinion was echoed by one of welfare reform's key intellectual architects, and sometime advisor to Mayor Giuliani, Lawrence Mead. Mead argued, "a lot of (welfare) mothers were already working off the books so they had (child care) arrangements, familial or kinship networks" (L. Mead, personal communication, June 12, 2009). Mead had seen Turner at work in Wisconsin overseeing the state's W2 program, which also relied on the expansion of home-based care to meet the child care needs of TANF recipients. Reacting to critics of child care outcomes in Wisconsin and New York, Mead states:

The assumption of child care advocates is that all child care must be public or there is no care and that is false. A lot of the care is private; it's informal. The belief that child care would not be

available should these mothers go to work turned out not to be true ... Many mothers had family members at home who could take care of their children; they made informal arrangements with friends and neighbours. (L. Mead, personal communication, June 12, 2009)

This perspective cannot be divorced from the politics of race. As discussed in the previous chapter, poor African-American, Latino, and immigrant women have long been treated as employable by US social policy. Historically, poor women of colour have had to rely on kith and kin networks to provide substitute care for their children as they worked in fields, factories, or the homes of middle-class white families (Glenn 2010).

In 1998, the racial composition of New York City's welfare rolls was five percent white, 33 percent African-American, and 59 percent Latino/a (DeParle 1998). Soss, Fording and Schram (2011), have found a correlation between the racial composition of state welfare rolls and five disciplinary provisions used under the TANF regime. In addition, they have found that under AFDC and TANF, the racial composition of the caseload is a strong predictor of welfare restrictiveness and "get tough" policies. There is ample evidence that the "blackness" of welfare caseloads matters greatly for the ways states (and counties) pursue the disciplinary agenda of PRWORA. States where African Americans make up a higher percentage of the welfare rolls are more likely to select and apply tougher rules (Soss et al. 2011: 128-140). The most stringent limits and work requirements were imposed by states with large populations of African Americans.

Other states which, like New York, exempt only mothers with children three months old or younger include Alabama, Arkansas, New Jersey, Michigan, Florida and Wisconsin (UI 2002); all states in which a high percentage of the TANF caseload is Black or Hispanic (Soss et al. 2011).<sup>88</sup> While the evidence is not conclusive, these studies suggest that that New York City required single mothers with young children to work because a higher percentage of its TANF caseload was Black and Hispanic; mothers who had long

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<sup>88</sup> Exemptions information from Welfare Rules Databook, Urban Institute, 2008, p. 106-109. There are exceptions to the rule: Idaho and Iowa for example, where Black and Hispanic families make up a low percentage of the caseload, maintain no work exemptions for single parents caring for a child of any age



been treated as employable and for whom kith and kin care was commonly employed in the absence of state supported child care (see Stack 1975).

For the likes of Mead and Turner, how New York City was going to meet rising demand for child care services was never in doubt: despite parents' rights to choose among a variety of child care options, the cost and responsibilities for care were to be born primarily by low-income families/households and communities in the form of home child care provision. However, one of the obstacles to hindering the realization of the city's preference for home child care was TANF parents' legislated child care rights.

### *Welfare Recipients' Child Care Rights*

Under the new TANF regime, New York State and federal social welfare law established certain child care rights for welfare recipients. These laws were intended to ensure adequate child care for parents engaged in welfare-to-work programs (Powell and Cahill 2000).<sup>89</sup> In this section, I provide a brief summary of these rights and note how their enforcement and protection is largely left up to local welfare administrations, with detrimental consequences for poor single mothers.

Under both New York State and federal welfare law, parents on public assistance with children under the age of 13 who are required to participate in work-related activities are guaranteed child care assistance if they need it in order to work. When a parent is called to participate in workfare, the law requires her caseworker to assess her ability to work and her need for supportive services including child care. Under the law, caseworkers must address child care issues with their clients to make sure they will be able to comply with work requirements. If a parent demonstrates that she is unable to find child care openings for her child, caseworkers are obligated to provide her with two choices of child care providers, at least one of which must be regulated. In addition, if a parent needs help

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<sup>89</sup> Information presented in this section is drawn from Powell and Cahill (2000: 8-9). New York City's TANF regime dates from 1998 as this is when the State welfare reform act was passed.

obtaining a regulated provider, her caseworker must make phone calls to find two accessible and available providers with openings. Should a parent demonstrate that they are unable to secure appropriate child care and therefore fail to meet work requirements, and their child is six years of age or younger, federal regulations prohibit states from sanctioning the parent or terminating assistance (Powell and Cahill 2000).

Furthermore, under both New York State and federal social welfare law, parents who participate in welfare-to-work activities and receive federally funded child care assistance have a right to choose from a variety of child care options, including formal and informal care. According to Powell and Cahill (2000: 8-9), the US Congress promoted “parent choice” in the name of “empower[ing] working parents to make their own decisions about child care so that they could ensure that their children were cared for in a safe and positive environment.” Accordingly, pursuant to federal law welfare recipients engaged in welfare-to-work have the option of either enrolling their child with a child care provider that has a grant or contract for the provision of child care services; or receiving a child care voucher in order to pay directly for child care services. Under federal law, if a parent is in receipt of child care voucher they must be allowed to choose from a variety of child care types, including centre-based care, regulated home child care, and unlicensed or informal care. Finally, should a parent successfully transition into paid employment, they have a right to Transitional Child Care support for up to one year after leaving the welfare rolls (Powell and Cahill 200).

With states given a great deal of discretion over the administration of child care, access to subsidized care is ultimately determined at the local level, “where widely varying bureaucratic practices can determine who receives services and who does not” (Levy and Michel 2002: 251). This is especially true for a state like New York, which devolved much of its welfare and child care policy-making authority to local counties and cities. As the case of New York City demonstrates, how TANF child care works in law is not always the reality experienced on the ground. As Levy and Michel (2002: 251) point out “the attitudes of local officials and their willingness to extend themselves on behalf of their clients can determine access to child care and clients’ prospects for success under

the mandatory work program.” Even in states which consistently draw down maximum federal child care funds, the front-line practices of local welfare bureaucracies have led to the denial of benefits and a lack of availability of child care (see Levy and Michel 2002: 252). Despite guarantees of “child care choice” in federal and state law, the local state is clearly an important site of policy making and administration at the nexus of welfare and child care.

Prior to 1998, a number of state and civil society actors warned of imminent escalation of the city’s child care crisis and the potential impact of welfare reform and the Giuliani administration’s policies on New York’s historical commitment to quality, centre-based child care. Many of these reports drew on the experiences of welfare mothers who had been called into the city’s NYC-WAY program between 1996 and 1997. The reports documented the shortage of spaces in publicly-funded daycare centres, the lack of social planning around child care in the lead up to TANF, the overall disorganized nature of the child care system, and the child care experiences of welfare mothers participating in WEP. It is to these reports that the chapter now turns.

### **3. A Crisis in Progress, a Crisis Foretold**

In 1995, at the behest of child care advocates, city council, and officials in the Agency for Child Development, New York City undertook an analysis of the potential impact of federal welfare reform on the city’s child care system. The Temporary Task Force On Child Care Funding (TTF) was to “suggest ways to maximize and enhance the availability, quality, effectiveness and efficiency of child care services in New York City” (TTF 1996). The Task Force’s members were appointed by both the mayor and council and reflected the input of council Democrats: in addition to high-ranking civil servants in HRA and ACD, the TTF included representatives from the city’s child care community and unions representing daycare workers and supervisors.

The basic assumptions guiding the TTF’s work in part reflected the city’s historical commitment to quality child care and the framing of child care as both a developmental

service for children and as an employment support for working families. The report stated that the quality of child care and early education offered by the city “has a decisive effect on how well they [children] do in school and in their later lives” and that “child care and early education must be viewed in a broader context as an issue with workforce, economic, social, and educational implications” (TTF 1996: 3). Yet reflecting input from the mayor’s office, the report was inflected with the language of “efficiency”, “cost-effectiveness”, and mentions of “public-private partnership” as a solution to the city’s child care crisis.

The report stated that in the context of rising demand for child care, the city should ensure use of “all available sources of funds”, including increasing funds through “private sources”. In addition, the discovery of “system efficiencies”, and the “streamlining” of administration, could result in the delivery of “increased services at lower costs *without* compromising quality” (TTF 1996: 5, emphasis added). The report acknowledged that there had never been sufficient funding to meet the child care needs of all subsidy eligible families (TTF 1996: 5). Yet despite the growing gap between needs and resources in the early 1990s, the TTF noted that the Agency for Child Development had “achieved its mission admirably: its high quality assurance standards and its educational programs are exemplary. The city’s licensing requirements for all centre-based early childhood programs ... *are among the highest in the nation*” (TTF 1996: 5, emphasis added).

Looking ahead to federal welfare reform, the TTF warned that welfare families could potentially push out low-income working families from subsidized care as the city sought to meet federal work requirements. The report thus urged the city to maintain its financial commitment to child care “at its current level of funding” and “continue to serve low-income working families who need affordable care so that parents can stay employed and children can be safe and well cared for” (TTF 1996: 1). The TTF also observed that child care services had become out of line with new needs, such as the growing number of parents working irregular hours (TTF 1996: 7). The system was further flawed by the relationship between the multiple agencies involved in providing and regulating child

care, causing miscommunication and a lack of coordination between agencies, difficulties in effectively gathering data, and in implementing and evaluating services. These “inefficiencies”, the report suggested, should be addressed prior to the rollout of federal welfare reform.

Perhaps most importantly, the TTF highlighted the lack of regulatory oversight of informal child care. Referring to the city’s historical commitment to quality care, and touting its strong licensing standards for publicly-funded daycares, the report stated, “much of the child care used by welfare recipients paid for by public funds is unregulated, ‘informal’ care, which requires neither inspection nor licensing. It is unknown whether this care meets with basic health, safety, and education standards.” The report noted that there were “profound concerns about the quality of this care and its effect on children” (TTF 1996: 8).

The report framed informal care as a stopgap employment support and little else. In doing so, it reaffirmed ACD’s strong commitment to quality, centre-based care, recognizing its developmental value for children. It is here that the report most strongly shows the influence of child care advocates and the daycare workers’ union: the taskforce stressed, “As welfare reform continues to expand, the need for quality child care and early education will increase” (TTF 1996: 8). “In response”, the report continues, “the City must develop a plan for prioritizing how funds will be spent and must increase capacity by recruiting providers who offer *quality* services” (TTF 1996: 9, emphasis added).

Overall, the TTF represented the views, and sense of urgency, of both child care advocates and civil servants in the Agency for Child Development. While the influence of the mayor’s neoliberal agenda is evident in some of the report’s language, the TTF concluded with a series of progressive recommendations designed to reshape New York City’s existing child care delivery system “to create one that is high quality, efficient, consumer-driven, and responsive to communities’ needs.” These recommendations included expanding “quality” child care services, delivering centre-based care outside of traditional working hours, and assurances that all health, safety and regulation standards

are updated and complied with (TTF 1996: 9). While the report acknowledged that the early 1990s was an era of “fiscal restraint”, little in the report could be interpreted as a call to deregulate and privatize the city’s public child care infrastructure.

The Task Force was not the only actor predicting an escalation of the city’s child care crisis. In late 1997, New York City’s Independent Budget Office (IBO)—a publicly funded agency that provides non-partisan information about the municipal budget to the public and elected officials—also chimed in on welfare reform’s implications for child care. In a report titled, “The Fiscal Impact of the New Federal Welfare Law on New York City”, the IBO took account of TANF’s work participation requirements to project the increase in demand for child care and welfare reform’s broader impact on the system (IBO 1997). The IBO estimated that by the year 2002, when federal work requirements were to hit 50 percent, “between 33,000 and 84,000 full-time equivalent child care slots (40 hours per week) will need to be created, depending upon whether the two year work requirement is enforced” (IBO 1997: 22). The annual cost of a regulated child care space in the city was estimated at \$5000, meaning additional costs per year would range from \$212 million to \$599 million by 2002. While the IBO recognized TANF would increase federal funding for child care, the report predicted that the new funds would be insufficient to meet rising demand (IBO 1997: 23).

Of particular significance was the IBO’s observation that in response to welfare reform, “City officials have *publicly stated their intentions to increase the use of lower-cost informal daycare* by work program participants” (IBO 1997: 22, emphasis added). As indicated by the tenor of the TTF’s report, child care advocates understood that the city would move in this direction given the voucherization of ACD subsidies in 1994 and the high reliance on informal child care providers by those AFDC recipients called into welfare to work prior to 1998. Thus, despite “parent choice” being guaranteed by federal and state regulations, the Giuliani administration had publicly announced its intent to meet rising need by pushing welfare mothers to use informal child care.

The Citizen's Budget Commission (CBC)—a non-partisan, non-profit civic organization and fiscal watchdog—also reported on the state of child care in the city. A 1997 CBC report noted, “Since informal care institutions are typically less reliable and have less educational content, it appears that children of parents who are participating in welfare-to-work activities or who have recently left welfare for work are receiving inferior care” (CBC 1997: 39). Furthermore, CBC stated that the city's welfare administration was failing to ensure that all families eligible for subsidized child care were receiving it: Lack of communication, inadequate delivery of applications, and insufficient publicizing of the availability of subsidies, all contributed to HRA's provision of access being “deficient” (CBC 1997: 37). In other words, prior to federal welfare reform, the city's welfare agency was systematically denying child care subsidies to eligible families; according to the Commission, HRA was “neither assisting parents in securing high quality child care for their children *nor enabling them to find the type of care they prefer*” (CBC 1997: 39, emphasis added).

The CBC also commented on the potential impact of increased reliance on informal care by low-income families:

“Relying on allowances for informal care could provide cheaper care for larger numbers than would expansion of subsidies for center-based and other regulated care. But the former type of care is generally less reliable, has far fewer educational benefits, and is virtually unregulated. In the face of significant new demand, careful consideration should be given to the choices of how to expand child care subsidies and to ensure adequate quality of informal as well as formal care” (CBC 1997: 40).

Finally, the State Deputy Comptroller, Carl McCall, echoed many of the findings of the IBO and CBC. McCall doubted the city's preparedness to keep up with the demand for child care unleashed by federal welfare reform while also keeping care affordable, safe, and reliable (McCall 1997: 2). The city was already operating at capacity with long waiting lists for both low-income working families and families transitioning from welfare to work. “If the system is poorly designed or badly implemented, and parents cannot find a dependable child care placement,” he argued, “the objectives of welfare reform are undermined” (1997: 2). Furthermore, McCall confirmed what many of the city's child care advocates had already observed: whereas vouchers had once been a small part of the city's child care subsidy program, the Giuliani administration ramped up

their use in the two years prior to New York State welfare reform, from 3,900 in 1996 to over 12,600 the following year (McCall 1997).

*“On the brink of a major crisis”*

By early 1997, the city was “on the brink of a major child care crisis” (OPA 1997: 1). The Office of the Public Advocate summed up the concerns of many in the child care community, and of welfare recipients themselves, when he asked:

While parents on welfare get the education and skills they need to work, who will take care of their children? How can the City best insure that these children get safe, reliable, enriching care that sets them on the course toward becoming healthy, capable adults? Ignoring these issues jeopardizes both the safety of children and the success of the City’s welfare-to-work program (OPA 1997: 1)

As the new TANF regime rolled out in New York, it was apparent that “Now, more than ever, the City is counting on the expansion of unregulated, informal child care to serve as *the primary solution* to the child care shortage” (OPA 1997: 25; emphasis added).

In sum, these “crisis” reports documented the city’s increasing reliance on informal child care in the years leading up to the implementation of federal welfare reform in New York. The criticisms contained in the reports had a dual focus. First, without affordable, regulated, quality child care for the children of welfare mothers, the potential developmental benefits of child care would be lost. The reports saw developmentally appropriate care—as provided in the city’s unionized, publicly-funded centres—as essential to breaking the “cycle of poverty” (see Chaudry 2004). This argument had undergirded liberal support for programs such as Head Start since the 1960s (Michel 1999) and was central to critics support for the expansion of regulated child care and warnings about the increased flow of public dollars going to informal care.

Second, the criticisms focused on the fact that without stable child care arrangements, welfare mothers could not transition to work and welfare reform’s success would be jeopardized. Here the argument against informal care was that it was unstable, unreliable, and would not allow welfare mothers to engage in work or work-related



activities and meet the necessary participation requirements under TANF. A corollary to this argument was that the children of welfare families stood to displace the children of low-income working families, leaving the latter to turn to welfare as their child care costs rose with declining subsidies, increased co-payments, and an overall lack of subsidized spaces. Lastly, as all of the reports note, while focusing on the questions of quality and stability, the question of cost was paramount. Informal child care was attractive to the city because it was two-thirds the cost of regulated family daycare and far less costly than unionized, centre-based care.

In the build up to the “end of welfare as we know it”, there was no shortage of voices drawing attention to the impending escalation of the city’s child care crisis. Numbers differed from report to report, but most estimates put the projected number of New York City children needing child care provision as a result of welfare reform at over 100,000 by the year 1999 (CBS 1997). The city’s Office of the Public Advocate argued that under TANF approximately 74,000 New York City parents receiving public assistance were to be working by 2002. By 1997, already 30,000 eligible families were on waiting lists for child care subsidies (CCI 1998). These projections assumed that all such families would not only qualify for subsidies—which they would—but that they would receive them—which they did not.

The writing was on the wall as to how the city would meet the increased demand for child care resulting from federal welfare reform. As the reports above illustrate, the Giuliani administration had channelled poor mothers into relying on informal providers to care for their children. The *New York Times* observed: “New York City spends millions of dollars a year paying for child care for welfare recipients without any quality control, safety oversight or basic information about the people being paid to care for thousands of the city’s most vulnerable children” (Sexton 1996: B1). One-quarter of the children in the city’s subsidized child care system were already cared for in informal settings (CCI 1996).

The *Times* echoed Giuliani's critics who questioned the wisdom of allowing public dollars to flow to informal care "without a concentrated effort to improve the early development of many of the city's impoverished children" (Sexton 1996: B1). As President Clinton signed welfare reform into law, Barbara Blum, president of the Foundation for Child Development and former high-ranking official in social services, said "The tendency for public administrators will be to create the cheapest kind of care, and that is exactly the opposite of what these children need" (qtd. in Sexton 1996: B1). But creating the cheapest kind of care is exactly what the Giuliani administration had been doing. And in defense of its strategy, it relied on the neoliberal rhetoric of choice.

*By Choice or Necessity? The Giuliani Administration Responds*

In response to the mounting public criticism of his administration's child care policies, Giuliani repeated his mantra of parent choice: "decisions on day care are made by parents themselves," the mayor exclaimed (qtd. in Sexton 1996: B2). The mayor's spokespeople argued that expanding the number of city-contracted child care centres was both costly and difficult; as such, informal care must be part of solution to address rising demand. The administration's position mirrored that of state officials in Albany who argued that expanding state-subsidized informal care would have to be part of any plan to put more welfare mothers to work. According to the director of early childhood services in New York State's Social Services Department, "The reality is that well over half of the subsidized child care used in the state is informal. Those decisions we feel rest with parents" (qtd. in Sexton 1996: B2). Yet the neoliberal language of choice was uneasily juxtaposed with claims that financial considerations constrained the city's ability to provide a variety of child care options from which welfare families could in fact choose (see Sexton 1996: B2).

Officials at HRA tried to assuage critics, pointing to state laws which said welfare recipients reporting for workfare assignments were to be provided with the names of two registered daycare providers—included a regulated provider—and welfare recipients could not be sanctioned for lack of adequate childcare (Sexton 1996). Yet daycare

providers, elected officials tasked with investigating the city's welfare-to-work program, and welfare mothers themselves, all said their early experiences with NYC WAY showed that referrals to regulated care were often not given, or that recommended providers often had no vacancies. Welfare mothers described the experience as a "bureaucratic nightmare, replete with misinformation, misdirection, even outright hostility" (Sexton 1996). A *New York Times* editorial bemoaned the shift in the city's child care policies: "Historically, New York City has been a leader in providing adequate child care for low-income children whose parents need to leave the home for education or training. It will face a formidable task as the workfare experiment proceeds" ("Workfare's Missing Link," 1996: A16).

By mid-1997, it was evident that the Giuliani administration was intent on facilitating the expansion of home-based child care, channelling dollars away from the city's centre-based system, in order to meet the growing demand for care fuelled by welfare reform. Upwards of 80 percent of AFDC mothers called into the city's pre-TANF welfare-to-work program were relying on informal providers (CCI 1998). The administration had ignored the recommendations of its own child care taskforce and its policies were roundly criticized by child care advocates, municipal budget watchdogs, the city's Public Advocate, the New York State Deputy Comptroller, and *The New York Times*. As federal and state welfare reforms were enacted, the city's child care and welfare rights advocates set about documenting the routine violation of welfare families' legislated child care rights and deconstructing the "choice" discourse which shrouded the city's plans to download costs of and responsibilities for care work onto low-income households and communities, relying on a precarious home-based workforce to deliver child care services "on the cheap".

#### **4. TANF Child Care Rights and the Welfare Bureaucracy**

After their participation on the Temporary Task Force, and as the city ramped up workfare, child care advocates found municipal policymaking channels closed. Openly critical of the administration's child care policies, it became increasingly difficult for

advocates to access city data on welfare and child care (Interview 8). The days of working collaboratively with the municipal child care bureaucracy appeared to be over. Speaking in 1996, Nancy Kolben, director of New York City's foremost child care advocacy organization, summed up the views of advocates:

Right now, government officials have gone behind closed doors, and child-care experts are on the outside. I don't think the city really knows what it is going to be going on with day care. But if they plan to expand the informal care system used by their welfare-to-work office, it is going to be a tremendous waste (qtd. in Sexton 1996: B2).

A former Deputy Commissioner of ACD echoed Kolben's remarks: "No one would argue that informal care is developmental child care. We're spending tens of millions of dollars in purchasing that kind of care, and it is an awful waste" (qtd. in Sexton 1996: B2).

Shut out of City Hall, between 1998 and 2003 welfare rights groups, child care advocates, and women's organizations set about documenting the routine violation of TANF recipients' legislated child care rights and questioned the Giuliani administration's repeated insistence that the growth of publicly-subsidized informal care was simply a matter of parent choice. Advocates also worked with TANF recipients to inform them of their child care rights, assist families with child care referrals, and pushed HRA to acknowledge and address, albeit with limited results, the growing number of TANF children in informal care.

### *New York City's Street-Level Bureaucrats*

In New York City, the introduction of TANF saw the further separation of what were essentially two parallel child care systems.<sup>90</sup> In contrast to the small increase in funding made available to ACD/ACS, between 1996 and 2003 HRA's child care expenditures tripled, rising from \$43 million to approximately \$143 million (CCI 2003). As previously mentioned, ACD/ACS was responsible for providing child care subsidies to working poor families, in addition to deciding where to invest public child care funds. HRA provided subsidies to TANF recipients participating in welfare-to-work and those transitioning

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<sup>90</sup> See Appendix A for more details.

from public assistance to paid employment. Under New York City's TANF regime, HRA Job Centers were welfare mothers' primary source of information regarding child care options and availability.

