Background
Personal homecare is non-medical paid care work for adults with physical limitations who receive assistance in their homes. This important work is organized in different ways, with different implications for workers, recipients and society, so my study compares different models of personal home care in California and Ontario. This comparative study is based on interviews with key informants and with personal care recipients and workers, and the analysis of relevant labour legislation and policy. This summary centers on the private sector personal home care model in Los Angeles County, California and reports on interviews with key informants.

Why study flexibility and security in personal homecare?
Most workers in flexible employment, such as temporary and self-employment, are not well protected because labour legislation and policy are based on the factory model: a direct and continuous relationship between a worker and a single employer at a single, large and formal workplace. This mismatch between flexible employment and labour legislation results in low wages, few benefits and poor working conditions for those in flexible employment. These insecurities are even more profound for immigrant workers and workers of colour, who are the majority in personal homecare. Yet flexibility for personal homecare recipients is necessary, given the intimate nature of personal care services – assistance with eating, toileting and bathing – and varying needs. My comparative study shows how the relationship between flexibility and security varies with the organization of personal home care. This analysis allows us to imagine new regulations and new forms of labour organizing that can bring flexibility for care users and security for care workers.

Who was interviewed
I conducted in-depth interviews with key informants in the private personal home care sector in Los Angeles County in 2006: owners and managers from 20 for-profit companies who shape how work and employment is organized.

Key Findings
Demographics

Private Sector Personal Care Workers
- Nearly all workers are women. Most are immigrants from Mexico and Central America; other groups include African Americans, and immigrants from the Caribbean and the Philippines.
- Only a few high end companies employed white, U.S.-born workers
- Most employ both legal immigrants and U.S. born workers of colour but undocumented workers may also be present

Recipients of Private Sector Personal Care
- Most private sector homecare recipients are white, elderly women
- Recipients range from middle to upper income levels

Flexibility for Employers and Recipients
Companies are the de jure employers: they pay workers, bill clients, and maintain a middleman role of matching recipients to workers yet seek to minimize their responsibilities in the labour market (hiring and firing) and labour process (what is done, when, where and how). They allow recipients flexibility by treating them as de facto employers.

Employer and Recipient Flexibility in the Labour Market
- Companies seek to match compatible recipients and workers based on personality as well as need
- Recipients can switch workers for nearly any reason and at any time, giving them labour market flexibility
- Employers reassign “compatible” and “good” workers but do not promise work to anyone, providing labour market flexibility: numerical and wage flexibility (the employer’s ability to change the number of people and their pay)

Recipient Flexibility in the Labour Process:
- Recipients determine their needs (personal care, companionship and “light” housekeeping), making changes directly with workers; managers only get involved if workers refuse requests that may result in injury and company liability
- Workers flex to recipient’s time needs; companies only get involved if workers cannot negotiate with clients
Recipient is the “boss” directing how services are provided; workers are required to manage their own and the recipients’ emotions to sustain the match

Insecurity for Workers
Workers can depend little on home care companies for employment, pay or social security

Employment insecurity
- Workers have a casual relationship with the companies, and some are classified as self-employed
- Most companies neither hire nor fire workers but simply do not call them back if they have no compatible clients.
- Companies sometimes give workers several clients adding up to 40 hours/week but if these cases ended, the worker is not guaranteed another client. Most workers have 2 or 3 clients with a given company at a time
- These non-certified homecare agencies are not required to provide training for workers. Most companies assume workers have received training elsewhere (i.e. in a nursing home) and do not provide or pay for training

Pay Insecurity
- Pay is only provided for actual hours with a client, and does not include preparation or travel time
- Workers’ wages are generally not set; they range from $8 to $15 for workers, while clients pay companies from $12 to $27 for hourly services. The main way some workers achieve adequate pay is by working with wealthy clients
- Workers are rarely paid overtime, despite working up to 70 hours with a single company. This insecurity is due to unequal coverage of live-in workers, lack of coverage of the self-employed in legislation, and the classification of long shift workers as ‘live-in’ or ‘self-employed’ by some companies

Social Insecurity: “Employees” vs. “Self-employed Contractors”
- Companies that classify workers as “contractors” are not required to pay into statutory benefits covering pensions, disability or unemployment, while those who classify the workers as “employees” are required to do so. But the temporary employment relationship allowed even the latter to avoid some social security costs (i.e. unemployment)
- “Employees” are covered by the Occupational Safety and Health Act (OSHA) but “contractors” are not
- Legislation requires companies to pay “employees” time and a half for statutory holidays, but not “contractors”

Representational Insecurity
- Workers classified as “employees” can bargain collectively, but none of the companies are unionized

Racialization
- Race and ethnicity sometimes act as criteria among recipients for accepting a worker
- Whether companies reinforce, challenge or are complicit with recipients’ racial preferences varies. Some companies explicitly ask recipients for their racial preferences, others say they comply with recipients’ requests but continue to match the worker with other clients, while some challenge recipient preferences because of their values, because they could not accommodate requests for white workers, or for both reasons

Flexibility with Security: The Need for New Models of Regulation and New Types of Unions
- Labour Market Unionism to organize workers with multiple jobs in the personal homecare labour market bringing employment security as opposed to job security with a single employer
- Social Movement Unionism through alliances between worker and recipient organizations to mobilize public opinion and pressure the state for more publicly funded personal home care and for changes in labour legislation that recognize multiple employers
- Community Unionism to support and sustain the daily relationship between workers and recipients at the work-home place and to fit new regulations and organizations to their experiences
- Future research with workers and recipients is essential to understand and bring about flexibility with security

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