



Flexibility or Security?

U of T Personal Homecare Study, Phase 1

Uneven Flexibility and Limited Security in Toronto Home Care

Summary Report – 2014

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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 report centers on publicly funded Home Care Services within the Medical Model in Toronto, Ontario 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, who are a 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

In 2006-2007, I conducted interviews with the following 42 key informants in publicly-funded Home Care Services in the Greater Toronto Area: 8 administrators and case workers, 26 managers of the for-profit and non-profit organizations with contracts to provide services and 8 representatives from the unions in the personal care sector.

Key Findings:

Demographics

Attendant Service Workers

- Mostly women: employers estimate 80% to 98% of workers are women
- Workers are primarily permanent resident immigrants (ranging from 60% to 90%), but some organizations also employ white, Canadian-born workers
- Immigrant workers were born in a wide range of countries. Employers mentioned workers from the Philippines, Jamaica and other Caribbean countries, Korea, China, Somalia, Iran, Iraq, Portugal, Italy, South American Spanish speaking countries, Serbians, Croatians and others.

Recipients of Attendant Services

- Primarily elderly people with long-term physical disabilities
- Primarily women (ranging from 50% to 70%)
- A range of racial and ethnic backgrounds
- Services are based on physical need, rather than ability to pay; recipients range from very poor to upper middle class

Flexibility for the State and Contracted Employers

- The Provincial government contract out services; non-profit organizations and for-profit companies compete for the contracts. These contractors hire and pay Personal Support Workers (PSWs) and send them to the recipients.
- Employers compete by organizing employment to give them numerical and wage flexibility (the employer's ability to change the number of people on payroll and their pay). Both for-profit and non-profit employers classify workers in casual employment categories but the degree and nature of casualization is more extreme among for-profits.
- Government funding for long-term care needs has been extensively cut back and priority has been given instead to patients with acute illnesses or injuries

Some Flexibility for Recipients

Flexibility in the labour market:

- Recipients do not choose workers in the initial placement, but are able to switch workers - albeit to varying degrees.
- For-profit, non-union agencies appease recipient preferences for a switch due to subjective criteria, while non-profit, unionized agencies are more likely to require an objective, quality of care reason before they switch a worker

Limited Flexibility in the labour process:

- Employer policy allows for changes in *when* services are provided, if the schedule permits, but changes in schedule can result in a change in worker, presenting a difficult trade-off for recipients
- Employer policy emphasizes a set of defined *tasks* in a care plan, as opposed to a flexible set of tasks in a given *time* period, reflecting the medicalization of services in the funding model
- Employer policy emphasizes client-directed care supporting flexibility in terms of *how* the services are provided

Racialization

- Sometimes recipients refuse a worker due to their race or ethnicity
- Some for-profit organizations did not challenge explicit recipient racialized preferences when they occurred, while some non-profits did. In addition, given the greater attention to subjective preferences, racialized preferences were more likely to slip in the back door in for-profits. These differences are partly due to the profit motive that shapes a customer service philosophy, and partly due to the near absence of unions in the for-profit companies
- Neither for-profit nor non-profit organizations have robust policies requiring or facilitating conflict resolution; instead both types of organizations largely operate as labour market intermediaries who match workers to clients

Limited Security for workers in Toronto Home Care

- **Limited Representational Security:** Unionization is uneven. All but 1 of the 6 non-profit organizations are unionized, but only 1 of the 8 for-profits are unionized. Service Employees International Union (SEIU), Local 1 is organizing but faces hurdles given the mismatch between contract service work and labour legislation based on the factory
- **Limited Pay Security:** they earn less than equivalent workers in Attendant Services as well as nursing homes and hospitals. Wages range from \$9.00 to \$15.00 an hour
- **Limited Social Security:** workers are eligible for most statutory benefits, including Worker's Compensation, Canada Pension Plan and Employment Insurance but for-profits consider some 'elect to work' which limits their coverage under the Employment Standards Act. Few employers offer extended benefits
- **Limited Employment Security:** workers hours are not guaranteed and can vary from month to month

Recognizing the Need for Flexibility with Security: Nascent New Models of Regulation and New Types of Unions

Flexibility with security is possible although it requires a rethinking of what a union is and does. There is a need for multiple forms of unionism at multiple levels.

- **Labour Market Unionism** to organize for employment security for workers with multiple jobs in the personal homecare labour market as opposed to job security with a single employer
 - SEIU, Local 1 has begun to strategize around labour market institutions that could link workers with multiple jobs, and recognize multiple employers in a new Personal Support Worker Registry
- **Social Movement Unionism** to mobilize public opinion, based on alliances between recipient and worker organizations to pressure government for more funding and other policy changes
 - SEIU, Local 1 has begun to make linkages with groups of recipients or clients
- **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.
 - A grassroots, worker-led community unionism is weak
- Research with workers and recipients is key to further understand and bring about flexibility with security

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