The Job Center was a key component in the punitive edifice of workfare in New York City. Under TANF, changing the culture of the "street-level bureaucracy" (Lipsky 1980)—the case managers who are the primary face of decision-making authority for welfare recipients and those seeking assistance—was an object of policy makers and administrators across the country (Soss et. al 2011). Case managers are responsible for evaluating client cases, distributing services and supports, and applying penalties and sanctions (Watkins-Hayes 2009). In a city like New York, with a welfare administration long considered one of the most liberal in the country, "culture change" among street-level bureaucrats took on added impetus for the Giuliani regime (see Turner 2005).

As previously mentioned, the mayor had imported Jason Turner and his team from Wisconsin as New York City sought to replicate the "Wisconsin miracle", that is a steep decline in the welfare rolls over a short period of time (see Mead 2005). While Turner inherited WEP, under his guidance a number of changes were made to the appearance, organization, and operation of the city's welfare offices (see Turner 2005). First, welfare offices were converted into Job Centers (and physically refurbished with new computers and furniture) and run on a new data management system that measured welfare-to-work outcomes (Turner 2005). A series of new public management practices were also introduced: for example, merit pay for mid-level bureaucrats and caseworkers, along with new performance measures to govern promotions. For front-line welfare case managers, productivity was measured by how many cases they closed in a given period of time. A case manager with high productivity could earn up to a 20 percent bonus on top of their regular pay (Turner 2005). In line with the principles and objectives of neoliberal public administration, these changes aimed to create a competitive culture both within and between Job Centers.

As a number of scholars (see Watkins-Hayes 2009; Soss et al. 2011) have observed, under the new TANF regime, case managers are under intense pressure to push clients off the welfare rolls in as short a period as possible, while deterring potential applicants from applying for assistance. Under politically conservative administrations, these pressures are even greater (Soss et al. 2011). As Soss et al. (2011: 207) observe, poverty governance under TANF is grounded in “a market calculus designed to raise the odds that preferred paths will be freely chosen.” Case managers are subjected to new tools for securing compliance with benchmarks and outcomes that are tied to financial incentives and penalties. In this way, new techniques of management strive to shape the ways case managers govern themselves. An illusion of autonomy and decision-making choice conceals the architecture of coercion governing the practices of street-level bureaucrats. This was the on-the-ground context for the delivery of child care services to TANF mothers in New York City.

#### *Choice in Law, Coercion in Practice*

The process by which HRA ‘activated’ welfare recipients typically proceeded as follows: TANF mothers received a call-in letter from HRA advising them to report to a designated Job Center for assessment and work activity within two weeks of the date of notification. The letter advised clients to make child care arrangements for the day of their appointment, and if necessary, for their work assignment. However, the letter did not provide child care recommendations or advice (CCI 1999: 5).

In the case that parents reported to their appointment without child care in place, they were given two days to make arrangements. As per state and federal welfare law, caseworkers were required to provide clients with two child care referrals, one of which was to be a regulated provider. Typically, caseworkers had a list of regulated programs from which they were to make a referral in addition to a list of TANF mothers the agency had designated to care for the children of other welfare recipients (CCI 1999: 5).

For new applicants, protocol required TANF recipients to conduct a job search on the day of application—an up-front strategy of ‘hassle’—while searches were to continue throughout a WEP placement for those already on the rolls. In New York, TANF applicants were encouraged to seek assistance from private sources, such as kith and kin, charities, and churches, prior to filing an application. Such diversion tactics left many applicants unaware of their procedural rights under welfare law, including their right to child care assistance (CSWL 2001: 330).

As a series of reports released between 1999 and 2003 concluded, HRA systematically violated the child care rights of TANF recipients and provided inadequate child care supports (see CCI 1999 and 2003; CSLW 2001; Powell and Cahill 2000 and 2001; Scharf and Carlson 2004), producing a high reliance on informal care among TANF families (see Table 1.2). As the Office of the Public Advocate had observed as early as 1997, case managers were channelling increasing numbers of parents to use informal child care arrangements and to a lesser extent, family daycare providers (OPA 1997: 26). Under New York City’s TANF regime, these practices continued.

The findings of these reports can be summarized as follows.<sup>91</sup> Given the shortage of regulated, subsidized child care in New York City, the two-week timeline allotted to parents to search for and evaluate child care options was grossly inadequate. Furthermore, as mentioned above, TANF mothers’ call-in letter provided no advice or support in regard to child care. There was also no guarantee that the timing of a parent’s summons to the Job Center would correspond with the enrolment schedule of child care programs, making securing regulated care extremely difficult (CCI 2003).

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<sup>91</sup> These findings were corroborated in interviews with welfare rights caseworkers in two legal clinics (Interview 1 and Interview 5).

TABLE 1.2

## USE OF INFORMAL CARE: TANF Families vs. Subsidy-Eligible ACS Families

	HRA (TANF or TCC) vouchers		ACS (low-income working families) contract care + vouchers	
Year	Total # of children	% of children in informal care	Total # of children	% of children in informal care
1995	20,634	83	46,660	>1
*1998	14,458	83	63,613	3
2000	38,000	89	56,549	2
2002	30,824	84	55,962	N/A
2003	40,779	77	61,643	7
2007	45,766	71	56,754	14

\*TANF

(Source: Child Care Inc.)

Caseworkers also failed to assist TANF parents in securing child care services. NOW's Legal Defence and Education Fund found that more than half of parents surveyed received no assistance (Powell and Cahill 2000: 2). If caseworkers asked a client "Do you have care for your child?" and the client replied in the affirmative, no further child care options would be discussed (Powell and Cahill 2000). Clients may have secured temporary arrangements for the day of their first appearance at the Job Center, yet caseworkers systematically interpreted this response as indicating that a client's child care needs were met (CCI 1999; 2003).

Furthermore, NOW found that 79 percent of respondents were not shown the mandated "Important Information About Child Care" notice that accompanied TANF enrolment forms (Powell and Cahill 2000). Many TANF mothers reported leaving Job Centers thinking that there were no alternatives to informal care arrangements (CCI 1999: 4). Indeed, HRA's guidelines for caseworkers read: "Encourage the client to consider *family, friends and neighbours*," with the proviso that caseworkers should show parents "how to



identify licensed child care, if needed” (Richie and Epstein 1997; emphasis added). In failing to provide adequate child care information, the city was routinely violating state and federal laws regarding the distribution of information and assistance in finding appropriate child care.

Additionally, in contravention of welfare regulations, TANF recipients were routinely sanctioned, or threatened with sanction, if they were unable to engage in work activities for lack of adequate child care. NOW found that almost half of surveyed parents reported being threatened with sanctions if they could not secure child care arrangements (see Powell and Cahill 2000, 2001). Furthermore, 95 percent of surveyed parents were not informed of their right not be sanctioned for failure to secure adequate child care (Powell and Cahill 2001: 2). A report by the Office of the State Deputy Comptroller found case managers at one of two HRA Job Centers visited by the Office were not aware that recipients were exempt from work-related requirements if unable to find appropriate child care (McCall 2000: ii), suggesting the regulation had not been adequately communicated to Job Center staff by senior bureaucrats in HRA.

Finally, TANF parents whose cases were closed were not given information about Transitional Child Care (TCC) to which they were entitled under federal and state law (CCI 1999 and 2003; Scharf and Carlson 2004; Stohr 2002). Reports found that parents were not aware of TCC benefits. Although an entitlement, TCC benefits were available only on request. Thus, if a case manager or a client had not been informed of them, the benefit would not be issued. A study by the Community Service Society of New York found that seven out of ten public assistance families were not aware of their eligibility for TCC or were outright denied the benefits (Stohr 2002). In addition, parents had to reapply for TCC, adding yet another administrative hurdle to receipt. In some instances, caseworkers closed cases improperly, leaving transitioning recipients ineligible for TCC benefits (Scharf and Carlson 2004).

According to reports, the above issues were exacerbated by the inadequate training of case managers, high turnover in Job Center staff, and antiquated child care information

systems (CCI 1999, 2003). Case managers were found to have “a very limited understanding about the City’s complex child care system and the range of regulated programs and services that are available to parents” (CCI 1999: 4). Case managers’ workload, the time constraints in which they operated, and the intense pressure to close cases, all factored into the lack of information regarding child care options and availability, and to caseworkers’ preference for informal child care arrangements.

The reports stressed two others factors, not directly related to front-line practices, which figured into the high reliance on informal care by TANF mothers: First, regulated providers were discouraged from serving TANF recipients due to ongoing delays in payments from HRA. Delays and non-payment of services were common and providers were often paid retroactively. Regulated providers reported having to write letters, make telephone calls, or obtain legal assistance to receive payment from the city (CCI 1999). While there is no evidence that this mismanagement was intentional and designed to discourage regulated providers from taking on TANF children, it unquestionably had some impact.

Second, and not a factor particular to New York, was simply a lack of affordable, regulated child care spaces. Although the growth in family daycares met some of the demand for regulated care, openings in family daycare programs and child care centres became increasingly difficult to find in low-income communities such as the South Bronx, parts of Upper Manhattan, and poorer sections of Brooklyn (CCI 1999, 2003). This lack of supply was exacerbated after 2000 when the Giuliani administration announced it would expand workfare participation beyond federal requirements, despite the fact that WEP participants were already experiencing great difficulty obtaining regulated child care (Powell and Cahill 2000: 2).

The research reports included a number of recommendations which, while broad in scope, can be broken down into three points: First, TANF parents should be provided with written information concerning child care, including TCC, a month in advance of their “activation” so that they have ample time to consider their options and make

arrangements. Second, case managers should be trained about their clients' child care rights. Written procedures were inadequate and case managers should be required to undergo specific training to ensure they provide written and oral information regarding child care and also inform parents that they cannot be sanctioned for failure to find child care. Third, the reports recommended that some form of advisory committee or ombudsman be created to ensure the city live up to its mandate to fully inform parents of their child care rights and options. These specific recommendations accompanied more routine calls for the expansion of regulated child care slots in family daycare and centre-based programs, for the regulation of informal providers, and for the resolution of payment issues and subsidy rates which worked to discourage regulated providers from accepting TANF children.

As the evidence presented in this section illustrates, far from being a matter of “parent choice”, the high reliance informal child care arrangements (and to a lesser extent family daycare) by welfare mothers in New York City was the product of Giuliani administration policies and the front-line practices of its welfare bureaucracy. For the administration, the quickest and cheapest route to child care—putting a child with family, friends or neighbours—was welfare mothers' shortest route off the welfare rolls and into workfare programming and the labour market. The city's welfare bureaucracy engaged in the systematic violation of welfare recipients' legislated child care rights, denying mothers' information about regulated child care and a true choice of child care options. The administration engaged in a deliberate strategy to provide child care “on the cheap”, channelling public child care dollars to an expanding and precarious home child care workforce, effectively deregulated the city's publicly-funded child care services and privatizing more of the costs of and responsibilities for caregiving.

## **5. The Municipal Retreat from Child Care Funding**

The Giuliani administration's commitment to an agenda of privatization was further illustrated by the municipal government's retreat from child care funding amidst escalating demand for services. To understand this final point, it is necessary to examine some of the minutiae of the child care funding formula. In New York, subsidized child care services have always been financed through a mix of city, state, and federal dollars (IBO 2002). Under the CCBG, and most of the federal child care programs which preceded it, the city and state must spend a fixed amount of its own money in order to "draw down" federal child care dollars. These funds are referred to as "maintenance of effort" or "matching funds". Historically, as discussed in the previous chapter, one of the markers of the city's commitment to public child care has been that New York City has spent more municipal dollars on child care than is required under its "maintenance of effort" (IBO 2002: 3).

In keeping with this tradition, in the initial years following the passage of PRWORA and State welfare reform, New York City spent more municipal dollars on child care than was required by under the CCBG and the corresponding state child care program (IBO 2002). Between 1996 and 1999, federal dollars paid for a third of the city's childcare need with the city paying two-thirds (Nyary 2004). However, citing municipal budget constraints, the Giuliani administration reversed this pattern in 2000 (IBO 2002), withdrawing municipal dollars from the overall funding mix.

As mentioned in the previous section, the year 2000 was a period of escalating demand for child care services in New York as the Giuliani administration ramped up welfare participation rates beyond those required under PRWORA. By 2003, as New York exceeded the federally set target to reduce welfare rolls by 50 percent, the city was providing approximately 96,000 children with subsidized child care (IBO 2002). However, since 2000 almost all of the growth in child care spending was attributable to rising levels of federal funds. In the years 2000 and 2001, the city's contribution to the

municipal child care pot fell below 1999 levels (IBO 2002), effectively cutting a key social service at a time of peak demand.

Between 1998 and 2003 federal funds grew from 34 to 64 percent of the city's child care budget (IBO 2002). By 2004, federal funds made up 75 percent of all spending on child care in New York, with the municipal government paying only a quarter—down from two-thirds—of the costs (Nyary 2004). This trend showed no sign of abating: For fiscal year 2005, for example, New York City was slated to receive another \$65 million increase for child care under the CCBG. However, rather than put this money into improving child care quality and access, the city proposed using approximately \$40 million of federal funds to reduce the city's share of child care expenditures, shrinking the city's burden of child care costs (Kaufman 2004: B1).

These cuts had a significant impact on the availability of child care for poor families in New York City, both TANF recipients and low-income working families. For example, from 1999 to 2003, overall enrolment growth in ACS and HRA child care was limited to 8 percent (CCI 2004). The number of slots allocated to TANF families actually declined from 37,569 in 2001 to 35,563 in 2002 (IBO 2002). While the city was projected to expand child care capacity by around 10,000 slots in 2002, after the city cut its contributions to the child care funding mix, the expansion was limited to just 3000—a difference of 7,000 subsidized child care spaces (IBO 2002).

The cumulative effect of the Giuliani administration's retreat from child care funding was expanding waiting lists. By 2003, there were 46,000 eligible families on the waiting list for subsidized child care services (CCI 2003: 6). Yet municipal retrenchment had an impact on the city's unionized daycare workers as well. According to union officials, Giuliani fought giving fair and equitable contracts to all unionized municipal employees, but daycare workers and centre directors were particularly vulnerable (Interview 17). As the city's child care budget was scaled back, daycare workers and centre directors went four years without a contract—from January 2001 to 2005 (when a new collective agreement was reached with Giuliani's predecessor, Michael Bloomberg).

The unions accused the Giuliani administration of siphoning off funds allocated to childcare in order to pay for other budget items (Nyary 2004). As union officials argued, federal funds from the CCBG were intended to not only allow local governments to increase the supply of child care, but also to ensure child care workers' compensation levels kept pace with the cost of living. And as Sandy Socolar, a senior policy analyst with the daycare workers union, has argued, the administration's failure to invest in New York's centre-based system produced a staffing crisis: "People who stay in daycare do it by choice, but how long can they stand it if their pay is frozen at levels four years old? If you can't attract qualified people, there's higher turnover and the children pay for it with teachers who have inadequate preparation" (Socolar as qtd. in Nyary 2004). The siphoning off of federal funds intended to boost centre-based child care workers' wages, without regard for its effect, was clear evidence of the administration's antipathy to this unionized workforce and public sector workers in general.

Child care advocates and unions alike were incensed at the municipal retreat from child care funding in the midst of an child care escalating crisis. Child Care Inc. (2003: 5-6) criticized the Giuliani administration for its "pronounced pattern of divestment of local funds." As Nancy Kolben noted, the city had lost an opportunity to expand subsidized care: "If we started at the base at the time we got additional funding and all that funding had gone to child care, we would have been able to serve *30,000 more children*" (qtd. in Kaufman 2002: B11, emphasis added). Bill de Blasio, then chairman of the general welfare committee on City Council, echoed Kolben's concerns: "For years now, federal and state money has come into New York to create more slots, but the city has been supplanting those dollars" (qtd. in Kaufman 2004: B1).

In sum, at a time of peak demand for child care services, the Giuliani administration disinvested from child care, allowing federal and state dollars to increasingly supplant city funds in the municipal child care pot. The administration refused to expand the city's publicly-subsidized child care system, illustrating its preference for market solutions to the city's escalating child care crisis. It also refused to bargain with the unionized

workforce so essential to that system's reputation for quality child care. While perhaps not as well documented as the channelling of public dollars to informal child care, the municipal retreat from child care funding was but another manifestation of the Giuliani administration's privatization agenda. As mentioned at the beginning of this chapter, cuts to child care were paralleled by retrenchment and job losses in a range of municipal social services.

For the thousands of low-income families on the city's child care waiting list, 30,000 subsidized spaces—mentioned above by Kolben—could have eased the tensions between paid work and social reproduction, providing a necessary employment support. Instead, these families were left to meet their child care needs through private means, either purchasing child care on the market or relying on kith and kin networks. For those families who did gain access to child care subsidy, the administration's failure to invest available municipal dollars in the city's public child care infrastructure, and its unionized workforce, left them with few choices in child care.

## **6. Conclusion**

*"They had no desire to increase public sector child care. They were ideologically opposed to the public sector."* – Ajay Chaudry, Deputy Commissioner of the Administration for Children's Services, 2004-2006

Seven years into New York's welfare-to-work regime, Nancy Rankin of the Community Service Society asked of the city's child care system, "One wonders sometimes whether the system is intentionally complicated ... systems can and do pose barriers even when the [child care] placements are guaranteed and the funding is there" (qtd. in Stohr 2002). The evidence presented in this chapter suggests that New York City's child care system was not only "intentionally complicated"—diverting thousands of poor families from accessing the subsidies to which they were entitled—but that HRA, through front-line practices and under the ideological cover of parent choice, channelled welfare mothers into relying on low-cost, informal child care. Not much had changed since the last days of AFDC when the Citizens Budget Commission (1997: 39) proclaimed, "It appears that HRA is neither assisting parents in securing high quality child care for their children nor enabling them to find the type of care they prefer."

Reflecting on these trends, the city's most authoritative voice on child care, Nancy Kolben, expressed deep disappointment at what she and other advocates saw as a missed opportunity:

By spending limited public resources on informal care, we are failing to invest in the programs that give the poorest children the best opportunities for gaining fundamental learning skills. We could have created child care centres with trained teachers, equipped playgrounds and enriched learning environments. Instead, more children are in unsafe environments or parked in front of a TV. (qtd. in Kaufman 2004: B1 and B5)

Echoing these sentiments, one of the founders of Head Start, the child psychologist Dr. Ed Zigler, called New York's approach to child care "a disaster in the making". "What good does it do to keep telling people about the importance of the first few years in life," he asked, "when policymakers in New York tell people, 'Here's some money. Go find something?'" (qtd. in Kaufman 2004: B5). Responding to the criticism, officials at HRA repeated the claim that welfare recipients preferred leaving their children in unregulated, license-exempt settings, "despite encouragement from social workers [to use licensed care]" (qtd. in Kaufman 2004: B5).

Yet notwithstanding the city's public line on "parental choice", a high-ranking official in the child care division of HRA privately claimed that senior bureaucrats came to recognize the importance of better child care as advocates pressured the city to educate and inform TANF families about their child care rights and options (Interview 25). And while in public HRA officials argued that the city's child care centres were not responsive to TANF families' needs, behind closed doors some acknowledged that welfare caseworkers were failing to inform clients of their child care options. As one senior bureaucrat put it:

It was difficult to educate welfare workers on child care rights. Child care was a quarter inch of five inches of paper they had to go through with an applicant or recipient. It's not as if workers are resistant to that information, just how much information can you cram in? And often recipients know what's coming and already have in mind 'oh my mom's going to take care of the baby or my grandmothers going do it' ... Also, it's an old story, I hope it doesn't happen anymore, but the case workers would say to the parent 'who's taking care of your child right now?' (Interview 25)

Having said this, according to this source:



People in HRA did not want the crummiest, cheapest care they could get. They wanted care that would best support families in their work. It wasn't a fight within HRA to make this happen. Not with management ... it wasn't the policy of the agency. It was very committed to building a strong child care system to support families and their work. (Interview 25)

Others intimately familiar with the city's child care system disagree. Ajay Chaudry was ACS's Deputy Commissioner for Child Care and Head Start from 2004 to 2006. He led the first comprehensive study and redesign of New York City's child care system in the post-Giuliani era and researched TANF mothers' experiences with child care (Chaudry 2004). Chaudry sums up the Giuliani administration's policy logic like this:

The cost of regulated, quality child care is a lot more than the cost of welfare so the only way it [welfare reform] was going to work was to encourage the cheapest kind of care possible. It [the expansion of informal care] was a conscious choice. First, you give parents very little time to arrange child care. And so any type of child care you can get will do. So there was a huge push toward informal child care ... mothers were pushed to use as inexpensive child care arrangements as possible, pushed to use informal care and they had very little or no time to arrange child care before beginning work. (A. Chaudry, personal communication, December 5, 2010)

While Chaudry acknowledges that federal funding levels were nowhere near what they needed to be, had funding substantially increased, "they [the Giuliani administration] wouldn't have expanded it [regulated child care] regardless. Even if the funding was two or three times as much ... neither the Giuliani or Bloomberg administration's demonstrated a strong will to expand the formal child care market in New York." He continues:

Giuliani's preference for informal care was because a) it's easier to turn on and off and b) *they had no desire to increase public sector care. They were ideologically opposed to the public sector.* If they could of, they probably would have said [to TANF mothers] 'we are providing you with no child care assistance and you still have to go to work.' It just so happened to be federal law that a family had to get child care assistance in order to meet work requirements ... so essentially they said 'we're going to set it up that your only real option is informal care but you have no excuse, whether you find care or not you're going to work.' (Personal communication, December 5, 2010; emphasis added)

And while Chaudry notes that welfare reform incentivized the choice of informal care—as poor families could keep subsidy money within their kith-and-kin networks, making up for reductions in benefits ("child care as the new welfare")—all in all, he determines that "from how the city budgeted for anticipated increased demand for subsidies to how it structured, facilitated, and encouraged child care enrolment by WEP families, it was an

*intentional policy of HRA to push TANF clients to use informal care*” (personal communication, December 5, 2010; emphasis added).

One of the city’s most well respected child care advocates, and social policy analyst, agrees. During Giuliani’s time in office, this individual worked as the Office of the Public Advocate’s Director of Social Services. Responding to the city’s claims that HRA did not direct TANF mothers to informal care, they said:

The city’s primary concern was with getting mothers off of welfare. HRA was not concerned with ensuring very young children were in environments that are going to foster healthy child development ... *The city created a substandard child care voucher system for welfare families* rather than looking at child care resources overall and what makes most sense for families, welfare reform, and kids ... It [child care] was not the focus of the city or mayoral administration. (Interview 6)

As have other child care advocates, they argue that the increase in federal child care funding that accompanied welfare reform—while inadequate to meet growing demand—could have been used to build on New York City’s historical commitment to quality, public child care:

They [the Giuliani administration] didn’t view it as an opportunity. Here we have all this additional child care money coming down from the federal and state governments and the city didn’t ask ‘how can we build a really strong program?’ Instead it was ‘let’s just get kids into whoever’s house we can and get those parents into a work activity.’ (Interview 6)

Again, work enforcement, not child care, was the main priority of the Giuliani administration. In agreement with Chaudry, this advocate believes the city’s use of informal care to meet growing demand “was not by default, but *by design*” (personal communication, July 13, 2009; emphasis added).

### *Child Care on the Cheap*

In the wake of welfare reform, and despite a significant increase in federal child care spending, there was little to no growth in the regulated, unionized, centre-based public childcare system which had made New York City an outlier amongst municipal childcare regimes (see Chapter 3). From 1995 on, upwards of three quarters of welfare mothers receiving child care subsidy placed their children in informal care settings, one-third of

the cost of regulated care.<sup>92</sup> Overall, the total number of children in unionized, centre-based care remained stable, while the number of children in home-based, non-union, family daycare increased by 7,000 and in license-exempt, unregulated (i.e. informal) child care by 13,500 (see Table 1.2).<sup>93</sup>

Furthermore, beginning in 1999, New York City's financial commitment to child care steadily declined, diminishing its capacity to increase the supply of regulated spaces and improve both the quality of care, and the quality of working conditions, in publicly-funded daycares. The impact of retrenchment was clear: By 2004, 36,000 families were on the waiting list for subsidized child care (CCI 2004). Countless other families were diverted from applying for welfare benefits or unfairly sanctioned off the rolls and therefore denied the child care assistance to which they were entitled. These families were forced to rely on exclusively private means to meet their child care needs.

For the Giuliani administration, the answer to the question of "But who will care for their children?" was never in doubt. New York City's effort at mediating the child care crisis was grounded in overlapping and mutually reinforcing strategies of privatization, which shifted more of the costs of and responsibilities for child care onto low-income families/households and communities, and especially the women within them. Through its welfare bureaucracy, the state played an active role in configuring the care arrangements on which poor mothers depended in order to engage in workfare and paid work. Welfare mothers "choice" of informal child care, and to a lesser extent family daycare, was made in a context of a punitive workfare program designed to push them into the lower reaches of the labour market as quickly *and* as cheaply as possible. The primary outcome of these strategies was the expansion of a home child care market in which a precarious, racialized workforce provides state-subsidized child care "on the

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<sup>92</sup> This is not including uncalculated savings to the city in regulatory costs such as licensing and health and safety inspections; both a responsibility of city agencies, neither of which applied to informal providers.

<sup>93</sup> In the space of a decade, the number of family daycares in the city more than doubled, from 3,400 to 8,500 (Sen and Thompson 2006).

cheap.” This *public* care work in the “private” sphere of the home was central to the state’s mediation of the child care crisis.

Furthermore, channelling public resources to the least-regulated, least-trained, and worst-paid sector of the child care industry fulfilled the Giuliani administration’s desire to restructure the institutional legacies of New York’s social democratic welfare state. While introducing a punitive workfare program and restricting access to cash assistance, the administration’s policies at the intersection of welfare and child care led to further erosion of the city’s already inadequate public child care infrastructure and undermined its unionized workforce. These dynamics played out in a broader political context of a project of urban neoliberalization, which included the privatization, marketization, and deregulation of social services, and of the public sector more generally.

### *From Restructuring to Resistance*

New York’s home child care providers tended to share the same social and geographic location as the mothers they served i.e. poor women of colour in the city’s low-income neighbourhoods. Working for low wages and no benefits, these providers—who Sen (2006) has called “poor mothers’ nannies”—effectively subsidized a poorly funded child care system. Classified as independent contractors, they were excluded from key employment protections and labour rights, including the right to unionize and collectively bargain. Unlike their peers in New York City’s publicly-funded daycares, home child care providers were isolated and unorganized. The home-based location of their work contributed to their invisibility (see Boris and Klein 2008).

For the Giuliani administration, this precarious workforce performed the care work of a neoliberalizing welfare state “on the cheap.” However, as the next chapter illustrates, the administration’s privatized remedies aimed at mediating the child care crisis unleashed a number of contradictions, providing openings for resistance. Progressive actors in New York’s civil society took advantage of these contradictions to contest the neoliberal restructuring of the city’s welfare regime and mediate the child care crisis on grounds

more favourable to both providers and the low-income families they served. It is to the theme of resistance that the study now turns.

## CHAPTER FOUR

### FROM RESTRUCTURING TO RESISTANCE: WELFARE RIGHTS AND CHILD CARE STRUGGLES IN NEW YORK CITY, 1995-2007

“A comprehensive child-care policy must represent not only the interests of the children who need care, and their families, but also the interests of child-care workers, as workers, who should be fairly compensated and provided with workplace benefits. Yet, for too long, child-care policies in the United States have privileged the consumers of child care while ignoring the economic interests of women who labour as child-care workers.”<sup>94</sup>

#### **Introduction**

In the wake of welfare reform, struggles over child care in the US have taken the form of: small and mostly unsuccessful campaigns to defend poor mothers’ right to stay home to care for their children; campaigns to improve child care providers’ rights as workers, including higher wages, better working conditions, and the right to influence the development of child care programs through collective bargaining; and coalitions of providers, low-income families, child care and welfare advocates, demanding improvements in the availability of subsidized child care services (Reese 2011: Chapter 6).

As these struggles have arisen in a number of US states and cities, they have exhibited place-specific characteristics (see Reese 2011; Krinsky and Reese 2006). To recall Krinsky’s observation, wherever neoliberal governance is tried, “its ‘roll-back’ moment—i.e. the point at which it uproots the existing social policy infrastructure—generates specific sorts of opposition depending upon the existing configuration of, and division of labour in, the state and civil society groups” (2006: 159). Like the restructuring it confronts, resistance is contextually embedded in political-economic space.

Neoliberal restructuring at the intersection of welfare and child care in New York generated “specific sorts of opposition” with varying levels of success in securing more socially just outcomes for welfare mothers and child care providers. While there are

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<sup>94</sup> Smith (2010: 112).

numerous studies of resistance to New York's workfare regime in general, little has been written on the contestation of neoliberal restructuring at the intersection of welfare reform and child care.<sup>95</sup> This chapter aims to fill this lacuna.

A number of the city's progressive civil society actors rejected the Giuliani administration's attempt to mediate the child care crisis by shifting costs of and responsibilities for child care onto low-income families/households and communities. Welfare rights organizations, child care advocates, women's groups, legal-aid lawyers, and some elements of the city's labour movement, developed resistance strategies that pushed the state to socialize more of the costs of and responsibilities for child care. In this chapter, I focus on five campaigns in the decade following welfare reform. I trace their development, detail their strategies and tactics, and assess their effectiveness.

The first section explores the child care activism of New York City's largest anti-workfare coalition, WEP Workers Together! (WWT). For reasons I discuss, WWT did not give high priority to child care in its organizing. However, the coalition did engage in a brief direct action campaign targeting HRA, demanding reforms to the agency's child care policies. While the campaign produced only modest results, WWT pushed the issue of child care to the forefront of welfare rights organizing in New York.

The second section explores the extensive public outreach efforts of child care advocates, welfare rights groups, and legal-aid lawyers, as they attempted to make welfare mothers aware of their legislated child care rights. Some of these groups took the city to court over rights violations and lobbied HRA to end the front-line practices that contributed to TANF families' over-reliance on informal child care. As the evidence suggests, this outreach and legal activism had some impact on the city's policies, including prompting HRA to introduce some regulation of informal care. There was also a decline in the number of TANF families using vouchers for unregulated, license-exempt arrangements.

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<sup>95</sup> See Krinsky (1998, 2006, 2007a, 2007b), Goldberg (2001), Tait (2005), Krinsky and Reese (2006).

In the third section, I discuss the joint efforts of child care advocates and labour movement activists to leverage federal welfare-to-work grants to establish an innovative child care program, Satellite Child Care. In fulfillment of their work participation requirements, Satellite trained women on welfare as family child care providers and equipped them with the resources necessary to establish a licensed family daycare in their place of residence. Satellite's providers became part of a non-profit family childcare network, and were unionized and covered by a collective bargaining agreement with their employer, the Consortium for Worker Education (CWE)—the workforce development arm of the New York City Central Labor Council. Satellite sought to address two issues at the nexus of welfare reform and child care: the lack of affordable, quality child care available to poor mothers and the precarious character of home child care work. In doing so, the program articulated the link between quality care and improved working conditions for child care providers that became central to further campaigns to organize the city's home child care workforce.

In the fourth and fifth sections, I examine two such campaigns. Families United for Racial and Economic Equality (FUREE) is a community organization led by poor women of colour with welfare recipients and home child care providers included amongst its members. FUREE set about organizing home-based providers around a range of issues, beginning with unfair city inspection practices that were resulting in the closure of licensed family daycares. These closures threatened the livelihoods of home child care providers and contracted the supply of regulated care in some of the city's high-needs neighbourhoods. Building from a shared social location, and shared experiences with the city's welfare bureaucracy, FUREE organized around the common interests of home child care providers and the welfare mothers they served.

By making the work of the “poor mother's nanny” visible, breaking their isolation, and building their political capacities, FUREE's organizing laid the foundations for an ambitious campaign to unionize the city's home childcare workforce, spearheaded by New York City's largest teachers' union, the United Federation of Teachers (UFT), and the community organization, Association of Community Organization for Reform Now



(ACORN). ACORN and UFT sought to challenge the policies that contributed to home child care work's devaluation by winning providers recognition, respect, and better wages and working conditions from the state, mitigating the precarious nature of their work.

There were also some important absences in the politics of resistance at the intersection of welfare and child care; namely, groups supporting the rights of welfare mothers to stay home to care for their children and the union representing the city's centre-based child care workforce whose jobs were threatened by successive mayoral administrations' agendas of privatization, deregulation, and retrenchment. I address these absences in the chapter's conclusion.

Overall, this chapter demonstrates that neoliberal remedies for the child care crisis can—paradoxically perhaps—open space for contestation and resistance (see Vosko 2006). While the Giuliani administration restructured the relationship between poor women, the state, and the market along neoliberal lines—pursuing an agenda of privatization—progressive actors in New York's civil society sought to reshape this relationship on terms more favourable to welfare mothers and the women who care for their children.

First, child care advocates and welfare rights activists took seriously the neoliberal mantra of “parent choice” in child care. If the Giuliani administration truly believed in “choice”, advocates and activists argued, then it would adhere to the laws and regulations governing TANF child care which guaranteed welfare recipients' a choice of child care arrangements, including care in a regulated, centre-based setting.

Second, Satellite Child Care leveraged state funds designated for punitive welfare-to-work programs—designed to move poor mothers into work at any wage—to develop a new model of child care. This model provided both quality care for the children of low-income families and quality care work for welfare recipients transitioning into careers as family daycare providers. In doing so, Satellite addressed the precariousness of home child care work while enhancing the quality and stability of the child care services relied

upon by welfare mothers.

And finally, by channelling public resources to the least-regulated, least-trained, and worst-paid sectors of the child care industry—in an effort to provide child care services “on the cheap”—the Giuliani administration expanded the ranks of a precarious, but *publicly-funded* home child care workforce. Many previously “private-pay” providers now received state funds for the care of children of low-income families, emerging as a quasi-public sector workforce performing the care work of a neoliberalizing welfare state. This quasi-public status opened the legal and discursive space for home child care workers to collectively organize and make claims on the state as *public employees* providing an essential social service and deserving of better wages and working conditions. From an invisible, isolated, and unorganized workforce, home child care providers emerged as a political force in the wake of welfare reform, demanding greater socialization of the costs of and responsibilities for social reproduction, and more socially just solutions to New York City’s child care crisis.

Before exploring these resistance strategies in depth, I give a brief overview of welfare rights organizing in Giuliani-era New York. The following section helps situate struggles at the intersection of welfare and child care in the broader context of New York City’s welfare reform and the resistance it engendered.

### **Welfare Rights Organizing in Giuliani’s New York**

Welfare recipients and welfare rights groups had no shortage of grievances with New York City’s welfare regime. As the New York City Bar Association’s Committee on Social Welfare Law put it, the city’s welfare-to-work strategy was one of “diversion, misinformation, and discrimination” and the Giuliani administration “seemed to violate welfare law with impunity” (CSWL 2001: 328). However, while New York was once the centre of a militant welfare rights movement, according to Dulchin and Kasmir (2004: 2) “by the 1990s welfare organizing in the city had been largely anaemic for ten years.”

In terms of strength and effectiveness, resistance to welfare reform in New York was uneven, as it was across the country.<sup>96</sup> Most welfare rights activism was defensive in nature; what social movement scholar Mimi Abramovitz (2000: 142) has called “damage control.” While the city’s welfare rights advocates and activists sought to limit the harm inflicted on the poor by a punitive welfare bureaucracy, city officials argued that these efforts had little impact on HRA’s policies and practices. According to Jason Turner, the city’s welfare rights movement “was ineffective ... they [welfare rights groups] did very little that slowed us down” (personal communication, August 25, 2009).

Due to its centrality in the punitive architecture of New York’s workfare regime and the degree to which it threatened well-paid union jobs, the Work Experience Program became the primary target of the city’s welfare rights movement (see Goldberg 2001; Tait 2005). This organizing focused on the harsh working conditions and maltreatment experienced by welfare recipients forced into unpaid public sector employment. Some unions and community organizations made attempts to unionize these workers. However their efforts faced numerous obstacles, including lukewarm support from the city’s labour movement, particularly key municipal unions, and a series of legal decisions that cemented the legal status of WEP workers as public assistance recipients not employees of the state (Krinsky 2007a). Welfare rights campaigners did however win a number of important changes to WEP, including around health and safety and dignity on the job (Goldberg 2001; Krinsky 2007a).

Beyond WEP, welfare rights organizing produced a number of small, but important victories. Movement lawyers launched legal challenges at both the administrative level—representing welfare recipients in HRA’s “fair hearings” procedures—and in the court system (Interview 1). These challenges brought about some changes to the front-line practices of welfare case managers, and to state laws and regulations. HRA was forced to change aspects of policy, including around eligibility determination, the appropriateness of work assignments, and the ease of access to welfare benefits and support services

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<sup>96</sup> For an excellent overview of welfare rights organizing in the wake of TANF see Reese (2011), and also Abramovitz (2000) and Krinsky and Reese (2006).

(Krinsky 2007a). Such victories struck a blow against the rampant and illegal use of sanctions by welfare caseworkers and the various diversion strategies employed by the city's welfare bureaucracy.

While again, these were small victories, and the punitive architecture of the city's workfare regime was largely left intact, the concerns raised by welfare rights activists and advocates pushed the Giuliani administration to address issues of access and equity it would have otherwise ignored. In other words, welfare rights activism ensured that a punitive and inhumane workfare regime was made a little less punitive and slightly more humane. The gains made by activists and advocates organizing at the intersection of welfare and child care were more far reaching. It is to these campaigns that the chapter now turns.

### **1. “Guerrilla Daycare”: The Child Care Activism of WEP Workers Together! (1996-1997)**

In 1996, three community groups active in welfare rights organizing came together to form a coalition under the banner of WEP Workers Together! (WWT).<sup>97</sup> Among the membership of these organizations were welfare recipients who had been called into WEP and had alerted their organizations to the program's exploitative working conditions. WEP required welfare recipients to “pay off” their welfare benefits by working menial jobs for the city at well below the minimum wage. Recipients were assigned to a variety of unskilled jobs regardless of their work experience and level of education. In addition, they were deprived of basic labour rights, including the right to unionize (Krinsky 2007). WWT set out to document these abuses and organize the nearly 40,000 WEP participants in their communities and at their job sites (Dulchin and Kasmir

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<sup>97</sup> These groups were Community Voices Heard, a membership-based organization composed primarily of women on welfare; the Urban Justice Center, a legal advocacy group; and the Fifth Avenue Committee, a tenants rights organization based in Brooklyn.

2004). At the time, it was the largest campaign to organize workfare workers in the country (Tait 2005).<sup>98</sup>

WWT initially focused on “work-related issues”, such as WEP workers subminimum wages, their lack of rights on the job, and routine health and safety violations at WEP jobsites.<sup>99</sup> Child care, however, was not a priority of the group. The reasons for this are complex: first, as WEP initially drew welfare recipients from the General Assistance program, and only later from TANF, the first wave of workfare participants were single individuals without children. Thus, from the campaign’s inception to the peak of anti-WEP organizing in 1998, child care was not an immediate concern for the majority of WEP participants (Interview 16).

Second, in contrast to the welfare rights organizing of the 1960s and 70s, which saw women on welfare mobilize around a multi-layered political identity—as welfare recipients, mothers, tenants, members of a racial group, and community members (see Nadasen 2005)—for strategic reasons, WWT sought to organize workfare participants by focusing on their identity as “workers”. This strategy was designed to advance the coalition’s initial claim on the state, which was to have WEP participants reclassified as employees of the city under labour law, opening the way for their unionization (see Krinsky 2007a). Furthermore, according to organizers the identity of “worker”, as opposed to “welfare recipient” or “welfare mother”, was understood to be “gender-neutral” and more likely to foster solidarity between WEP workers and potential allies in the city’s labour movement (Tait 2005).

Yet according to Krinsky (2007: 17), by the end of 1997, WWT’s focus on “WEP workers’ rights and identity *as workers* was giving way to, or at least coexisting with, a

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<sup>98</sup> This organizing intensified as participation in WEP peaked around 1998 and then resided as the city became less reliant on public sector job placements to reduce its welfare rolls and more focused on strategies of diversion. For an extensive analysis and discussion of this campaign, see Krinsky (2007a) and Goldberg (2001).

<sup>99</sup> WEP workers were classified as trainees, not employees, under federal law. Therefore they were neither covered by the National Labor Relations Act, nor were they permitted to form a union or bargain collectively (Dulchin and Kasmir 2004: 3).

focus on WEP workers as *potential workers*, whose primary needs were education, training, and child care.” The group’s failure to successfully challenge WEP workers’ misclassification under labour law necessitated this shift. With unionization off the agenda, unlike the identity of worker, “potential worker” opened space to make claims on the state that took into consideration the needs of single mothers in WEP as gendered subjects, that is as *mothers* with child care needs that had to be met in order for them to participate in welfare-to-work programming.

In addition, by early 1998 an increasing number of TANF recipients were being called into the program, changing the balance between single mothers and childless adults. Over the next year, WWT organizers gained a heightened awareness of the systemic violation of welfare mothers’ child care rights, including the illegal use of sanctions to push mothers to rely on informal child care. Lacking stable, adequate child care arrangements, increasing numbers of WWT members were failing to show up for their WEP assignments and were sanctioned by their caseworkers as a result (Interview 16).

With these dynamics at play, WWT turned its attention to child care. In June of 1998, the coalition organized a demonstration at HRA’s headquarters in downtown Manhattan, demanding a meeting with then commissioner Lilliam Barrios-Paoli. The demonstration took the form of a “guerrilla” daycare centre (Interview 16). Fifty children and adults “marched into the building, hung up a sign declaring the space a day-care centre, and passed out jump ropes and balls to the children” (Dulchin and Kasmir 2004: 5). According to organizers, the action effectively shut down the entrance to HRA’s office (Interview 16). After a period of negotiation with lower-level staff, the commissioner agreed to meet with a WWT delegation at a later date (Interview 16).

At that meeting, WEP workers aired their child care related grievances (Interview 16). The commissioner agreed to work with activists to compose a two-page child care fact sheet to be included in HRA call-in notices and to develop a child care checklist for welfare caseworkers. Barrios-Paoli also agreed to a small increase in the value of child care vouchers allotted to WEP participants (Interview 16). Responding to reporters after

the meeting, the commissioner stated that the delegation's "ideas were valid and their suggestions very good." For their part, WWT organizers believed the commissioner was "genuinely committed to improving the system so that HRA can provide people with better child care options" (Brooke and Epstein 1997: 4).

However, by late 1998 Barrios-Paoli had been replaced by Jason Turner. With Giuliani's handpicked commissioner in place, many of WWT's child care grievances went unaddressed. While the group was eventually successful in forcing the city to create a transitional jobs program that emphasized training and education instead of public-sector job placements (perhaps the coalition's most important victory), the guerrilla daycare centre was the only direct action that focused exclusively on the issue of child care. According to a lead organizer, WWT admittedly "didn't do that much around the issue of child care" as the coalition's focus "was on jobs". If this focus necessitated action on child care, then the issue would be incorporated into WWT's work (Interview 16). As a member-driven organization, WWT claimed to organize around those issues that most troubled its members and according to this organizer:

Child care just wasn't the issue that was raised the most ... the issues that came up were worksite violations, health and safety concerns and that people wanted a paycheck. The thing is if you're at a job that doesn't pay, you might be concerned about child care but your fight isn't to get better child care at an unpaid job, but to get a paid job. (Interview 16)

To summarize, in making claims on the state, WWT initially organized around a masculine construct of "work" and "worker" that precluded the child care needs of TANF participants as mothers. When the campaign's demand to have WEP participants reclassified as employees failed, WWT shifted its organizing to focus on the needs of WEP participants as "potential workers", including training and education. This shift opened the space to organize around the demands of welfare mothers as gendered subjects, including the need for adequate child care. However, throughout the WWT's campaign, child care was not prioritized by WWT members, the majority of whom were single adults without children.

Yet in its "guerrilla daycare centre", WWT made an important contribution to future struggles at the intersection of welfare and child care. Prior to the city's implementation

of federal welfare reform, little attention had been given to the connection between child care and welfare rights. WWT's direct action was one of the first public events to centre child care in welfare rights organizing and put the media's spotlight on the escalation of the city's care crisis and the inadequacy of the welfare bureaucracy in dealing with it. As child care advocates, welfare rights groups and legal-aid lawyers ramped up their activism and advocacy efforts, child care would come to take a prominent place in social movement resistance to the city's workfare regime.

## **2. Contesting “Choice”: Advocacy at the Intersection of Child Care and Welfare Rights (1996-2000)**

In contrast to the tactics of WEP Workers Together, child care and welfare rights advocates took a less confrontational, and more sustained, approach to defend poor mothers' welfare and child care rights. Organizations such as Child Care Inc., NOW, and South Brooklyn Legal Services employed outreach, popular education, and “know-your-rights” workshops to make TANF mothers aware of their child care rights under state and federal law. They also represented welfare recipients in “fair hearings” procedures—where TANF mothers could contest their case manager's decisions—in addition to producing research reports with the intention to publicly shaming the city into action on child care. In their activism and advocacy work, child care and welfare rights groups invoked the Giuliani administration's rhetoric of “parental choice” to claim that *real choice* in child care required public investment, an expansion of affordable, regulated, quality care, and an end to the policies and practices that played a role in poor mothers' over-reliance on informal child care.

### *Pathways to Success*

By 1998, HRA was facing sustained public criticism from child care advocates and negative media coverage for its failure to provide welfare mothers with adequate child care (see previous chapter). In response to this criticism, in October of 1999 HRA agreed to fund Child Care Inc. (CCI), along with four other child care resource and referral



agencies, to provide on-site child care information and referral services at selected welfare offices (Interview 9). Under this project, a “child care councillor” spent one day a week at an HRA Job Center providing advice and support to welfare recipients. The nature of this support ranged from making sure recipients were aware of the child care benefits to which they were entitled in law and informing recipients that they could not be lawfully sanctioned for failure to comply with work requirements due to a lack of adequate child care arrangements. The councillor also assisted welfare mothers in locating a child care provider of their choice, playing a role in which welfare caseworkers had proven to be negligent (see previous chapter).

Over the length of this project, CCI child care councillors served 400 welfare recipients with 700 children (CCI 2003). Belying the city’s rhetoric of “parental choice”, the project found that 90 percent of parents who received child care assistance from CCI’s on-site councillor opted for a regulated child care setting (CCI 2003). These findings contradicted the Giuliani administration’s line on child care and apparently caused some embarrassment for HRA’s top brass (Interview 9). Yet in a move that further revealed the administration’s commitment to facilitating the expansion of the informal child care market, HRA did not renew CCI’s contract and the information and referral program was effectively ended due to “lack of resources” (CCI 2003: 11). While CCI had connected with a few allies in the child care division of HRA—bureaucrats who were concerned about the widespread use of unregulated, license-exempt care—these voices were marginalized by the agency’s senior administrators (Interview 17; Interview 9).

Following this experience, CCI embarked on a child care referral project of its own. The project, called *Pathways to Success*, had a dual function: first, to ensure welfare mothers had access to regulated child care through outreach and a telephone support line; and second, and a more expressly political function, to further demonstrate that low-income families’ over-reliance on informal child care was not reflective of their preferences i.e. it was not simply a matter of “parent choice” (Interview 9). With no funding from the city, CCI secured financial support for the project from a philanthropic foundation (CCI 1999).

*Pathways* ran over two phases between 1996 to 1999 and provided child care counselling to close to 3,000 TANF families (CCI 1999). Under the project, advocates conducted citywide outreach to welfare mothers in Job Centers, employment programs, and community agencies. They tracked the progress of around 1,800 parents who called the *Pathways* child care phone line for assistance (CCI 1999). The project confirmed what CCI and other agencies had found during their HRA-funded research: while 83 percent of TANF families placed their children in informal care, 85 percent of *Pathways* families opted for regulated settings. Furthermore, for TANF parents looking to access transitional child care (TCC), 75 percent were not aware of their eligibility, or even the existence of TCC, before calling *Pathways*. CCI concluded that HRA caseworkers were systematically failing to notify their clients about transitional child care benefits (CCI 1999).

As an advocacy group, which occasionally relied on contracts with municipal agencies, CCI had to decide the most effective way of mobilizing this knowledge while not jeopardizing its precarious relationship with the city (Interview 9). While the organization's tactics may have been less confrontational than WWT, they nonetheless proved to have some impact. In an attempt to publicly shame the Giuliani administration, CCI issued a press release stating that their research had conclusively demonstrated that informal child care arrangements did not work long-term for women transitioning into work from public assistance. With the proper information and support to make "good child care choices", CCI argued, TANF families could access "child care that meets their child's developmental and education needs, and supports their transition to employment" (CCI 1999: 3).

While the press release garnered media interest, changes were not immediately forthcoming. However, representatives from CCI did win an audience with HRA administrators, who agreed to look into the procedures surrounding the issuance of child care information and advice by the agency's caseworkers (Interview 17). While this may seem like a small victory, the Giuliani administration's doors were typically closed to any

agency or community group perceived to be critical of the mayor, including CCI. Advocates believed that the positive media coverage given the *Pathways* program, and ongoing coverage of welfare mothers' child care predicaments, pushed the administration to at least invite child care advocates to the table (Interview 17).

CCI's work was complemented by the legal advocacy of the New York chapter of the National Organization of Women (NOW). The feminist organization's Legal Defence and Education Fund took up the cases of TANF mothers whose child care rights had been violated by HRA caseworkers, particularly the illegal sanctioning of welfare recipients for failure to work due to lack of child care. Much to the chagrin of the city's welfare bureaucracy NOW was successful in almost all of its cases (Interview 17). As the organization's lead lawyer put it, "The city was counting on people not to complain, but we did. If you had a representative, you could take them [HRA] on over child care" (Interview 17). This legal advocacy, along with popular education and outreach to welfare recipients, was sustained between 1998 and 2002 (Interview 17).

NOW's work helped other welfare rights groups and legal aid organizations identify and act on child care/welfare rights violations (Interview 5). For instance, organizations like the South Brooklyn Legal Services (SBLS) were granted a two-year fellowship, funded by the National Association of Public Law, to focus on the child care rights of welfare recipients. As SBLS's lead lawyer commented, "there were all kinds of procedures that [HRA] weren't following that they should have been" (Interview 5).<sup>100</sup> SBLS built on the work of NOW and CCI, representing hundreds of TANF mothers at individual "fair hearings" procedures and conducting "know your rights" workshops with welfare mothers and low-income community groups (Interview 5). This work had a significant impact on individual welfare recipients, repealing sanctions and allowing them the time needed to find better child care. It also held the city's welfare bureaucracy accountable for the most egregious violations of poor mother's welfare rights (Interview 5). Yet

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<sup>100</sup> As the TANF rolls dropped, much of the casework around access to child care benefits morphed into individual legal services to home-based child care providers. NOW and SBLS increasingly took up cases around licensing and payment/reimbursement issues for home daycare providers (a point to which I will return).

despite hundreds of successful interventions by NOW and SBLs, the institutional culture of HRA, and systemic nature of the violations, showed few signs of changing.

### *Regulating Informal Child Care*

Frustrated with the intransigence of HRA, child care advocates and welfare rights lawyers made the decision to “jump scale” and lobby the State government and State child care bureaucracy (Interview 17). Armed with the findings of CCI’s research reports, as well as case law, NOW convinced the state agency responsible for child care to issue a Local Commissioner’s Memorandum advising all New York county welfare administrators (including Jason Turner in New York City) of their responsibility to inform parents on public assistance that they could not be sanctioned due to lack of adequate child care. The state issued a second notice that apprised welfare recipients of their child care rights and obligations. In response to the memorandum, HRA reissued a policy directive informing staff of the availability of the notice and providing instructions for conveying child care information to TANF clients, including a written notice about their child care rights (NOW 2001: 3).

However, as lawyers with NOW remarked, “While the issuance of the memorandum and the policy directive are significant in that they reiterate the city’s pre-existing obligation to inform parents of their child care rights, it is important to point out that the city has a record of ignoring precisely these rights” (Powell and Cahill 2000: 8). Indeed, a 2001 follow up report found that the city had all but ignored the directives and that many parents were not given “adequate information about child care” and were “actually wrongly threatened with sanctions, i.e. a reduction or termination of their welfare benefits, if they could not work due to lack of child care” (Powell and Cahill 2001: 2).

With the city still failing to live up to its obligations under both state and federal law, child care and welfare rights advocates continued to lobby the state and found an important ally in the Office of the State Deputy Comptroller, a Democrat by the name of Carl McCall. McCall had been one of the key voices warning of the escalation of the

city's child care crisis in the years leading up to welfare reform (see McCall 1997). An elected office, the State Comptroller is responsible for auditing New York's local governments, hence McCall's interest in how state TANF monies were being spent.

McCall had publicly opposed the use of TANF funds for informal child care, arguing that unregulated, license-exempt care was not developmentally appropriate and lacked regulatory oversight (McCall 1997). In a series of reports, the deputy comptroller criticized the city for its use of child care-related sanctions, its failure to expand regulated daycare slots despite the increase in state and federal child care funding, and its failure to reimburse home and centre-based child care providers promptly—a common occurrence when parents used vouchers to pay for child care services (Hevesi 2002; McCall 2000). The Office of the State Comptroller also criticized the State child care bureaucracy for doing too little to regulate the health and safety of informal child care settings (Hevesi 2002).

This sustained criticism from advocates, state officials, and activists finally seemed to have impact on the Giuliani administration's child care policies. The response to the groundswell of criticism came in the form of a report detailing the Administration for Children's Services commitment to a new regulatory regime for informal child care. The agency was to implement new state health and safety regulations that required criminal background checks, and clearance by a child abuse and negligence registry, for all informal providers caring for children outside the child's home. ACS staff was to monitor compliance by visiting the informal provider within 60 days of receiving voucher payments. In addition, staff were instructed to provide informal providers with information on health and safety, link interested providers to technical assistance and nutrition training, and offer providers assistance and advice on how to become licensed should they be interested (ACS 2005). According to ACS, the goal was to "Assure that care provided through informal and license-exempt caregivers and supported with public funds provides a healthy and safe environment for children" (ACS 2001: 1).

Overall, advocates believed that these changes would have a positive impact on the quality, safety, and stability of informal child care. And in offering informal caregivers a pathway to becoming licensed family daycare providers, the new regime would expand the supply of regulated child care in the city as well as raising the incomes of those providers who choose this path. If one outcome of the Giuliani administration's strategies of privatization was deregulation of the child care industry, advocates had successfully fought to bring greater regulation, and more responsibilities for the state, into the informal child care sector.

There were other signs of progress. By the year 2003, 77 percent of HRA families were using vouchers to purchase informal care; down from 84 percent in 2001 and a high of 89 percent in 2000 (see Table 1.2). This meant thousands more children were now in regulated care settings. While it is difficult to draw a one-to-one correlation, child care advocates and welfare rights groups believed the decline was a direct result of their ongoing efforts (Interview 8; Interview 9). According to a senior child care official in HRA, sustained advocacy and activism pushed the welfare bureaucracy to place greater emphasis on regulated child care, informing caseworkers of its importance and making sure there was compliance with State-issued memorandums (Interview 25).

Advocates (CCI 2003: 4) reported that HRA had indeed made "extensive efforts to increase the agency's responsiveness to child care concerns." CCI cited progress in the way HRA operated in a number of areas, including: improving parents' access to information regarding child care options; improving the timeliness and consistency of payments to regulated and informal providers; enhancing the quality and safety of informal care (discussed above); and perhaps most importantly, increased and continuous child care training for HRA caseworkers. While acknowledging this progress, CCI noted that "questions remain about how much consistent information and access HRA families have about their range of child care options ... families may continue to lack information about or access to other regulated child care options that meet their needs" (CCI 2003: 4).

Thus, while advocates recognized that progress had been made, they also realized that they were up against an entrenched culture in the city's welfare bureaucracy.<sup>101</sup>

*From Welfare/Child Care Rights to Organizing the “Poor Mother’s Nanny”*

Overall, child care advocates and welfare rights activists had pushed for greater regulation of the informal care sector and fought to ensure welfare mothers' had real choice in child care—with an increasing number of mothers gaining access to subsidies and regulated child care—with some degree of success. However, as the city's welfare rolls continued their drastic decline, advocacy and activism at the intersection of child care and welfare began to shift. As one of the city's leading welfare rights lawyers recalls:

From 1998 to 2000 we were helping welfare recipients get access to child care benefits. But as time went on, we started getting calls from child care providers who weren't being paid ... many of these providers were barely indistinguishable from our clients on public assistance. They were very low-income women of colour. By 2002, our work had almost completely shifted from recipients to providers. (Interview 5)

South Brooklyn Legal Services and other welfare rights organizations increasingly began to serve home-based child care providers—primarily family daycare providers—helping these women navigate municipal daycare regulations and licensing, win back pay owed by negligent city agencies, and aiding providers with auditing and taxation issues.

Part of this shift—from welfare recipients to home child care providers—had to do with the nature of funding in welfare rights advocacy. According to some advocates, as welfare reform moved from political controversy to the “new normal”, funding for welfare rights casework began to dry up (Interview 1; Interview 5). While welfare rights work continued, there was a reluctant acceptance that welfare reform could not be rolled-back. Bill Clinton had in fact ended welfare as the country had known it.

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<sup>101</sup> Furthermore, advocates did not have the capacity to document how many poor mothers had been turned away from public assistance altogether and thereby denied access to TANF and subsidized child care.

Yet there was another logic driving this shift. By 2000, the flow of public child care funds to informal and family daycare providers seemed irreversible. As was the case across the country, the demand for child care unleashed by welfare reform had been met by a precarious, home-based child care workforce (Reese 2011). Organizing these workers to push for higher wages and better working conditions would articulate the linkages between welfare mothers' need for affordable, quality, regulated child care, and child care providers' demands for recognition, respect, and better compensation.

Rather than lamenting the shift in public resources from the city's publicly-financed daycare programs (and their unionized workforce) to the least-regulated, least-trained, worst-paid sectors of the industry, community groups and labour movement activists set about organizing informal and family daycare providers to challenge the devaluation of their work, raise standards in home child care sector, and fight for a better deal from the state. In this they sought to make the work of home child care providers visible, break providers' isolation, and build their collective power and political capacities. It is to these efforts that the chapter now turns.

### **3. Towards Quality Care and Quality Care Work: The Satellite Child Care Program (2000-2005)**

#### *Precarity and the "Poor Mother's Nanny"*

While welfare reform abrogated poor mothers' rights to care full-time for their own children, caring for the children of welfare recipients' engaged in welfare-to-work is recognized as a work activity under TANF (Mink 2002: 108).<sup>102</sup> More generally, care work is considered both an acceptable and a viable career option for mothers transitioning from welfare to paid work (Chaudry 2004). And there is evidence to suggest that welfare administrators and caseworkers in New York City, as well as other locales,

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<sup>102</sup> PRWORA recognizes "the provision of child care services to an individual who is participating in a community service program" as a defined work activity (H.R. 3734 29).



saw the child care industry as a potential source of employment for TANF mothers.<sup>103</sup> As Whitebook observes, over half of states have encouraged former welfare recipients to become child care providers “often without the necessary training or support that leads to quality care or decent child care jobs” (1998: 16-17).

As was the case in other major jurisdictions (such as California and Wisconsin), the majority of activists and advocates organizing at the intersection of welfare and child care in New York City accepted—perhaps reluctantly—the gendered logic of the new TANF regime. Rather than directly challenge the devaluation of poor mothers’ care work, “a goal that appeared unwinnable in the short term” (Reese 2011: 20), progressive civil society groups—welfare rights activists, child care advocates and some unions—challenged the devaluation of poor women’s paid care work, and the work of home child care providers in particular. Their efforts aimed to improve subsidized child care for both low-income families—by improving access and quality—and the home child care workforce—by raising wages and improving working conditions (Reese 2011: Chapter 6).

These efforts took into consideration the demographic overlap, and grounds for solidarity, between home child care providers and welfare recipients. Welfare mothers were overwhelmingly reliant on home-based providers who were, like them, disproportionately low-income women of colour, often with experiences of public assistance. Some child care providers had recently transitioned from welfare to work as family daycare providers while others were family, friends, or neighbours who may have been on public assistance themselves (see Chaudry 2004). Sen and Thompson have (2006: 20) called these child care providers the “poor mother’s nanny”, noting that “few things distinguish her from her clientele—they live in the same neighbourhood, they are the same color and they’re all occupying the lower shelves of the economy.”

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<sup>103</sup> Statistics on how many TANF mothers moved into home health care and home child care work in New York City are not available. However, Jason Turner pushed child care as a viable career option for mothers transitioning from welfare to work under the W2 program in Wisconsin.

In short, welfare mothers pushed into workfare and the labour market relied on a pool of precarious, home child care providers who were more often than not of the same race and economic circumstances, and lived in the same communities. By 2003, the pool of home child care providers caring for publicly subsidized children in New York City numbered around 28,000, approximately 7,000 family daycare providers and around 21,000 informal providers.<sup>104</sup> And between 1993 and 2003, the number of family daycares in the city had more than doubled (Sen and Thompson 2006).

Unlike their unionized peers in the city's publicly-funded daycares, home child care providers experienced a high degree of precariousness in employment with low-wages, non-existent benefits, and limited access to statutory entitlements and collective representation.<sup>105</sup> Unlike a centre-based child care worker, a home child care provider's job tenure was directly dependent on their work relationships with multiple parties (i.e. the parents of children in their care). Families are under no obligation to leave their child in the care of an individual provider for any particular length of time and can withdraw their child with little notice. For providers, this means low levels of job certainty with incomes fluctuating depending on both the number of children in their care and the duration of care. With parents often working non-standard hours, providers had little control over their hours of work, and given the nature of the work, had few opportunities for breaks. Due to the differing work schedules of parents of children in their care, providers may work up to 15 hours a day without a break. They also have little respite from occupational injury and illness, caring for sick children, jeopardizing their own health, and typically lift and manoeuvre children throughout the day, making them susceptible to back and muscle strain (Black 2012).

In addition, state and federal labour laws exclude independent contractors, and persons providing domestic services in another person's home, from the legal definition of "employee". Under labour law, home child care providers are either independent

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<sup>104</sup> 52,000 home child care providers state-wide in New York (Sen and Thompson 2006) and 1.8 million in the US (Boris and Klein 2008).

<sup>105</sup> This understanding of precariousness in employment as "generalized labour market insecurity along multiple dimensions" is drawn from Vosko (2006).

contractors (i.e. self-employed business owners) or, in the case of the small number of informal providers who are providing care in a child's home, otherwise not deemed to be in an employer-employee relationship (Blank et al. 2010). These workers were thus excluded from basic labour and employment protections in New York State, including minimum wage, prevailing wage, overtime, and employment insurance. In the US, union representation rests on the assumption of a shared worksite and an unambiguous employer-employee relationship, neither of which exists for home-based care workers (Boris and Klein 2008: 35). Thus, New York City's home child care providers were excluded from the right to organize into a union and the right to collectively bargain.<sup>106</sup>

Lastly, home child care providers had low incomes and no access to benefits. Due to the low reimbursement rates set by the state (the "market rate"), many providers had average hourly earnings below the minimum wage and it was not unusual for providers to have annual incomes that put them below the poverty line (UFT 2005). Delays in reimbursement payments from city agencies exacerbated providers' financial difficulties, leaving them unable to pay rent or other household bills on time. Providers received no vacation pay or paid time off for illness or injury. Nor did they have access to health, dental, life/disability insurance or a pension plan through their work. Given their income levels, many home child care providers qualified for government assistance such as food stamps, the Earned Income Tax Credit, or even cash assistance through TANF (UFT 2005).

By channelling public monies—in the form of subsidies—to home child care providers, the state created a precarious, low-wage labour market while denying the home was a workplace (Boris and Klein 2008). The expansion of child care funding that accompanied welfare reform expanded this particular labour market. Excluded from basic labour and employment protections, and in receipt of public subsidies set at rates which kept them at or below the poverty line, the "poor mother's nanny" performed the care work of a

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<sup>106</sup> Self-employed persons, or businesses, are "competitors" and therefore subject to state and federal antitrust laws which prohibits them from "combining" and agreeing on matters such as rates (Blank et al. 2010).

neoliberalizing welfare state “on the cheap”. But alongside their allies in the welfare rights, labour, and child care movements, these care workers decided to fight back. The following three sections of this chapter provide an in-depth examination of these struggles.

### *The Satellite Child Care Program*

The Satellite Child Care program was a subversive attempt to harness public funds to organize the “poor mother’s nanny”, mitigate their precariousness, and reverse the trends towards privatization, deregulation and retrenchment which characterized the Giuliani administration’s child care agenda. Satellite was the brainchild of labour movement activists at the Consortium for Worker Education (CWE), a non-profit education and training organization, which is an arms-length body of the New York City Labour Council (Interview 13). Seed money for the program came in the form of a welfare-to-work grant from the federal government, one of many competitive grants awarded directly to local entities by the US Department of Labour with the purpose of developing workfare programming. These grants were intended to promote experimentation, and discover “best-practices”, in welfare-to-work. More often than not they were used by local governments to demonstrate how quickly, and cheaply, they could push welfare mothers into the lower-reaches of the labour market, thereby drawing down more TANF dollars from upper levels of government (see Peck 2001).

Many such initiatives encouraged welfare recipients to become paid child care providers (or home health care aides) themselves (Whitebook 2001). Yet as Whitebook (2001: 16-17) observes, “the majority of these programs place limited emphasis on skill training and education and are thus unlikely to prepare participants for the limited number of better-paying child care jobs.” As a result, such programs did not provide the necessary training or support that leads to quality care or decent child care jobs. However, Satellite sought to leverage government funds to subvert this model of welfare-to-work, promoting professional development in child care work that would advantage both the children receiving care as well as the women who provide care (Interview 13).

CWE pitched Satellite as a welfare-to-work program that would provide welfare mothers with supports to enable their transition from public assistance to paid work as family daycare providers. The Consortium applied its significant union-backed lobbying power to convince New York State legislators to help fund the project and recognize Satellite Child Care as a distinct category of child care from family day, centre-based, and informal care. Seeing its potential as a workfare initiative, HRA and New York State's Office of Children and Family Services provided technical support (Interview 13). Welfare recipients eligible for Satellite were recommended to the program by HRA case managers or through CWE's community contacts. Despite these partnerships, CWE remained the sole sponsor and manager of the program.

For Satellite's founders, the program sought to address two fundamental problems that arose from welfare reform: the lack of "good jobs" for women leaving welfare and the lack of affordable, quality child care for low-income families, particularly women engaged in welfare-to-work activities (Interview 13). To this end Satellite established a comprehensive training and professional development regime for its participants. Satellite trainees underwent an assessment process to determine their suitability for the program, including a background check and a two-week job-readiness course. In partnership with a child care resource and referral agency, participants were then placed in a 12-week long-internship (500 hours) of which 60 percent of the time was spent in supervised, hands-on work activity at a partnering daycare agency. The rest of their time was spent in in-class early childhood education and care instruction. This extensive professional development counted towards trainees' welfare-to-work requirements under TANF and was the equivalent of earning an associate's degree (i.e. a college diploma) in early childhood education. After completing their training, Satellite set up family child care programs in participants' homes (called "off-site classrooms") and affiliated providers with a daycare agency.

In terms child care quality, Satellite was designed to match the developmental aspects of centre-based care and included organized activities, high-nutrition meal plans, structured

parental involvement, and of course, ECE-trained providers. Bi-monthly visits were paid to participants' homes by CWE staff to ensure that program requirements were being met, yet providers maintained relative autonomy in determining programming for the children in their care (permitted it met the high-quality requirements established by Satellite). And although Satellite received funds from all three levels of governments, providers were made *employees* of CWE, not independent contractors like their counterparts in home child care.

Furthermore, as a labour council affiliate, the CWE ensured that Satellite providers were unionized and represented by District Council (DC) 1707 of the American Federation of State, County, and Municipal Employees (AFSCME). As unionized employees they were covered by a collective bargaining agreement between CWE and DC 1707. Once their family child care program was established, this new employment model meant that Satellite providers—although working in-home like family daycare providers—were given assistance in site preparation, a start-up kit of safety and educational supplies, and received biweekly visits from qualified support staff. Providers were also encouraged to work towards further professional accreditation.

At its peak, Satellite had over 150 providers on its books (Interview 13). The program sought to mitigate the precariousness experienced by the “poor mother’s nanny”. In terms of job certainty, the tenure of Satellite providers was tied to a single job, i.e. that of Satellite employee, and it was up to CWE, not providers, to recruit children to the program. Crucially, if providers did not have the maximum number of children in their care for any length of time, they remained full-time employees (40 hours/week) and were not subject to reduced pay. If a child’s parent pulled them from Satellite care, CWE, not the individual provider, was responsible for filling the slot. In addition, under their collective bargaining agreement, Satellite providers were covered by seniority provisions. Working with a sympathetic employer in CWE, the employer and union ensured that providers’ overtime was recorded and paid, health and safety conditions met, and vacations covered. And with union status, providers had access to traditional means of exerting control in the workplace, such as grievance and arbitration procedures.

Perhaps most importantly, providers starting salary was \$18,200 per year—regardless of the number of children enrolled—and under their collective agreement they received cost of living allowances of two percent each year for three years and then a three percent increase in year five of the contract. Providers were paid approved overtime for hours worked beyond 40 a week and could earn up to \$25,000, bringing them above the federal poverty threshold for a two-adult, two-child family. Providers received benefits, including full health insurance, pension, vacation and sick leave, as well tuition reimbursement for their professional development. While Satellite providers annual incomes remained low, especially given the cost of living in New York City, these benefits greatly enhanced their economic security and their wages, benefits and working conditions was comparable to that of workers in the city’s unionized, publicly-funded daycare centres—and markedly better than that of a typical home child care provider.

*Against “Child Care on the Cheap”: The Demise of Satellite*

Satellite ultimately ran up against political and economic constraints imposed by a municipal and State government committed to deregulation, privatization and the provision of low-cost child care. In order for the model to be successful, the reimbursement rates paid by the State to CWE for children in Satellite care—which in turn paid the salaries of the program’s providers—had to be set at or near the rate paid to the city’s daycare centres. In effect, Satellite was to be home-based child care subsidized at the rates of centre-based care. Yet despite intense lobbying by the programs’ directors, this rate was never realized and eventually alternative-funding streams—such as legislative line items from the State government—dried up. CWE incurred significant debts to keep the program afloat and closed in 2005 due to lack of funding.<sup>107</sup>

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<sup>107</sup> Some employees of Satellite, due to their training and professional development, were able to find employment in child care centres while others turned to providing informal or family day care.

Through its innovative model of home child care, pairing quality care with quality child care jobs, Satellite sought to shift some of the costs of and responsibilities for social reproduction from low-income households back onto the state. Yet it for this reason, the program sat in direct contradiction to the Giuliani administration's neoliberal agenda: unlike the unregulated, license-exempt care favoured by the administration, Satellite's staff provided well-regulated, publicly-financed, high-quality child care services. And like the workers in city-subsidized daycare centres, Satellite providers were members of one of New York's most powerful municipal unions—sworn enemies of Giuliani. In short, Satellite failed to meet the administration's test of delivering child care services “on the cheap” and the program was defunded.

However, Satellite was only the first shot across the bow in a protracted struggle that pit the city (and New York State) against a coalition of community organizations and labour unions seeking to raise wages, working conditions, and quality standards, in the city's home child care sector. Whereas the program sought to organize the “poor mother's nanny” on a small-scale, other activists dreamt big. By 2002, community organizations such as ACORN and FUREE were strategizing citywide home child care worker organizing campaigns (Interview 12; Interview 15). Two years later, ACORN would be joined by one of the city's most powerful unions, the United Federation of Teachers. Together, they set out to give voice to the grievances of the “poor mother's nanny” and raise wages, working conditions, and standards in the New York City's home child care sector.<sup>108</sup>

#### **4. In Defense of Family Daycare: The FUREE Child Care Campaign (2001-2005)**

Founded in 2001, Families United for Racial and Economic Equality (FUREE) is a Brooklyn-based community organization led by poor women of colour. According to its mission statement, FUREE is “committed to fighting structural racism, classism and sexism” and believes “that those directly affected by the policies we are seeking to

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<sup>108</sup> By 2007, campaigns to unionize home-based providers had occurred or were underway in at least fourteen states (Reese 2011).



change should lead the organization” (FUREE 2008). In its organizing with poor Black and Latino women, its focus on popular education and the development of grassroots leadership, and recognition of the intersections of race, class, and gender justice, FUREE is grounded in the legacy and traditions of the welfare rights movement. And like that movement, FUREE demands that all women’s work be socially recognized and economically valued: “we organize low-income families to build power to change the system so that all people’s work is valued and all of us have the right and economic means to decide and live out our own destinies” (FUREE 2008).

FUREE was founded as a welfare rights’ organization when fifteen women on public assistance came together to demand access to education and training in WEP. Towards this end, the group participated in one of the city’s first anti-WEP coalitions and built its base amongst women on public assistance in downtown Brooklyn. The group’s founding membership included a number of family daycare providers, some of whom had recently transitioned from welfare to paid child care work, while others were experienced providers (Interview 11). Since the early 2000s, FUREE has taken on a range of issues affecting low-income families in Brooklyn, including welfare justice, health care, gentrification and the protection of public housing. While the organization engages in lobbying and advocacy, FUREE places a strong emphasis on direct action and community mobilization. Through these tactics, the organization seeks to pressure local and state politicians to pass progressive, pro-poor policies (Interview 11).

*“Us child care providers are treated just like women on welfare ... not in a respectable way”: The Stop the Shutdowns! Campaign*

In June 2001, at the height of welfare reform, FUREE held its annual leadership retreat where members strategized future campaigns and set the organization’s agenda for the coming year. In small groups discussions, women talked about the connections between the interests of welfare mothers and home child care providers (Interview 11). On the one hand, FUREE members who were on public assistance expressed frustration at the lack of stable, quality child care arrangements in their neighbourhoods. The shortage of adequate child care was inhibiting their ability to comply with HRA’s work requirements and

many had been sanctioned by their case managers as a result. On the other, members who were family daycare providers complained that they were not being reimbursed by the city in time to pay their bills, if reimbursed at all. A consequence of this was a growing number of family day providers who were refusing to accept HRA vouchers, exacerbating the shortage of regulated care in the Brooklyn neighbourhoods FUREE members called home (Interview 12).

While this dynamic might have been a source for tension between the two groups, FUREE organizers built solidarity between providers and TANF mothers rooted in their shared lived experiences as poor women of colour and their mistreatment by the city's welfare bureaucracy. Engaging in feminist consciousness-raising, providers and welfare recipients shared stories and found common ground for collective struggle. According to one FUREE member who was a family daycare provider, "us providers are treated just like women on welfare ... not in a respectable way" (Interview 12). As an organizer observed, some of FUREE's home child care providers "had come off the welfare rolls, so they understood the needs of those members still on public assistance" (Interview 12).

After these discussions, FUREE decided to organize at the intersection of welfare and child care and launch a campaign that centred on economic justice for welfare recipients and home child care workers. The campaign sought to bring low-income parents together with family daycare providers to fight "so that all work is valued and respected equally" (FUREE 2004). In researching the home childcare sector, FUREE quickly learned about other issues facing providers—their lack of health insurance, sick days, overtime pay, and paid vacation time—which impacted their livelihoods and ability to "do their jobs" (ibid.) According to one organizer, "we came to realize how connected parents and providers issues were, because when providers are treated poorly, parents can't keep their jobs, go to school, or comply with workfare requirements" (Interview 12).

By 2004, FUREE's home child care campaign had began in earnest. The organization devoted one of its staff organizers—a former welfare recipient—full-time to the campaign. She was joined by a well-respected family child care provider and veteran

FUREE activist (Interview 12). In the campaign's initial stages, FUREE members who were home child care providers conducted outreach to friends, family and acquaintances who also operated home daycares. In addition, members with children in home child care encouraged their providers to attend organizing meetings and get involved in the campaign. In a sector in which workers lack a common worksite, this outreach and popular education was vital to breaking providers' isolation and building a grassroots network of activist child care providers.

According to organizers, the common grievances of family daycare providers, particularly the issue of late payments from the city, fuelled the rapid growth of the campaign. While only three providers attended the campaign's founding meeting, within a few months time FUREE was organizing with just over two hundred dues-paying child care providers and an additional number who did not pay dues (Interview 12). Prior to the campaign, FUREE's total membership stood at approximately three hundred—family daycare providers now made up the bulk of the organization's membership.

The child care campaign was to centre on two issues considered “vital to providers' survival” (FUREE 2008). First, the late reimbursement payments from HRA and ACS, and second, the matter of the city's aggressive health and safety inspections. The latter issue took priority as city inspectors were threatening to close hundreds of family daycares on the grounds that they were “unsafe”. While FUREE was steadfast in its support for quality child care, members argued that the New York State Office of Children and Family Services, working with the city's fire and health departments, were targeting family daycares in poor neighbourhoods and unfairly applying new, and very unclear, safety regulations (Interview 12). Most of these daycares were housed in older buildings, including the public housing projects in which many providers resided. New rules around “methods of egress” (i.e. exiting a building) put hundreds of daycares in violation of the city's fire code.

According to one organizer, the closures threatened to displace “thousands of children who come from low-income households already living with a salary that is way below

what is now minimum wage and cannot find other services with the same quality of care or better” (Interview 12).<sup>109</sup> The aggressive inspection campaign left 600 daycare providers on the brink of being shut down, “without regard to how this will affect providers, parents, and the financial stability of the community” (Gaton 2008: 5). Given their low-incomes, providers could not afford to renovate their places of residence to bring them to code; even if they could, most family daycare operators were tenants and would have to negotiate renovations with their landlords (Gaton 2008: 5). Closures on this scale would drastically reduce the supply of regulated child care in a number of Brooklyn’s poorest neighbourhoods, just as the city ramped up efforts to push poor mothers off public assistance. Ironically, the closures threatened the livelihoods of women who had transitioned from welfare into paid care work, struggling to establish their own home daycares (Interview 12).

FUREE devised the “Stop the Shutdowns!” campaign and set about organizing with South Brooklyn Legal Services, their allies on city council, and daycare networks to which some of the providers were affiliated. FUREE made a three-pronged argument against the new inspection regime. The new regulations and inspection process not only threatened subsidized child care slots, but also jeopardized child care quality as new providers stood to lose their licenses. Low-income children were already at risk of being placed in unregulated and unsafe child care settings due to the lack of subsidies; the mass closure of family daycares would only exacerbate the city’s child care crisis. Second, appealing to the logic of welfare reform, FUREE argued that the state’s policies threatened to undermine the very employment supports poor women needed to get off welfare and into paid work, “as there will be no one to care for their children.” Organizers pointed out that “family daycare is an extremely flexible personalized type of daycare that is an essential support for many low-income families to exit poverty”

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<sup>109</sup> For instance, providers were being shut down for using a small underpass at the side of their homes for an exit and the state required a backyard have at least fifty feet of space to qualify as an emergency exit. Such regulations did not fit most of Brooklyn’s housing stock, including public housing projects—which are fireproof buildings—and most housing in low-income neighbourhoods. As co-chair of FUREE’s board, Beverly Corbin, argued, “If it is unsafe to provide child care in these buildings then it is unsafe to live in them” (FUREE nd.: 3).

(FUREE 2004: 1). Finally, organizers made the point that the “home-grown economy of providers who reinvest money back into their communities” would be significantly eroded by the closures, possibly pushing family daycare providers to rely on public assistance (FUREE 2004: 1). This was counterproductive to the Giuliani administration’s aims of promoting “economic independence” for the poor.

Stop the Shutdowns made a number demands on the city and state: first, that providers be given access to easy to understand regulations concerning the safety of children in their care; second, that inspectors and providers be trained and educated about the new regulations; third, that the process of policy change to be made transparent and public; and lastly, FUREE insisted that a pool of money be made available as a one-time “facility improvement grant” to save family daycares from closing or going “off the books”. Combined, these interventions would “protect the vital supply of child care in low-income communities, while continuing to work for the safety of children in home-based day care centres” (FUREE 2004: 2); an agenda that both family daycare providers and parents could rally around.

In order to ramp up on pressure on City Hall, FUREE did intensive research to determine the actual number of child care slots at risk if the closures proceeded as planned. Organizers believed that illustrating the scale of the problem would be an effective strategy to complement a series of rallies and press releases. According to this research, in three of Brooklyn’s highest-needs neighbourhoods—African-American communities with high rates of poverty and a low supply of regulated child care—anywhere from 51 percent to 91 percent of family daycare spaces could be lost. A detailed report was made public and provided to New York City council and the mayor’s office (Interview 12).

FUREE then issued press releases to publicize the report and met individually with city councillors representing Brooklyn districts—all sympathetic to the cause. Of particular help was Yvette Clarke, an African-American councillor and former family daycare operator. Clarke coordinated city council opposition to the new regulations (Interview 12). In addition, FUREE directed its lobbying at the chairs of the health and public

housing committees at city hall and New York State assembly members in Albany. The campaign made ample use research by organizations like CCI, emphasizing that finding regulated child care in the New York “was next to impossible” (FUREE nd.: 3). In doing so, FUREE hammered home that the interests of family daycare providers and low-income families were united in the campaign.

*“Parents and providers are literally in tears” : Media Coverage of Stop the Shutdowns!*

Given the media’s interest in the city’s escalating child care crisis (see previous chapter), the Stop the Shutdowns campaign was picked up by a number of newspapers. In addition to coverage of FUREE’s rallies outside the state Office of Family and Children Services, community newspapers in Brooklyn and the city’s major dailies ran stories on providers who had been forced to close, leaving low-income families stranded without child care (see Grace 2005; Bleyer 2006). The *New York Times* ran an article featuring family daycare provider and FUREE board member, Sandra Robinson, in which Robinson pleaded with the city and state, saying “Everybody’s (parents and providers) are literally in tears. Women who’ve had a license for twenty-five years in the same place, on the same floor, are now being shut down. There’s no other choice but to change the policy” (qtd. in Bleyer 2006: 14). Robinson’s voice was featured in a number of articles, becoming FUREE’s media spokesperson (see Bleyer 2006; Robinson and Berger 2006).

At the height of the media coverage, the *New York Daily News* ran a debate pitting the Associate Commissioner of the Health Department’s Bureau of Day Care against Robinson and FUREE director Ilana Berger. While the Commissioner argued that the new policies balanced “safety with the growing demand for quality child care in New York City” (Marcus 2006: 40), Robinson and Berger called the new rules “senseless”, saying they did “nothing to improve quality” and threatened “the survival of 600 city daycares, where about 5,000 kids are served” (2006: 40). Contra the Commissioner, Robinson and Berger argued that quality and safety were in fact being jeopardized by the closures as families were being forced to use license-exempt, unregulated child care or “underground” daycares.

At a FUREE press conference, a provider, whose family daycare had been closed by inspectors, broke down in tears saying that she had slipped into depression since losing her business (Malcolm 2006: 3). It was an emotional illustration of the toll the city's policies were having on home child care providers struggling to make ends meet. At the same press conference, FUREE organizers extolled the virtues of family daycare, arguing that "the state's narrow definition of safety does not even begin to take into account the many factors that contribute to a child's safety in the community, and quality child care is one of the most important ways to keep children safe" (qtd. in Witt 2006). The media coverage was overwhelmingly positive. FUREE was able to clearly convey the message that daycare closures were negatively impacting providers and parents, that the alternative to family daycare was unregulated and unsafe, and that the city and state were deaf to the concerns of providers, parents, and low-income communities in general. In the court of public opinion, FUREE had gained the upper hand.

### *The Shutdowns Stopped*

With positive press coverage and campaign momentum building, FUREE and its allies on city council successfully pressured the Giuliani administration into negotiations with state bureaucrats to resolve the building and fire code issues. In 2008, changes were made to state regulations, adapting key aspects of the code to reflect the realities of the city's older housing stock (Gaton 2008; Interview 11). FUREE was also successful in convincing the city to fund necessary repairs to their providers places of residence and to help with relocation costs should they have to move to stay in business (Interview 11). According to FUREE, these changes saved hundreds of daycares from being shut down and built further support amongst home child care providers (Interview 11). With the success of Stop the Shutdowns, FUREE decided to launch a campaign to raise the "market rate"—the reimbursement rate paid to providers by the state for the care of subsidized children.

However, two other organizations, the Association of Community Organizations for Reform Now (ACORN) and the United Federation of Teachers (UFT), had embarked on their own campaign to organize home child care providers across New York City.<sup>110</sup> ACORN and UFT sought to build on the experiences of home health care providers' unions in states like Illinois and California. Since the 1980s, unions like the Service Employees International Union had been developing a model of home care worker unionism, which took into account the non-traditional nature of home-based work, home health care providers' ambiguous and problematic employment status, and their exclusion from traditional protections under employment and labour law (see Brooks 2005; Boris and Klein 2008, 2012).

Through coalition-building with parents, senior citizens, and disability activists, home health care aides and their unions had pushed state governments to pass legislation and/or executive orders which defined the state as an employer for the purposes of collective bargaining, opening the way to unionization (see Boris and Klein 2008). The coalitions articulated the linkages between the interests of care providers and care consumers in that low-wages, poor working conditions, and high turnover in the home care workforce had a deleterious effect on the quality of services. As Boris and Klein (2008: 32) observe, these unions "asked for respect, dignity, higher wages, and improved conditions for the users of their services". And this model of organizing had started to bear fruit: in 1999, 74,000 Los Angeles home health care aides voted to join SEIU, the largest successful union drive since the Great Depression (Boris and Klein 2008).

As subsidized informal and family daycare exploded in the wake of welfare reform, unions like SEIU believed their model of home care worker unionism could be applied to the growing home child care workforce (Brooks 2005). In 2003, Illinois's Democratic governor, Rod Blagojevich, issued an executive order classifying home child care providers as employees of the state for the purposes of collective bargaining (Brooks

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<sup>110</sup> ACORN had tried and failed to organize providers in 2002-2003 but returned to organizing after forming a partnership with UFT. This produced some tension between ACORN and FUREE as the latter had stuck with the campaign and won important gains (Interview 11).



2005). The order gave home child care workers the right to unionize, while maintaining their independent contractor status, and required the state to engage in collective negotiations with workers' representative, the SEIU, over issues such as reimbursement rates, health insurance, working conditions, training and professional development (Blank et al. 2010).

Rather than bringing providers into a community-based organization like FUREE, which relied almost exclusively on direct action and community mobilization to win gains, ACORN and UFT sought recognition from the state. It was through unionization and collective bargaining, they insisted, that New York City's home child care workforce could best build their collective power, win improvements in wages and working conditions, a voice in the development of child care programs, and expand public investment in child care overall.

FUREE had demonstrated that despite the absence of a common worksite and a traditional employee-employer relationship, home child care workers could be organized to defend their interests and those of the families they served. Furthermore, the common grievances, and shared social location, of welfare recipients and the "poor mother's nanny" was fertile ground for this organizing and the emergence of a social movement that could challenge the city and state's child care policies. Yet FUREE recognized its own limits as a relatively small, grassroots organization. While they could engage in advocacy and direct action, unlike a union, they could not represent providers in collective bargaining (Interview 12). Plus, ACORN and UFT were powerful actors in New York City politics, wielding far greater financial and political clout than the Brooklyn-based group. And UFT had political muscle in the state capital of Albany, allowing New York City home child care providers to more effectively scale-up their struggle to where many of the policies shaping the home child care sector were made.

*A New Mayor in Town: From Giuliani to Bloomberg*

2002 marked the end of the Giuliani era and the election of Michael Bloomberg. ACORN and the UFT would have to confront a new mayor, but one who cut from the same political cloth as his predecessor. Bloomberg left Giuliani's welfare-to-work program largely intact, making a few minor concessions to welfare rights campaigners (Interview 7). And while the new mayor reopened policy channels for child care advocates, as advocates quickly discovered, access did not necessarily equal influence (Interview 25). In its first two years in office, the Bloomberg administration did not chart a radically different direction in child care. As a 2004 report by New York's leading welfare rights organization, the Welfare Law Centre (WLC), observed "despite a child care budget that exceeds half a billion dollars—children continue to be placed at risk by poor and patched-together care" (Scharf and Carlson 2004: 3).

WLC's *Lost in the Maze* (Scharf and Carlson 2004) documented how little progress had been made since the passage of federal welfare reform in 1996. The city's subsidy waiting list had grown to 38,000 families and the lack of access to affordable care was impeding "the ability of low income families to attain economic security" (ibid.: 4). The "confusing array of bureaucracies" that delivered child care services meant many eligible families did not receive the support to which they were entitled. Overall, New York City's child care system was "bureaucratically complex and makes access for low income families often difficult and all-too-often impossible" (ibid.: 6).

Despite sustained activism and advocacy, many of the front-line practices of the city's welfare bureaucracy lingered on: TANF mothers still had less than a week to find full-time child care arrangements before the start of their work assignment, and case managers "routinely pressed cash assistance recipients to seek child care from a friend, family member, or neighbour" (ibid.: 9). Furthermore, there had been little expansion of regulated child care in twelve of the city's high-needs neighbourhoods, where the child care crisis was most acute. The positives were that fewer public assistance families were relying on unregulated, license-exempt care and the use of sanctions to were less

frequently used to punish welfare recipients for failure to find adequate child care had diminished (ibid. 2004).

In the final years of the Dinkins' administration, the Temporary Commission on Early Childhood Services scrutinized the city's public child care services and urged civic leaders to overhaul the system, make it more accessible, and expand the city's high-quality, centre-based child care infrastructure to keep up with rising demand. Despite an unprecedented expansion of the child care budget between 1996 and 2003, none of the Commission's recommendations had been implemented (ibid.). Mayor Rudy Giuliani had overseen eight years of privatization, retrenchment, and deregulation and Mayor Bloomberg looked set on pursuing similar policies. Welfare rights groups, child care advocates, and labour movement activists had valiantly fought this agenda with notable, but nonetheless few victories.

### **5. Unionizing Home Child Care Providers: The ACORN-UFT Campaign (2005-2007)**

As previously mentioned, the seeds of home child care worker organizing had been planted by community groups in the early 2000s. Organizations like FUREE, the Welfare Law Center, and South Brooklyn Legal Services shifted resources from welfare rights advocacy to projects aimed at giving voice to the grievances of the "poor mother's nanny". These seeds would grow into a citywide effort to unionize home-based providers as the United Federation of Teachers (UFT) and its ally, ACORN, built upon the important work of FUREE. Together, UFT and ACORN would build support amongst the city's home child care providers, win back pay from city agencies, and eventually secure the right to unionize and collectively bargain with the state over reimbursement rates, benefits, training opportunities, and regulations governing the provision of home-based care. They would do so by mobilizing around home child care workers' quasi-public status, as public employees and children's "first teachers", who provided an essential social service caring for children during their critical early development years.

Now defunct, ACORN was a national social justice organization with community-based chapters across the US. The organization emerged out of the welfare rights movement in the 1970s but had gone on to organize around a range of social and economic justice issues facing low-income urban communities (see Tait 2005). Like FUREE, ACORN had a presence in New York City's low-income racialized neighbourhoods. And also like the Brooklyn group, some of ACORN's members were themselves home child care providers fed up with delayed payments from the city, harassment by health inspectors, and the general precariousness of their work.

As one of ACORN's lead organizers explained:

In 2002, a few child care providers, all members of ACORN, came in and told our staff organizer that they loved being child care providers, but that the working conditions were so awful, they were actually considering quitting. They talked about never knowing when they would get paid by the city, about being harassed by inspectors, and feeling like they had no one to turn to for support (Interview 14)

Sensing these grievances were the raw material for an organizing campaign, ACORN used their neighbourhood chapters to canvass providers across the city, gauging their receptiveness to collective action (Interview 14). A community meeting soon followed in which child care providers from all five boroughs discussed their grievances and voiced their determination to build collective strength. According to one organizer, "providers decided they wanted to get organized to fight for the right to form an entity that could negotiate with the city and state for better working conditions" (Interview 14). Yet in the months that followed, a small group of around 200 providers found it hard to build momentum and experienced limited success in their lobbying efforts: "we were unable to get anywhere with our fight," said one organizer, "it had become very clear that our campaign did not get very far because we did not have the kind of political pull we needed in order to really create change from the city to state level" (Interview 14).

By 2005, ACORN staff had determined that an established union would better serve the home child care workforce (Interview 14). The community group reached out to the United Federation of Teachers, the city's largest teachers' union. ACORN chose the UFT for a number of reasons: First, ACORN had a healthy working relationship with the UFT,

having partnered together on a number of campaigns, including successfully fighting the growth of non-union charter schools in the city's education system (Interview 14). Second, the organizations agreed that a campaign to organize child care providers should be framed in the language of professionalism; a campaign which sought to earn respect for children's "first teachers". Publicly, the UFT said it wanted to represent child care providers because of their important yet undervalued role in the education system (Interview 14). Teacher unionism had been built on the idea that through collective bargaining and political action, teachers could secure quality working conditions *and* a quality education system. And as FUREE had demonstrated, framing home child care struggles as one to improve the quality of child care had resonated with parents, policymakers, and the broader public. As a teachers union, the UFT was uniquely poised to represent home child care providers on these terms. Finally, ACORN was convinced that the 150,000 member strong union had the political clout and financial resources to make the campaign a success (Interview 14).

After an initial planning meeting, in the spring of 2005 home child care worker organizing recommenced after a three-year hiatus. ACORN acquired a list of the city's subsidized home child care providers from the Administration of Children's Services and put together a team of twenty full-time organizers to survey providers and gauge support for unionization (Interview 15). Given that providers lacked a common worksite, like FUREE, ACORN had to organize through social networks, often through kith and kin, and through its local neighbourhood chapters. ACORN members who had children in home child care alerted their providers to the campaign. Providers themselves spread the word to other members of their community. In addition, ACORN and UFT engaged in a citywide door-knocking campaign, focused in those neighbourhoods with a high number of home child care providers. As one provider put it "We knew that with 28,000 providers we had to do a serious grassroots effort so that meant knocking on doors rain or shine" (Interview 18). The response was overwhelmingly positive: In just three months, organizers had collected 6,000 union card signatures and held a founding meeting with over 250 women (Interview 14).

Numerous obstacles faced the campaign. Providers' feared that organizing would upset the agency-run child care networks to which some of them belonged, and could result in a network's refusal to place children with pro-union providers. Then there was the prospect of a protracted struggle to win recognition from the State. Like in Illinois, providers had to secure legislation or an executive order that defined them as employees of the state for the purposes of unionization and collective bargaining, to say nothing of securing a first contract. There were cultural barriers as well: ACORN and UFT were bringing together Hispanic and African-American providers and more than 40 percent of the nascent group spoke Spanish exclusively (Interview 15)

But perhaps the most difficult challenge, according to organizers, "was getting providers to believe that change was possible. That is if providers came together and organized, they could really change the way their work was viewed and compensated" (Interview 15). To this end, the union and ACORN held meetings in the city's five boroughs in which hundreds of providers participated. Organizers conducted leadership development, discussing issues of power and respect (Interview 14). A group of around fifty rank-and-file leaders began to lead the meetings and worked to convince their fellow providers that like the teachers represented by UFT, they were educators who deserved to be treated with respect and dignity by the city and by demanding public investment in training and professional development, they would collectively enhance the quality of the care they provided, benefiting themselves and the families and communities they served (Interview 15).

Providers discovered they were experiencing the same problems regardless of where they lived in the city, how long they had been in the profession, or how many children they had in their care. The three primary issues were: disrespect from the city agencies they dealt with; inspectors who were arbitrary and intimidating; and market rates which relegated many providers to a life of poverty (Interview 18). As FUREE's child care providers had argued, in their interactions with the city, home child care providers felt they were treated "like women on welfare" (Interview 18). These conversations were

essential to breaking the isolation home child care providers experienced and building their capacities for collective action. As one rank-and-file leader explained:

When reaching out to other providers, we would say, “I am a provider like you. Here are the problems I’m having. Are you having these problems too?” So our strategy was simple: tell our story and hear their story. In listening to others stories we immediately validated them as professionals. Part of the problem with being a provider is you are isolated and when you are disrespected it impacts your life and how you view yourself. When we reached out to other providers to hear about their lives, about their profession, it totally validated them. They wanted to commit to the union and make change for themselves. (Interview 18)

This last point was crucial. Home child care was favoured by the Giuliani administration because it was cheap, non-union, and “responsive” to demand. Unlike the city’s daycare workers, the home child care workforce was relatively invisible, isolated, and politically weak. Yet in receipt of state funds to care for the children of low-income families, these providers had emerged as a quasi-public sector workforce. This status opened the legal and discursive space for home-based child care providers to collectively organize and make claims on the state as *public employees* providing an essential social service—as children’s “first teachers” and as educators—not “nannies” or “babysitters”. By mitigating the precarious nature of home child care work, a collective agreement could stabilize the home child care workforce and improve the quality of care for low-income children who were overrepresented in the sector. The campaign would have to convince the state that investment in home child care—in wages and benefits, training and professional development—was an investment in improving child care quality and enhancing the “school readiness” of low-income children (UFT 2005).

Despite these obstacles, after months of grassroots organizing, in October of 2005 the UFT held a rally in which 1,300 providers participated (Interview 15). It was a clear show of strength, putting the City and State on notice that providers were capable of mass mobilization and serious in their commitment to organize. From here, providers exercised their new found strength to win some significant victories, including back pay totalling over \$130,000—owed to providers by HRA and ACS—and a program to reimburse out-of-pocket expenses for supplies and learning materials (Interview 15). They also asserted their voice in policymaking: through demonstrations and lobbying, providers demanded and won set meetings with ACS and the Department of Health in which they discussed

ongoing problems with communication, payment delays and paystub issues, as well as concerns with the health and safety inspection process.

According to organizers, these victories gave providers greater belief in the power of collective action and the union (Interview 14; Interview 15). As one of the campaign's strategists put it, "even before we won the right to represent providers as a union, we were trying to function as a union" (Interview 14). As one rank and file provider explained, if they failed to make progress in negotiations with the city, for example, "we would rev up our strategy ... do a rally or press conference, or attend a city council hearing. Anything to stay visible and in their faces to let them know we were not going anywhere until they made the changes and corrected the problem" (Interview 18). Rather than dealing with city agencies one-on-one, providers confronted the state in solidarity with one another.

Yet the biggest obstacle to formal unionization remained state labour laws. To win recognition, the UFT, ACORN, and AFSCME (which had established an agreement with the UFT for organizing jurisdiction outside of New York City) sought to leverage their formidable political power in Albany. To do so, the organizations broadened their coalition to include New York State's social democratic Working Families Party, influential church ministers, and members of the Black and Latino Legislative Caucus. And fortunately, the political winds at the state level had begun to shift. A gubernatorial election was on the horizon and the Democratic candidate, Elliot Spitzer, was polling well ahead of his Republican challenger. There were also a broader shift in the discourse around child care that could be seen as favouring the providers' cause. As some observers have argued by the mid-2000s, the popularization of research into the benefits of early childhood education and care was beginning to convince policymakers, even a few conservatives, that public investment in child care was positive for children, families, and the economy (Polakow 2007).



*For Justice and Respect*

After months of lobbying and flexing of political muscle, the coalition assembled by ACORN and UFT convinced a Republican-controlled State Senate to unanimously pass a bill establishing the State of New York as subsidized home child care providers' sole employer of record for the purposes of collective bargaining, giving providers the right to unionize (Gregory 2008). The Democrat-controlled Assembly soon followed. According to the bill's sponsor, the unionization would give home child care providers a collective voice and representation in the State's child care assistance program, help ensure quality care, facilitate higher standards for the children and families served, and improve the delivery of services (see Gregory 2008: 287).

However the victory was short-lived as the outgoing Republican Governor, George Pataki, exercised his veto, squashing the bill. In doing so, he relied on old arguments about the nature of state-supported home care work, arguing that it was "a blatant legal fiction to characterize these providers as public employees" and that unionization would jeopardize federal child care funding (Gregory 2008: 277). Furthermore, Pataki claimed that providers would be taking precious child care dollars out of the hands of families and putting them into union coffers, would jeopardize federal child care funding, and make child care too costly for the State's low-income families (Greenhouse 2007).

Mayor Bloomberg joined Pataki in opposition to the union. The mayor argued that unionizing home daycare providers would cost the city up to \$100 million a year in increased wages and benefits (Greenhouse 2007). Others close to the mayor made similar arguments. The neoliberal Manhattan Institute exclaimed unionization would "increase day care costs for everybody," but perhaps more disturbingly from the perspective of conservatives, it would "increase the power of the states' most powerful unions" (as qtd. in Greenhouse 2007). Similar concerns were expressed by one of New York State's largest business lobbies, the Business Council of New York, arguing the State already had more public employees per capita than most other states and that the bill perpetuates a political culture that "serves the interests of those who get paid to provide public

services, more often than it does the people who are the ostensible beneficiaries of such services” (as qtd. in Gregory 2008: 290). Giuliani may have been gone, but the anti-union sentiments of New York’s elite remained strong.

The UFT’s president, Randi Weingarten, countered by saying one of the primary goals of unionization was to not to shift dollars from parents to unions, but to improve training for home child care providers, raising standards for both providers and children. As Weingarten remarked, “I have a vision of educational unionism from birth through university. Here you have child care providers who are not just custodians of kids, but they can plan a pivotal role in teaching kids” (as qtd. in Greenhouse 2007). The New York State United Teachers union, the UFT local for upstate teachers, made a similar argument, stating that research “demonstrated that quality early childhood education results in greater achievement throughout ones educational experiences ... investment in the quality and stability of early childcare workers correlates with better social and academic outcomes for children” (as qtd. in Gregory 2008).

While the Senate voted to override Pataki’s veto, the UFT waited to work with soon to be elected Democratic Governor, Elliot Spitzer. Spitzer had made sympathetic overtures to providers during his election campaign, drawing his support from much the same base that made up ACORN/UFT coalition (Gregory 2008). Soon after taking office in 2007, the new governor issued an executive order classifying home child care providers as state employees for the purpose of collective bargaining and giving them the right to unionize. The order authorized state agencies to meet and confer with providers’ representatives in order to reach a contract that “may address the stability, funding and operation of child care programs; expansion of quality child care; and improvement of working conditions, including subsidies, benefits or payment, for child care providers” (NYS 2007).<sup>111</sup> In the

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<sup>111</sup> In keeping with New York State’s Taylor Law, which prohibits public employees right to strike, the executive order states that nothing in the order permits “the child care providers collectively to engage in any strike or work action to secure any right or privilege from the State.” The executive order does not render home child care providers state officers or employees and does not imply that there exists “any employer-employee relationship between the child care operator and the State ... for any purpose, including

introduction to the order, Spitzer stated that home child care providers, “perform an essential service for working parents and guardians in this state, by creating a safe, enjoyable and educational home-like environment for their children” and that providers should be empowered to make decisions on issues that impact their services since they receive compensation and benefits “that are not commensurate with the value of the work they perform.” The executive order, according to Spitzer, would establish a “framework for child-care providers to secure representation [that] can help improve the environment in which they work, their benefits, and the funding they receive” (NY State 2007).

While awaiting Spitzer’s executive order, UFT and ACORN had kept busy, organizing rallies and demonstrations and going door-to-door to solicit card signatures from home child care workers (UFT 2008). With Spitzer’s order in place, the UFT duly submitted 12,000 union authorization cards to the State Employment Relations Board, which certified the union had enough cards for an election. In the ensuing election, 8382 providers voted to join the UFT with only 96 voting no.<sup>112</sup> The vote gave formal authorization for the UFT to act as a bargaining representative for New York City’s 28,000 home child care providers. Remarkably, it was the largest successful unionization campaign the city had seen in close to fifty years, when 45,000 teachers joined the UFT (Greenhouse 2007).

After two years of negotiations, the UFT providers reached an agreement in principle with the state of New York on a first contract. Providers voted to ratify that contract in January 2010, with 3,658 ballots cast in favour and 54 against (Landau 2010). In the time between organizing and ratification, the union made some important steps forward. The

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but not limited to any public retirement system, membership in any public health insurance program, unemployment insurance, workers’ compensation, disability coverage, New York Civil Service Law, or indemnification under New York Public Officers Law.” In addition, the order provides that it no way interferes “with the existing relationship between consumers and the child care providers, including the existing rights of parents or guardians to choose their own provider, or to terminate that provider’s services at any time” (see N.Y. Exec Order. 2007; also Gregory 2008: 293-294).

<sup>112</sup> Under New York State labour law, if a majority of those workers who voted are in favour of unionization, the vote is binding upon all members of the bargaining unit.

UFT negotiated with ACS to improve the complaint and licensing renewal process and secured a two-week maximum turn-around time for issuing subsidy payments to providers (Interview 18). Furthermore, while the State adjusted market rates to account for the increased costs of providing child care, New York City, which is responsible for paying the rates, refused to respect the adjustment in violation of state law. Elected state officials applied pressure on the Bloomberg administration and providers held demonstrations, which included teachers and other members of UFT, demanding “justice and respect” (Landau 2010). Finally, in May 2009, some eighteen months after home child care providers had unionized, the city agreed to pay the market rate and make retroactive payments back to 2007.

### *The Unionization Effect: Mitigating Precariousness and Raising Standards*

The unionization of home child care providers in New York City has mitigated the precariousness of their work, improved standards in the sector, and increased public investment in child care overall. In their first contract with the State, the UFT successfully negotiated an increase in the market rate, giving providers more money for each child in their care, and raising their incomes. With regard to benefits, the first contract guarantees health insurance for all providers to be phased in over a period of four years. The state has also agreed to assist with liability and disability insurance.

In terms of child care quality, the contract provides funding for professional development and grants to upgrade providers’ skills. The union and the state will collaborate to determine how funds will be allocated. Training will be conducted by the union in UFT-sponsored teacher centres, in addition to opportunities through the child care resource and referral agencies such as Child Care Inc. The contract also includes a grant to help licensed family daycare providers purchase supplies and upgrade their facilities; prior to unionization, this was an economic burden shouldered solely by providers. Furthermore, funds have been made available to facilitate the transition of informal providers into licensed providers, allowing these workers to qualify for a higher market rate while improving the quality of previously unlicensed, unregulated care (UFT 2010).

In terms of employee voice, the first contract includes the development of a new grievance procedure in consultation with the State. Providers will be able to use the procedure to resolve payment and contract disputes as well as licensure and inspection issues that impact their work environment. This measure will help to ensure that local administrations, in this case, New York City, comply with payment procedures and regulations that the union has negotiated with the State. In addition, the union will have regular meetings with the various government agencies that regulate home child care work, including ACS, the city's Department of Health, and the state Office of Child and Family Services. Through these meetings, the union will have voice in shaping rules and regulations. Speaking about the first contract, Tammie Miller, chair of the UFT Providers chapter, said, "There was a time when providers were disrespected by the city and state of New York. Those days are over" (UFT 2010).

In summary, UFT's efforts to unionize New York City's home child care providers has resulted in improved wages and working conditions for providers, and elevated standards in the home child care sector. Along with ACORN, the UFT made visible the work of home child care and broke the isolation providers' experienced. Collectively, providers challenged the policies that contributed to the devaluation of their work, winning recognition, respect, and the right to unionize and collectively bargain. They did so through grassroots mobilization and political lobbying, building a strong coalition capable of scaling-up providers struggles from the city to the state. In receipt of public funds for the care of low-income children, the campaign leveraged home child care workers' quasi-public status to make claims on the state as public employees providing an essential social service. Perhaps most importantly, home child care providers now have an organized political presence in the city and state, which allows them to mobilize for increased public funding for child care overall, improving their livelihoods while expanding access to regulated, high-quality child care for New York City's low-income families.

## The Missing Players

There were some important absences in the politics of resistance at the intersection of welfare and child care in New York, including the unions representing the city's daycare workers and their supervisors, AFSCME District Council 1707, Local 205, and the Council of School Supervisors and Administrators, Local 1, respectively. At first glance, these unions appeared to have much to lose from federal and state welfare dollars flowing to non-union providers in informal and family daycare. Yet, according to representatives of DC 1707, as welfare reform saw demand for child care at a high and the city's daycare centres fully enrolled—providing relative job security for their workforce—DC 1707 and the CSA did not consider this trend an immediate threat (Interview 20). As a senior policy analyst with DC 1707 put it:

The fact that HRA workers were pressuring public assistance parents to find a relative or neighbour to take of their child as quickly as possible in no way reduced the enrolment in our unionized centres ... What we all did see that it was clearly harming the public assistance children and their families by denying them access to the safe, reliable nurturing child care and early childhood education that our centres could provide, without which these at-risk children would be bound to fall behind their peers when they started school and they would never be able to catch up (Interview 20).

Rather than challenge the expansion of informal care directly, DC 1707 put resources into a state-wide union coalition lobbying Albany for increased funding for quality child care. This coalition had some success in winning more subsidies for moderate-income working families and expanded access to child care for union families in particular (Firestone and Dones 2007).<sup>113</sup> Furthermore, DC 1707 claimed that it was policies implemented long

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<sup>113</sup> A year after Giuliani's election to office, a new coalition formed committed to a comprehensive child care, work, and family agenda (see Firestone and Dones 2007). The New York Union Child Care Coalition (NYUCCC) was founded by ten of the city's unions including the powerful SEIU 1199, a progressive union with a history of organizing women of colour in the city's health care sector. The coalition grew to include twenty-five unions and won official recognition from NYC's Central Labour Council and the New York state AFL-CIO. The coalition's goal was to link union efforts in New York City to a statewide child care agenda, pushing politicians in Albany to expand funding and services for quality child care. The Federation of Protestant Welfare Agencies, a key advocate for the city's welfare recipients would eventually join the coalition, but no poor people's organizations or welfare rights groups were founding members. While based in the city, the NYUCCC primary scale of contestation would be the state. The coalition

after welfare reform—including complex changes to eligibility and enrolment regulations implemented by the Bloomberg administration—that would become the focus of their unions. It was these changes, DC 1707 has argued, that led to under-enrolment in unionized daycare centres and their chronic under-funding under Bloomberg (Interview 20).<sup>114</sup>

However, there are unanswered questions as to why DC 1707 did not try to fight the privatization of child care under Giuliani by “following the work” and organizing the home child care workforce. Apparently the union did show some interest in organizing informal and family daycare providers. For one, DC 1707’s parent union, AFSCME, eventually organized home child care providers in upstate New York. And second, according to Schaller, Warner and Wagner (forthcoming), DC 1707 brought a claim against UFT at the AFL-CIO’s New York Labour Council (the labour federation in the state), which claimed home care workers were the natural constituency of the union. However, AFL-CIO determined that organizing home child care providers was within UFT’s jurisdictional right. Unfortunately, the complexities of this case fall beyond the scope of the research.

Another absence in the politics of resistance was civil society actors defending the right of poor mothers to stay at home and care for their children. According to Reese (2011: 20), in California and Wisconsin, local chapters of the Wages for Housework campaign and the welfare rights group Welfare Warriors took this position. Yet these organizations found few allies among welfare rights groups and few policymakers to actively support their demands. In both jurisdictions, as in New York City, demands to expand and improve subsidized child care, “which challenged the devaluation of paid child care and sought to defend and expand low-income working parents’ access to affordable child care” took priority (Reese 2011: 20). Even prior to neoliberal welfare reform, in the dying

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would not become directly involved in the municipal child care battles that proceeded federal welfare reform (Firestone and Dones 2007).

<sup>114</sup> The gradual rollout of full-day, or “universal”, pre-kindergarten under Bloomberg also contributed to under-enrolment in unionized daycares (Interview 20).

days of AFDC, the end of poor women's right to care for their own children, always tenuous and seldom fully realized in US social policy, was considered a lost battle for many in the welfare rights movement. As Reese (2011: 128) observes, the new gendered consensus—poor, able-bodied mothers were unworthy of aid and expected to work—in effect “discouraged all but a few welfare rights organizations from defending every mother's right to care for her own children.”

## **5. Conclusion**

Chapter Three detailed how the Giuliani administration restructured the relationship between poor mothers, the state, and the market along neoliberal lines. In response to the city's growing child care crisis, New York's welfare bureaucracy channelled welfare mothers into relying on an expanding pool of precarious home child care providers to care for their children, systematically violating welfare recipients' child care rights in the process, while shifting public resources away from New York's centre-based child care infrastructure and its unionized workforce. For the Giuliani administration, home child care was the fastest and cheapest route for moving mothers from welfare into paid work.

Providing child care at low-wages with no benefits, and excluded from employment protections and labour rights, home child care workers performed the care work of a neoliberalizing welfare state “on the cheap”. Other poor mothers were diverted from public assistance altogether and thereby denied access to much needed child care subsidies. As I have argued, these policies are best understood within the broader context of the neoliberalization of New York's urban welfare state, as the Giuliani administration shifted costs of and responsibilities for social reproduction onto families/households and low-income communities. This project targeted the institutional legacies of the city's urban social democracy, as political and economic elites sought to rollback the legacies of popular struggle and shrinks the size and scope of local government.

As this chapter has illustrated, progressive actors in New York's civil society challenged this agenda. In each case presented here, the state's privatized efforts aimed at mediating



the child care crisis unleashed contradictions and opened space for resistance by social movements, including welfare rights groups, progressive lawyers, child care advocates, and the labour movement. Collectively, these movements sought to reshape the social organization of child care work on terms more favourable to poor mothers and the women who cared for their children.

Child care advocates and welfare rights groups mobilized around the neoliberal rhetoric of “parental choice”, pushing the city to respect welfare recipients’ child care rights and allow welfare mothers true choice in child care. Through advocacy, research, and public outreach, they demonstrated that the city’s welfare bureaucracy denied welfare mothers a choice of child care arrangements, dispelling the myth that families on public assistance overwhelmingly preferred informal care. The evidence suggests that these groups had some success: fewer welfare mothers turned to informal arrangements for the care of their children and welfare caseworkers were instructed to provide welfare recipients with a range of child care options, including regulated care settings. In addition, the political pressure brought to bear on the city and State government resulted in greater regulation of the informal child care sector.

In the case of Satellite Child Care, labour movement activists and child care advocates developed a new model of child care which provided quality care for the children of low-income families and quality care work for welfare recipients transitioning into careers as family daycare providers. Satellite Child Care leveraged government grants typically used to fund local workfare experiments that sought to churn welfare recipients into the lower reaches of the labour market as quickly and as cheaply as possible, and often into low-paid care work. In contrast, Satellite provided an alternative welfare-to-work model, training welfare mothers as family daycare providers with secure, unionized employment at a living wage. Overall, Satellite mitigated the precariousness of home child care work. While eventually starved of funds, Satellite contested the city’s vision of “child care on the cheap,” demonstrating that another world of child care was in fact possible.

Finally, by channelling public funds to non-union informal and family daycare providers,

the Giuliani administration facilitated the growth of the *publicly subsidized* home child care sector. In campaigns like those undertaken by FUREE, the shared grievances—and shared social location—of welfare recipients and home child care providers proved fertile ground for organizing. While these campaigns moved in fits and starts, they built the collective power of the home child care workforce and welfare recipients desperate for quality, affordable child care. FUREE’s Stop the Closures campaign demonstrated that home child care workers, despite lacking a common worksite or history of collection action, could come together to make demands on the state and win progressive policy reforms.

Eventually these campaigns blossomed into a union drive, drawing on the experiences of home care worker unionism. Receiving public dollars, home child providers came to contest their exclusion from labour and employment protections and make claims on the state as *public employees*. The UFT’s brand of “educational unionism” shaped the campaign as home child care providers asserted their place in the city’s public education system as the “first teachers” many low-income children come into contact with.

Partly thanks to shifting political winds, but also to a massive organizing drive and sustained political pressure, home-based providers convinced policymakers that investment in child care was necessary to improve the quality of child care jobs *and* the quality of care poor children received, linking child care quality with improved working conditions in the sector. Through unionization, home child care providers were able to secure higher wages, health insurance, funds for educational materials, and money for training and professional development.

From a relatively isolated and invisible workforce, New York City’s home child care providers emerged as a political force capable of winning demands. While they may not have built the social democratic model of child care envisioned by the daycare movement of decades past, home child care providers stemmed the tide of privatization, deregulation, and retrenchment that characterized Giuliani-era child care policies, and

made successful claims on the state for increased collective responsibility for social reproduction.

## CONCLUSION

### CHILD CARE AGAINST THE NEOLIBERAL CITY

In the 1990s, New York City's workfare regime was one of the most punitive in the United States. Against the backdrop of federal welfare reform, thousands of the city's poor single mothers were pushed off the welfare rolls and into workfare jobs and the lower reaches of the labour market. As this study has illustrated, the question of who would care for these women's children—that is, how would the socially necessary work of child care be organized in the wake of welfare reform—was fundamentally a political one. The answer would become the subject of a fifteen year struggle between the local state, on one side, and child care advocates, welfare rights organizations, legal aid lawyers, low-income community groups, unions, activist mothers, and home child care workers, on the other.

How the city answered this question was of great consequence in the local and national politics of welfare reform. In the years leading up to President Clinton's 1996 welfare reform act, designed to "end welfare as we know it", welfare's critics and defenders had turned their eyes to New York. The Giuliani administration had begun rolling out welfare-to-work for poor single mothers a year prior to the passage of the Personal Responsibility and Work Opportunity Reconciliation Act, pioneering the placement of welfare recipients in public sector workfare jobs. Furthermore, the city's welfare caseload was bigger than that of every state in the nation but California. And in the racial composition of the city's welfare rolls, New York City amplified racist anxieties about race, gender, families, poverty, and dependency. Finally, the city had been the symbolic home of the national welfare rights movement and remained a hub of anti-poverty activism, with social service agencies, community organizations, and welfare rights lawyers working to advance poor peoples' rights. For these reasons, in the politics of welfare reform, there was no battleground more important than New York City.

In New York City, the question of who would care for the children was not a new one. The location of care work, the conditions of those who provide it, and the value accorded

this work—i.e. the social organization of care—was the subject of a long history of political and social struggle in the city. The federal welfare reform act of 1996 abrogated the right of poor mothers to care for their own children, a right that was fought for and won by poor women of colour in the 1960s. As the epicentre of the welfare rights movement, thousands of poor African-American and Hispanic New Yorkers, primarily women, had mobilized to demand state support for the work of raising and caring for their children. The militancy of this movement meant that for a short time, from the late 1960s to the mid-1970s, many of the city's poor single mothers could stay home to care for their children and live at levels not worse than low-wage workers.

The question had also been answered in the 1930s, when workers and the poor took to the city's streets en masse during the Great Depression. As part of the New Deal, New York City had established public day nurseries with federal government aid, creating jobs for unemployed teachers and providing care for children whose parents were out looking for work. When women entered the war industries in the late 1940s, the question was answered with the expansion of these New Deal daycares. When the State government attempted to shut down this nascent system of public child care at war's end, working class women, socialists, and communists resisted and the day nurseries stayed open. The City of New York became the first local government in the nation to fund municipal child care services.

When child care services expanded in the 1960s, as the federal government responded to urban unrest by expanding the welfare state, the workers on whose labour the city's public child care system rests formed a union and struck for three weeks. As part of a wave of public sector unionism, New York's daycare workers would set the bar for wages and working conditions in the child care sector for years to come. And the feminists and child care advocates who entered the city's bureaucracy in this turbulent decade worked in tandem with the day care workers' union to push for innovations in child care, such as twenty-four hour-a-day care to accommodate the schedules of parents working non-standard hours.

In the early 1970s, the feminists, child care advocates, activist mothers, unions, and community organizations that made up New York City's child care movement ambitiously pushed for a universal child care program; while public daycares proliferated at an extraordinary rate, their vision was ultimately never realized as the clouds of austerity gathered on the city's political horizon. When New York's fiscal crisis hit in 1975, day care workers, child care advocates, and activist parents defended child care services against funding cuts. While austerity measures led to the erosion of standards in the city's public daycares, what one politician called "the best legacy we have of the 1960s" remained open, continuing to serve thousands of the city's children. And in the 1980s, when the Reagan administration cut aid to cities and orchestrated the privatization of urban services, New York held fast to its role in the delivery and regulation of child care, while most other cities marketized child care services through voucher schemes.

So by the early 1990s, welfare rights campaigners, child care advocates, the day care workers' union, and progressive policymakers had a readymade answer to the question of who would care for the children of poor single mothers pushed into workfare jobs and the low-wage labour market. That answer was the nation's most comprehensive public center-based childcare system. A system that despite successive rounds of retrenchment and restructuring, remained a source of quality, affordable, regulated child care for the children of low-income families. A system staffed by a unionized workers—women who had helped build New York City's child care "exceptionalism", making the city an urban outlier in a national welfare state in which childcare services are underfunded, limited, and means-tested, and childcare workers underpaid and exploited.

But that system was not the answer the Giuliani administration chose to give. Since the fiscal crisis of 1975, New York City had experimented with new ways to get public service work done cheaply: contracting out services to the private sector; encouraging volunteering; pushing welfare recipients into public sector jobs previously occupied by unionized municipal workers; and shifting services, through cuts to social programs, to unpaid work in families/households and communities. These initiatives had gendered and racialized impacts. For women of colour, the public sector had been one of the few

sources of decent work in a labour market rife with racial discrimination and sexism. And when social services were cut, it was the women in poor and working class communities who took up the social reproductive slack. Yet for the city's neoliberal think tanks, corporate elites, and conservative politicians, the continued existence of a public centre-based child care system staffed by a unionized workforce was evidence that these efforts had not gone far enough. Some conservative cheerleaders put the case for public sector restructuring in the most dramatic of terms, as if New York City's very existence depended on the fulfilment of the neoliberal counterrevolution begun in 1975. As Newt Gingrich said of New York in 1992, its "bankrupt welfare statism" and "rapacious unionism" was "contributing to the slow-motion suicide of the once world's greatest city" (Gingrich 1992).

So in response to the escalation of the city's already existing child care crisis, the Giuliani administration channelled welfare mothers into relying on an expanding pool of home-based child care providers for the care of their children. Non-union, unorganized, isolated and doing public care work in private homes at a fraction of the cost of centre-based care, home-based child care workers could provide a much-needed social service "on the cheap". In a country in which various forms of state coercion has traditionally tracked poor, racialized, and immigrant women into the work of care, and in which home care workers—domestic workers, home health care aides, and home child care workers—were excluded from basic labour protections, including the right to organize and collectively bargain, the gendered and racialized home child care workforce was the Giuliani administration's solution to the child care crisis.

That welfare mothers did not necessarily prefer home child care was no obstacle to the administration's privatized remedies aimed at mediating the crisis. As detailed in Chapter Three, despite a welfare recipient's right to choose amongst a variety of child care options, including centre-based care, New York's City's welfare bureaucracy systematically violated this right and pushed welfare mothers—sometimes illegally, through the threat of sanction—to rely on informal child care providers and to a lesser extent, non-union family daycare.

The outline of this strategy was made clear in the years leading up to welfare reform. Upon taking office, Giuliani pursued an aggressive agenda of privatization, deregulation, and retrenchment. Few public services escaped the administration's restructuring plans—in social welfare alone, the city contracted out services to private providers in home health care, homeless shelters, and employment training. Voucher programs were introduced or expanded in a wide range of services, including public housing, education, employment, and homeless services. In childcare, Giuliani expanded a previously small voucher scheme, marketizing and deregulating child care services, while shutting down a number of unionized city-run daycare centres.

As discussed in the opening of Chapter Three, this was just one initiative in a broader project of urban neoliberalization that targeted the institutional legacies of earlier rounds of social protest and social reform—the city's social democratic welfare state—and sought to curtail the power of New York's municipal unions. In addition to the direct restructuring of the public sector workforce, the Giuliani administration raised tuition in the municipal university system by one-third, slashed the homeless services budget, gutted anti-poverty programs and related community services, and even made a failed attempt to privatize the city's public hospitals.

While resistance to this privatization agenda was uneven, at the intersection of welfare reform and child care there was no doubt that progressive civil society actors rejected the neoliberal logic of "child care on the cheap". The city's policies at the intersection of welfare and child care were fiercely contested. Through a variety of resistance strategies, child care advocates, welfare rights groups, community organizations, activist mothers, and labour unions pushed the state to socialize more of the costs of and responsibilities for child care. They aimed for a mediation of the child care crisis on terms more favourable to welfare mothers and the home child care workers who cared for their children. And in many ways, it was the contradictions unleashed by the Giuliani administration's strategies, policies, and practices, which provided the political space for progressive forces to mobilize and win victories.



While early attempts to demand changes to the city's welfare and child care policies were well intentioned—such as WEP Workers Together's "guerrilla daycare centre"—it was not until child care advocates and welfare rights activists began to fight the city on its own terms that campaigners saw results. Child care advocates in particular employed the discourse of "choice" to demand that the city's welfare bureaucracy adhere to state and federal laws designed to protect welfare recipients' child care rights. As Kershaw (2004: 928) has argued, 'choice' discourse "facilitates the articulation of neoliberal principles within a rhetorical framework that conveys a sense of political neutrality and individualizes responsibility for social inequalities." In their organizing around "choice", child care advocates revealed that this discourse was not in fact politically neutral, but grounded in a neoliberal strategy to individualize responsibility for child care and offload its costs to low-income communities.

As welfare rights activists and child care advocates got word of the systemic violations of welfare recipients' child care rights, they mobilized to ensure poor mothers had real choice in child care. Child care advocates successfully pressured the city into giving them access to welfare offices to provide poor mothers with child care information and advice—something the city's welfare caseworkers had failed to do. The evidence suggests that their presence in these Job Centres curtailed caseworkers' use and abuse of child care related sanctions. Furthermore, child care advocates conducted studies which showed that given a range of child care options, many welfare mothers preferred regulated, centre-based care for their children, proving that poor mothers neither had the opportunity or the privilege of freely choosing child care arrangements. Welfare rights activists and child care advocates publicly insisted that welfare recipients deserved access to developmentally appropriate, high quality child care for their children. As a result of their efforts, fewer and fewer of the city's welfare mothers relied on informal child care arrangements.

Welfare reform was also accompanied by federal welfare-to-work grants designed to fund workfare schemes that churned poor women into the lower reaches of the labour

market, often with minimal education, training, or skills development. Traditionally, such initiatives pushed welfare mothers into low-wage care work, such as domestic service and home health care work. Yet, subversively, child care advocates and labour movement activists used these grants to develop a new form of child care, which provided quality care and quality care work for poor women of colour. Through the Satellite Child Care program, they trained women on welfare as child care workers, subsidized their education, and set them up as family daycare providers. Furthermore, these providers were unionized and covered by a collective agreement, mitigating the precariousness that characterized home-based care work. While this model ran up against the neoliberal logic of “child care on the cheap” and was starved of funding, it challenged the devaluation of women’s care work and offered an alternative, progressive model of welfare-to-work which addressed the needs of both home child care providers and families in need of child care.

Finally, by channelling public dollars to the least-regulated, least-trained, and worst-paid sector of the child care industry—i.e. home child care—the Giuliani administration expanded the publicly subsidized home child care workforce. Many previously “private-pay” providers now received state funds for the care of children of low-income families. These providers emerged as a quasi-public sector workforce performing the care work of a neoliberalizing welfare state. Their quasi-public status opened the legal and discursive space for home child care workers to collectively organize and make claims on the state as *public employees* who provided an essential social service and were deserving of better wages and working conditions. New York City’s home child care workers successfully challenged their employment status as independent contractors, collectively organized, and made claims on the state as public employees.

This mobilization had its seeds in the work of community-based organizations like FUREE and ACORN in which poor women of colour—some home child care providers, others welfare moms—strategized around their common grievances with the city’s welfare and child care bureaucracies. They came to recognize their common cause in stable, affordable, quality child care, provided by women paid a living wage and with

decent benefits such as health insurance. From an isolated, invisible, and politically unorganized workforce, home child care providers emerged as a political force in the wake of welfare reform, demanding greater socialization of the costs of and responsibilities for child care, and more socially just solutions to New York City's child care crisis.

Together, these progressive civil society actors—child care advocates, activist mothers, welfare rights organizations, community groups, legal aid lawyers, and the home child care workers' union—provided a different answer to the question of “who will care for the children?” In the tradition of the city's welfare rights movement, child care movement, and day care workers' union, home child care workers struggled to revalue their social reproductive labour, to demand recognition and respect, to be treated as child care professionals—children's “first teachers” as the UFT put it—and to say to neoliberal administrations at New York's City Hall, we refuse to be “a cheap” solution to a child care crisis of your own creation.

*The Contested Urban Welfare Regime: Towards a Feminist Political Economy*

By taking the “urban” as my scale of analysis, and particularly New York City's urban welfare regime, I have attempted to fill a lacuna in FPE and feminist welfare state scholarship. As discussed in Chapter One, both literatures have relatively neglected cities and the urban as a scale of analysis. Just as importantly, this study acts as a corrective to critical approaches to urban neoliberalization, which often fail to address questions of social reproduction and the interrelationships among gender, race, and class as they are shaped by households, communities, markets, and states, and women's activism.

In endeavouring to fill some analytical gaps in two different fields of scholarship, this study has attempted to contribute to advancing a feminist political economy of the urban welfare regime. As I hope to have demonstrated, by employing the lens of social reproduction to explore processes of urban neoliberalization, and an urban lens to feminist political economy analyses of welfare state restructuring and resistance, we are

able to uncover social processes that are hidden when the national scale is assumed to be the privileged level of social policy action, contestation, and analysis.

As this study suggests, under neoliberalism urban welfare regimes are central sites of contested state-driven efforts at mediating crisis tendencies in social reproduction. The rescaling and restructuring of welfare states has seen key aspects of social reproduction downloaded to subnational governments—including to cities—and offloaded via processes of privatization to families/households, to markets, and to the third sector. Urban governments have been under pressure to restructure from above, as new responsibilities for social and physical infrastructure are downloaded without the matching fiscal capacities to fund them.

But as we see in the case of New York, cities can be willing and active participants in the neoliberalization of local government and urban space more broadly. Coalitions of urban elites, neoliberal think tanks, and right-wing politicians welcome the fiscal pressures imposed from above as it provides a rationale to impose austerity and curtail the size and scope of local government. In the name of creating a “good business climate” these coalitions seek the destruction of the urban institutions of Fordist-Keynesianism and the idea of the “liberal city” in which all inhabitants are entitled to basic civil liberties, social services, and political rights (Brenner and Theodore 2002: 372).

With precarious urban labour markets, cuts to urban services and limited state inputs into social reproduction, and punitive neoliberal policies such as workfare, the neoliberal city creates crisis tendencies in social reproduction for poor and working-class families/households. And while crisis tendencies can be seen in a host of social processes, as illustrated by this study they take sharp expression in a crisis of care. However, while the state’s role is crucial in limiting crisis tendencies in social reproduction, state-driven efforts aimed at mediation are not produced in a political vacuum; they are shaped by politics, ideology, and the orientation of particular governments. Depending on the balance of social forces in a given social formation, social movements may mobilize around alternative political projects designed to mediate

crisis tendencies and secure a viable process of social reproduction on very different grounds than the state. As contestation over the child care crisis in New York City illustrates, state-driven efforts to mediate crisis tendencies are fundamentally political in nature, and may be partial, inadequate, and even paradoxical, giving rise to contradictions and opening space for resistance.

As I have argued, understanding how these processes play out in specific urban welfare regimes—i.e. how they are contextually embedded—requires attention to “actually existing” urban neoliberalism. As neoliberalism develops in constant tension with inherited institutional legacies and existing social-political constellations of power in particular locales, “actually existing neoliberalism” (Brenner and Theodore 2002) is necessarily path-dependent, uneven and variegated across different locales (Brenner, Peck, and Theodore 2010). This is why I have emphasized the historical and place-specific context of neoliberal restructuring in New York. The city’s unique political-economic landscape reflects the legacies of inherited institutional frameworks, policy regimes, regulatory practices, and political and social struggles. Likewise, the resistance the Giuliani administration’s project of privatization engendered reflected certain place-specific legacies of resistance.

*Looking Beyond New York: Struggles Over Social Reproduction in the US Welfare State*

What might the New York case tell us about the possibility of a more equitable distribution of the costs and responsibilities of social reproduction across the state-market-family/household nexus? The UFT Providers union is only one political actor demanding greater state investment in social reproduction and better wages and working conditions for care workers. It is yet to be seen whether the union will work with other care worker movements—such as New York City’s Domestic Workers United and home health care unions such as SEIU—to demand a more caring city, in which good quality care is available for those who need it and decent wages and working conditions are guaranteed for those who provide it.

Beyond New York, the rise of home child care worker unionism in the United States is a promising development. In 1999, 74,000 Los Angeles home health care aides voted to unionize; this was the largest successful union drive since the sit-down strikes of the Great Depression (Boris and Klein 2008). Successful home health care organizing drives have followed in a number of states (see Boris and Klein 2012). As discussed in Chapter Four, in 2005, nearly 13,000 Illinois home child care providers voted to join the SEIU. This drive paved the way for the UFT's success in New York and since 2007, home child care workers' unions in a number of states have negotiated increases in reimbursement rates, additional opportunities and incentives for training, access to health insurance, improved payment procedures, and a voice for providers in shaping the policies that shape their working lives (Blank et al. 2014).

Boris and Klein (2008 and 2012) have argued that home care worker organizing constitutes a new wave of union organizing driven primarily by poor women of colour and has the potential for reigniting the US labour movement. As they argue, “women’s labours—once outside the market or at the periphery of economic life—have now become the strategic sites for worker struggle and the direction and character of the American labor movement” (Boris and Klein 2012: 7). Home care workers are raising recognition of the value of care work and pushing for the expansion of the welfare state (Boris and Klein 2008: 41).

There are other promising developments. Across the US, nannies, housekeepers, and elder care providers have come together under the banner of Domestic Workers United (DWU) to fight for dignity and justice (Boris 2012). These women number 200,000 in New York alone, and like home child care providers, they are predominantly immigrant women and US-born women of colour. Whereas their labours have been essential to easing the care crisis for middle- and upper-class New Yorkers, making it possible for “other women to go out to their jobs by cleaning houses, cooking dinner, bathing children, and aiding the aged” (Boris 2012: 100), domestic workers suffer from low wages and are excluded from labour rights and employment protections. However, after six years of organizing, in June 2010 New York State passed a Domestic Workers Bill of

Rights, becoming the first state to establish a framework for dignity and justice for paid household labor. New York's domestic workers now have coverage under existing laws against sexual harassment and for temporary disability benefits, are eligible for unemployment insurance and overtime, and have established a set workweek with a day off for live-ins (Boris 2012).

Beyond the particulars of care workers struggles, Abramowitz (2010: 46) has argued that in the wake of the 2008 economic crisis there appears to be a growing consensus among some sections of the ruling class around the need for the state “to restore its support for social reproduction in order to foster family well-being, profitable economic growth, and political stability. That is the state must mediate rather than continue to exacerbate the inherent conflict between economic production and social reproduction.” However, as Abramowitz (2010: 46) continues:

If social movements remain weak, state intervention is more likely to promote profits over people. In contrast, the revitalization of mass movements has the potential to force business to compromise with these movements in ways that will redistribute income, power and other resources downward and otherwise mediate the tension between profitable production and sustained social reproduction.

A close reading of US political history suggests that social unrest and political protest “from below” can push the state to underwrite more of the costs and responsibilities for social reproduction and improve the lives of working class people (see Piven and Cloward 1977). One lesson the social movements of today may have learned from the struggles of the 1930s and 1960s is that urban-based struggles waged by the poor and working class can necessitate the intervention of national states in social reproduction, pushing them to socialize more of the costs of and responsibilities for the daily and intergenerational maintenance of working people. As this study has shown, even in neoliberal times—in which processes of privatization, deregulation, and welfare state retrenchment appear hegemonic—marginal workers, low-income communities, and their allies have the capacity to shape urban welfare regimes from below. Given the growing crisis of care, the transformation of urban labour markets under neoliberalism, and rapid growth of low-wage service sector work, including care services, struggles to revalue social reproductive labour will be at the heart of any effort to build a more socially justice

city. Whether these struggles will result in a new mediation of the tensions between social reproduction and capital accumulation—with a new national care bargain at its centre—is yet to be seen.



## *Interviews*

Interview 1. In-person Interview. New York City, June 17, 2009.

Interview 2. In-person Interview. New York City, June 18, 2009.

Interview 3. In-person Interview. New York City, June 18, 2009.

Interview 4. In-person Interview. New York City, June 19, 2009.

Interview 5. In-person Interview. New York City, July 13, 2009.

Interview 6. In-person Interview. New York City, July 13, 2009.

Interview 7. In-person Interview. New York City, July 17, 2009.

Interview 8. In-person Interview. New York City, July 24, 2009.

Interview 9. In-person Interview. New York City, July 24, 2009.

Interview 10. In-person Interview. New York City, July 29, 2009.

Interview 11. In-person Interview. New York City, August 3, 2009.

Interview 12. In-person Interview. New York City, August 3, 2009.

Interview 13. Phone Interview. September 17, 2009.

Interview 14. In-person Interview. New York City, November 6, 2009.

Interview 15. Phone Interview. November 9, 2009.

Interview 16. Phone Interview. January 12, 2010.

Interview 17. Phone Interview. January 19, 2010.

Interview 18. Phone Interview. January 23, 2010.

Interview 19. Phone Interview. March 24, 2010.

Interview 20. Phone Interview. May 24, 2010.

Interview 21. Phone Interview. March 9, 2011.

Interview 22. In-person Interview. New York City, June 12, 2009.

Interview 23. In-person Interview. New York City, July 20, 2009.

Interview 24. Phone Interview. August 25, 2009.

Interview 25. Phone Interview. January 21, 2010.

Interview 26. Phone Interview. December 5, 2010.

Interview 27. Email interview. June 25, 2009.

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## APPENDIX A: CHILD CARE IN NEW YORK CITY: A BRIEF OVERVIEW

Since 1996, New York City has had a three-eligibility-category, two-agency child care system. The Human Resource Administration and Administration for Children’s Services are separate agencies with distinct missions and operating systems.<sup>115</sup> However, both agencies provide publicly subsidized child care benefits and services to New York’s low-income families (CCI 2003: 2). State and federal child care resources are apportioned between the agencies at the local level.

### *HRA and ACS Child Care*

HRA’s mission is to “provide temporary help to individuals and families with social service and economic needs to assist them in reaching self-sufficiency” (HRA 2012). HRA administers TANF for the City of New York, providing cash assistance and federally mandated child care to families participating in approved employment related activities. HRA also administers Transitional Child Care (TCC) for families moving from public assistance into employment. In accordance with federal and state law, TCC is guaranteed to all TANF recipients who participate in approved welfare to work activities and who have children up to the age of 13. However, TCC is guaranteed only *if requested*. Families who leave the welfare rolls due to income from employment become eligible for TCC for up to one year. After one year, their case is transferred to ACS as long as the family remains income eligible.

TANF child care and TCC are structured as voucher reimbursement payments paid directly to child care providers (payments were previously made to families but this changed in 1997 to cut down on “fraud”). As per federal and state regulations, child care vouchers entitle a parent to enrol their child in any regulated or legally exempt (i.e. unregulated, informal) child care setting of their choosing. HRA Job Centers and welfare caseworkers are mandated to serve as families’ primary source of information about child

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<sup>115</sup> Prior to 1996, ACS was known as the Agency for Child Development (ACD) and subsumed under HRA.

care options and availability. Federal and state regulations also call for comprehensive consumer education regarding child care options. Welfare caseworkers are to review the different types of child care available and must provide parents with the names of at least two regulated providers (CCI 2003).

ACS manages New York City's child care services for non-TANF families i.e. working families meeting income eligibility requirements and who are not TCC eligible. Duration of an ACS subsidy is until a child ages out (at 13 yrs. of age) or until a family earns more than the allowable annual income. Access to ACS subsidies is not guaranteed in law and only a small portion of eligible families receive subsidy (CCI 2003). Maximum eligibility levels (determined by annual income as a percentage of the federal poverty line) and parent co-payments are subject to change. Unlike for TANF families, there is no federal mandate that low-income working families be served.

#### *Number of Children Served and Settings*

At the time of welfare reform, there were approximately 425 municipally-contracted day care centres in New York City i.e. non-profit providers with a contract for service arrangement with the city. Outside of the city's subsidized centre-based system, there are thousands of home-based child care providers who provide care to state-subsidized and private pay children. Out of the providers who care for state-subsidized children, approximately 20,000 are informal—often referred to as 'kith-and-kin' or 'family, friend and neighbour care'—and 8,000 regulated family day cares providers, many of whom are connected to home daycare networks or agencies that have a vendor services contract with the city.

In 1995, the number of children ages 0-13 in publicly supported early childhood care and education in New York City was 169,435 (CCI 1996). 42,806 children were enrolled in ACD/ACS city-contracted daycares. 3,127 children accessed regulated daycare via ACD/ACS vouchers while another 204 children received informal care paid for by ACD/ACS. 3,428 children of AFDC families were in regulated care settings while 17,206

children were in informal care paid for by HRA. 16,636 children were enrolled in the city's federally funded Head Start programs (2-3 hours per day) and approximately 100,000 children were enrolled in Board of Education programs including kindergarten, pre-kindergarten, and special education programs. Around 1,400 children were cared for in the City University of New York's day care system (CCI 1996).

In New York City, it is typical for a low-income family to patch together various forms of care to meet their needs. For example, depending on their age, children from low-income families may be enrolled in Head Start or pre-kindergarten programs for half the day and find secondary care in a centre, family daycare or an informal setting for the remainder (see Chaudry 2004).

#### *New York City's Child Care Workforce*

There are approximately 6,000 child care workers employed at city-contracted daycare centres (95 percent of whom are women) and 28,000 home child care providers (99 percent of whom are women). Centre-based workers have varying levels of education and qualifications, from directors who must hold Master's degrees in Early Childhood Education to teacher's aides who must at a minimum have a high school diploma. Local 205 of District Council 1707 AFSCME represents centre-based workers. The Council of Supervisor and Administrators (CSA) Local 1 represents the centres' 200 supervisors and assistant supervisors.

According to the Bureau of Labor Statistics, the annual mean wage for a "child care worker" in New York City (excluding the category of "self-employed") is \$25,890. The annual salary for a teacher in an ACS contract centre is around \$40,000 whereas a teacher's aide earns \$23,156. The average annual salary for a unionized centre-based daycare worker is around \$30,000.

Home-based child care providers have significantly lower earnings. In 2002, the average annual earnings of "self-employed" child care providers (which includes family child

care providers) nationally, including for part-time work, ranged from a low of \$6,209 in New Mexico to a high of \$16,367 in Washington (NWLC 2007: 5). According to the American Federation of Teachers, in 2008 the average annual earnings for family daycare provider in New York City was around \$19,600.

*Race, Gender and Remuneration: Understanding the Market Rate System*

The ‘market rate’ is the maximum level of payment that New York State will reimburse a provider for the care of a publicly subsidized child. The income of a home-based provider is greatly dependent on the level at which the market-rate is set and where the provider lives. The market rate system perpetuates class and raced-based inequalities in the child care market and gendered ideologies that devalue women’s care work (Smith 2007).

Under the CCDBG, New York State is federally mandated to set the market rate based on a survey of providers across the state every two years. New York State divides its survey into five geographic regions with New York City constituting one region. Federal guidelines recommend that states set the market rate at the seventy-fifth percentile of market rates i.e. the rate at or below at least seventy-five percent of providers in a category charge their clients. A family with subsidy should be able to purchase child care services from seventy-five percent of programs in their region. Thus, in New York City, the market rate represents the seventy-fifth percentile of rates charged to parents by private programs across the city’s five boroughs. This system is designed to fulfill the guarantees of ‘parental choice’ and ‘equal access’ (OCFS 2013). While the New York State sets the rate, New York City is responsible for administering payments.

Rates vary by age group and type of care. The state pays lower rates to home-based providers than they pay to centres that provide similar care. Infants in centre-based care constitute the highest rate, and school-age children (6-12) in informal care the lowest. The market rates for centre, group family, family and license-exempt care decline in that order (CCI 2008). Between 1998 and 2008, the New York City market rate for an infant in family daycare was close to one-third of the rate for an infant in a centre. The market



rate for a toddler in family daycare was around close to one half the rate for a toddler in a centre. In this system, care in a home setting is systemically deemed to be of less value than care outside of the home. This reinforces a gendered ideology that on the public-private continuum deems women's care work most removed from the public sphere to have the least economic value and receive the least economic reward (Tuominen 2003: 177).

Rates also vary by region. Home-based providers located in higher income regions—where the market can bear higher rates—are subsequently compensated at a higher rate for a publicly subsidized child of the same age in the same care setting than a provider in a lower income region (Smith 2007). For instance, in New York State the weekly market rate for a child in registered family daycare or informal care in the richest geographic cluster of counties (Nassau, Putnam, Rockland, Suffolk, and Westchester) can be as much as double the rate for a child in the poorest cluster of counties (New York City).<sup>116</sup> For example, a registered family child care provider caring for a state-subsidized infant in New York City is paid \$160 per week compared to \$275 paid to the same category of provider caring for a child of the same age in the wealthy county of Westchester.

In many low-income communities, the government is the primary or only purchaser of child care. As Smith (2007: 337) observes, with limited market competition in such areas, market rates can be artificially low and significantly lower than rates charged by providers who do not care for subsidized children. And while a provider in a low-income community can charge more than the market rate, it is highly unlikely that the families they serve will be able to pay more than their subsidy allows.

As Smith (2007: 336) argues, the market rate “reflects harmful gender-based assumptions about the value of work performed primarily by women”. While the state sees labour market dynamics as a fair basis for establishing wages, historical occupational sex

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<sup>116</sup> Author's calculations. See pages 15 to 23 of the New York State Office of Children and Family Services Local Commissioners Memorandum regarding Child Care Market Rates 2011-2013. Accessed at <http://www.ocfs.state.ny.us/.../11-OCFS-LCM-12%20Child%20Care%20Market%20Rates%202011-2013.pdf>

segregation and gender discrimination taint the market's wage-setting process. Child care, which is associated with women's unpaid work in the home, "suffers from a perception that caring for children, while socially important, is unskilled emotional work of only marginal economic value" (Smith 2007: 337).

This gendered dynamic overlaps with the geography of rate setting and the racialization of the home-based child care workforce. Most urban regions in the US are socio-spatially polarized, with low-income groups, disproportionately people of colour, concentrated in particular areas of a city. Racialized providers are more likely to care for subsidized children than white providers, and thus a greater percentage of their earnings come from the state (Smith 2007: 339). Providers in higher-income communities are less likely to accept subsidized children with non-subsidized children aplenty; whereas providers in low-income communities are not likely to turn away subsidized children given their own economic need and the fact that most children needing care in their community are subsidized. Poor women of colour caring for poor children of colour are thus systematically disadvantaged by the market rate system.

## APPENDIX B: LOW-INCOME FAMILIES, CHILD CARE CHOICE, AND SUBSIDY USE IN THE US: A LITERATURE REVIEW

There is a growing body of research that aims to unpack parental preferences and decision factors in child care (see Chaudry and Henly 2011; Chaudry, Sandstrom, and Giesen 2012). This brief review of the literature on low-income families, child care choice, and subsidy use attempts to address two questions: Why do low-income families make the child care choices they do? And second, what accounts for low child care subsidy take-up rates?

The child care market in the US is extremely complex because of its interaction with non-markets such as household provision on the one hand and government provided pre-school on the other (Folbre 2006). As Warner and Gradus (2011: 570) note, low barriers to market entry and substitutability among types of care create a diverse array of choices with centre, family and informal child care providers.

It is widely acknowledged that welfare reform has driven huge growth in publicly subsidized home-based child care in the U.S., particularly license-exempt care, alternatively known as informal care, family, friend and neighbour care, or kith and kin care (see Adams and Rohacek 2002; Smith 2007; Reese 2011). Many states have increasingly come to rely on license-exempt providers that are paid through state and federal subsidy dollars to care for the children of low-income families (Whitebook 2000). And whereas children in higher-income families are more likely to be placed in centre-based arrangements, low-income children are more likely than children from higher-income families to be in the care of kith and kin (Adams and Capizzano 2004) and in family daycare (Tuominen 2003). Chaudry (2004) and Hildebrandt and Stevens (2009) also found that women who are poor are also more likely to use home-based child care, which is not well regulated and can be of lower quality.

The rise in publicly funded child care vouchers is understood as part of a government response to promote parental labour force participation (Warner and Gradus 2011). By

using market competition to provide publicly subsidized child care, vouchers are said to enhance parental voice and choice (see Warner and Gradus 2011: 570). As vouchers give parents the freedom to choose the provider, the expansion of publicly subsidized home-based child care in the U.S. is thought to reflect parental preference (see MDRC 2003). However, individualizing preference fails to take into account how the child care decisions of low-income families are shaped by individual circumstances, community contexts, and broader socio-structural factors; what Chaudry and Henley (2011) call “contextual factors”. These factors facilitate or constrain parents’ child care choices (Chaudry and Henley 2011).

In the wake of welfare reform, home child care was actively promoted by policymakers as a cost-effective way to rapidly expand the supply of child care services in low-income communities, while creating employment opportunities for poor women (Gillman et al. 2001). According to Whitebook (2003), the growth in subsidized informal care in particular results from policy shifts reflecting a complex interplay of beliefs about parental choice, cost, family needs, and preferences (e.g., culturally and linguistically compatible care, and flexible non-traditional hours) and the limitations of the formal child care delivery system. Child care “choice” therefore takes place within structures that limit families’ child care options, especially those of low-income families. For example, parents’ incomes, work schedules, and the availability of various types of care, all impact child care “choices” (Chaudry 2004). Similarly, Chaudry and Henley (2011) cite convenience of location/transportation, cost of care, availability of relatives, positive relationship with caregivers, and hours of availability as key decision factors for low-income families. Contexts and constraints include availability and affordability, awareness of options (or information), and employment contexts/constraints including income, hours of work/scheduling, and transportation between home, child care and place of employment (Chaudry and Henley 2011; Chaudry et al. 2012). Furthermore, Chaudry (2004), Shlay et al. (2010), and Houser et al. (2014), have documented how low-income parents must also confront a complicated subsidy system, bureaucratic structures and administrative practices, which constrain and shape their child care choices.

In a review of the literature on the child care preferences of low-income families, Smith (2007) found that parents may prefer home child care for a host of reasons including: it resembles a family setting; relative to centre based care, parents view home child care as warm and nurturing; the family atmosphere may be thought to enhance opportunities for spontaneity; parents prefer to have their child in the care of one consistent caregiver versus multiple caregivers typical of a centre; and there is thought to be greater one-on-one attention in home child care as the adult-child ratio is generally lower than in centres. Adding to these factors, Adams and Capizzano (2004) have found that a child's age may impact child care preference with parents choosing preferring the intimate setting of home child care for infants. A number of scholars, including Chaudry (2004) and Adams and Capizzano (2004) have also found that cultural considerations (such as language, food, and faith) may also influence a parent's preference for home child care, as many home child care networks consist of providers of particular ethnic identity. Adams et al. (2008) found that preference for informal—i.e. family, friend and neighbour care—in particular may reflect the trust parents have in providers and their ability to meet cultural needs.

However, these preferences must be understood within the context of multiple constraints. For women on welfare or transitioning into paid employment, home child care provides flexibility, convenience, and affordability compared to centre-based care, and is more readily adaptable to non-standard work hours (see Adams et al. 2008; Chaudry 2004). Furthermore, low-income mothers may lack access to transportation, which in turn limits their access to various child care settings; home child care is generally located in their own neighbourhoods, whereas there is a dearth of centre based care in poor communities. In addition, for parents whose subsidy does not cover the full cost of care and must co-pay, home child care is less expensive than centre based care (see Smith 2007 and Chaudry 2004).

An ethnographic study of single parents with histories of welfare receipt in Cleveland, Milwaukee, and Philadelphia, found that informal care dominates blended child care arrangements or is often used exclusively by low-income parents (MDRC 2003). The

study found that while informal care typically plays a central role in these families' patchworks of care, it met some families' needs very well but represented "inadequate or unsafe arrangements of last resort for many others" (MDRC 2003: 1). The study concluded that real choice in child care choice could only be realized in a context of significant investment high-quality, flexible, and reliable child care and by operationalizing the goal of making child well-being a central mission of the welfare system, through changes in service delivery (see MDRC 2003).

Research on the child care choices of low-income families in other liberal welfare regimes echoes many of these conclusions. Baker and Tippin's (1999) four-country (Canada, Australia, New Zealand and the United Kingdom) study of low-income mothers and employability policies found that family, friends and neighbours disproportionately care for the children of low-income mothers because such arrangements respond to needs for flexibility and affordability. The lack of supply of centre based care operating outside of non-standard work hours, or accepting children on only a part-time basis, shaped low-income mothers' choices (Baker and Tippin 1999).

#### *Explaining low child care subsidy take-up rates*

In the US, many low-income families do not have access to subsidies despite being eligible (Adams and Rohacek). Studies have found two dynamics at play which explain why low subsidy take up rates: First, in the wake of welfare reform, overall levels of federal funding have never been enough to meet the need and demand for subsidized child care (see Adams and Rohacek 2002). This has led to policies in which states and localities formally or informally "ration" child care subsidies and prioritize families currently in receipt of welfare or transitioning from welfare into paid employment. The latter are thus more likely to gain access to subsidies than families with no recent history of welfare receipt. These policies prioritize poor mothers on—or who have been on—welfare over equally poor mothers who have not (Adams and Rohacek 2002: 1). Formal efforts to ration subsidies take the form of policies in which states set eligibility requirements below federal levels (ibid.: 5). "Informal" policies take the form of states

and localities limiting outreach to eligible families. As a result, many eligible families are not aware that subsidies are available (ibid.).

Research also shows that bureaucratic impediments and administrative practices faced by low-income families effectively limits their access to subsidies and may therefore be a cause of their over reliance of unregulated informal child care (Shlay et al. 2010). Shlay et al. (2010) found that factors getting in the way of acquiring and maintaining a subsidy include: rude or insensitive caseworker interactions; inaccessibility of the caseworker's office; the necessity of interactions with multiple agencies; required in-person and multiple in-person agency visits; excessive paperwork; requirements to recertify eligibility after a period of time or a change in employment; and different application procedures for TANF and non-TANF child care subsidies. Overall, Shlay et al. (2010: 1712) found that for low-income families “the subsidy experiential process can be seen as an amalgam of hassles.” Furthermore, studies have found that welfare caseworkers do not necessarily inform clients that they are eligible for subsidized child care and lack of information thus operates as an important barrier to subsidy access (see Meyers et al. 1999; Schumacher and Greenberg 1999; Adams et al. 2002; Shlay et al., 2004).

Houser et al. (2014) found that welfare caseworkers' interpretations of the goals and priorities of TANF have substantial influence over the availability and use of child care subsidies. Evidence suggests that caseworkers “use TANF benefits in a variety of ways, including to secure clients' attention and compliance by the threat of cash and other benefit withdrawals and to cushion the effects of transitioning from welfare receipt to paid employment” (Houser et al. 2014: 3). Furthermore, these factors can vary across states and within states, across counties. Adams et al. (2006) find substantial differences across states and locales in key areas including: who determines eligibility for child care assistance; the amount of paperwork and number of interviews needed to secure benefits; the degree to which assistance is available in locating suitable care providers; the duration of initial eligibility periods; processes for recertification of eligibility; and communication of eligibility for transitional benefits.

Houser et al. (2014) conclude that pressures to produce client outcomes, increase work participation rates, and decrease caseload size, turn child care subsidies from one work support among many into a disciplinary tool. Child care subsidies are used to “motivate behaviors that may hold no intrinsic value for clients but are essential to documenting work participation” and are employed “in overtly disciplinary ways, at times withdrawing them in a first instance of non-compliance, even if the non-compliant behavior has no direct bearing on actual work performance.”

As this brief literature review illustrates, “choice” and “preference” in child care are indeed shaped by contexts, constraints, and structures that are often beyond low-income parents’ control. Constraints are related to available supply of early care and education programs and providers, information and parental awareness of child care options, the accessibility and affordability of care, and access to child care subsidies. For these reasons, a reading of the over reliance by low-income single mothers on home child care, and on informal care in particular, as reflecting their “choices” and “preferences” is extremely problematic. As Chaudry and Henley (2011) note, it is hard to change the child care choices of low-income families without changing child care constraints and expanding early childhood resources to increase the availability of quality affordable child care options in low-income communities.



## APPENDIX C: FEDERAL WELFARE AND CHILD CARE POLICY: A TIMELINE

1908-35	Widows'/Mothers' Pensions introduced (State programs, variously implemented)
1935	Social Security Act passed creating Aid to Dependent Children (ADC) (Title IV of the 1935 Social Security Act; federal/state partnership)
1939	Amendment to the SSA creates survivors' (i.e. widows) insurance
1962	ADC becomes Aid to Families with Dependent Children (AFDC)
1964	Johnson Administration's Great Society announced. Economic Opportunity Act passed.
1965	Social Security Act of 1965. Medicare and Medicaid introduced.
1967	Work Incentive Program (WIN) created. For the first time states are required to establish employment and training programs for welfare recipients
1969	Family Assistance Plan defeated
1973	Real value of AFDC payments begins decades long decline
1974	Supplemental Social Security created
1975	Earned Income Tax Credit (EITC) introduced. EITC is a refundable tax credit for working individuals and families designed to incentivize employment by offsetting federal, state, city and payroll taxes and by providing income support specifically to working people.
1981	Regan Administration's Omnibus Budget Reconciliation Act
1988	Family Support Act (FSA) passed. FSA moves toward mandatory work program with various supports for working mothers. FSA creates Job Opportunities and Basic Skills (JOBS) Training Programs and were to provide education and training service and at least two of four additional activities—job search, on-the-job training, work supplementation, and community work experience. If services (including child care) could be made available to them, all AFDC recipients who were not specifically exempted were obliged to participate in welfare-to-work activities or face financial sanctions.

- 1993 EITC expanded. The biggest expansion of the program since its introduction in 1975.
- 1994 New York State enacts a state-level EITC
- 1996 Person Responsibility and Work Opportunity Reconciliation Act (PRWORA)