

Statement of Kimberly Ortiz

May 10, 2012

Good morning, and thank you all very much for inviting me to speak on this important hearing in honor of Mother's Day. I am grateful for your dedication to these issues, and for the opportunity to let you know how they have personally impacted my family.

My name is Kimberly Ortiz, and I'm a single mother of two boys. We live in the Bronx, which is the poorest urban county in the nation in New York City - where nearly three in five Hispanic single mothers like me live in poverty. My son Aidan is almost 6 years old, and my son Ethan is 4 years old. They are beautiful boys who are both on the autism spectrum, and require special needs. Most of my jobs have been in retail, and have been low-wage. Starting at 16 years old, I worked full time, mostly earning less than \$10/hr. I've stayed at the same jobs for years at a time, receiving promotions, but no raises to a livable standard. I learned I was poor at a very young age and have felt what poverty is like for most of my life. Growing up as a kid, we had no Thanksgiving dinners, Con Edison would cut off our lights, and I don't remember a time that we didn't rely on food stamps to get by. Now, as a mother myself working full-time, I still have to rely on food stamps and Medicaid because my earnings are simply not enough.

I worked at the Statue of Liberty for almost 5 years, and even with the title of "Assistant Manager," I was only making \$9.25 an hour at the gift shop, catering to New York City's large tourist economy, where approximately 4 million people visit each year, at \$20 per ticket. Despite the steady flow of tourists to the Statue and their steady hours of operation, I was only notified of my weekly schedule 3-4 days ahead of time. I was supposed to receive my schedule one week in advance - which isn't much - but that never happened. Still, I was eager to work hard - I often volunteered to come in early or stay late - whatever was needed to get the job done. Towards the end of my time at the Statue, I gave birth to my first son Aidan - and took a month and a half off without pay, because that job didn't offer any paid time off. I literally didn't buy anything extra leading up to his birth in order to save, and was in complete survival mode as my mother helped as much as she could, and my father helped out with his unemployment, but this literally meant \$20 loans here and there.

Once Aidan was born, my manager's attitude completely changed toward me. I still wanted to work full time, but I needed hours that were conducive to family life. So, because I couldn't come in at 5:30am anymore, they cut me from 40-45 hours per week to 15-20, even though I had seniority, was available for more hours, and desperately needed them. My managers were not flexible with my hours, even though I had been extremely flexible for them. I had worked everywhere at the Statue: in the kitchen, the concession stand, gift shop, and audio tours - and I thought that the years of hard work I provided would come into consideration. I was wrong. Managers started calling me unreliable, and if any emergency popped up (as is typical with any newborn), I was given a hard time. One time, my son got really sick with a double ear infection, and I had to take 4 days off. My manager told me she couldn't guarantee there would be no repercussions for this unexpected time off when I called her from the hospital emergency room

with my sick son. And sure enough, when I returned to work I was written up and “cautioned.” I submitted notes from the doctor, but I was still disciplined. These four days were all unpaid, so I borrowed money from friends, family, and neighbors for essentials like diapers and food. As long as my sons and I have those basic necessities, I know how to make do with nothing else.

Health care became a huge stress in my life. The Statue of Liberty offered benefits, but they cost \$45 per week for my son and I. At first, I paid for the coverage from my weekly paycheck of \$260 per week, but realized the co-pays for any appointment were also \$40, and I simply couldn't afford it any longer. I discontinued that coverage, and was forced to rely on free clinics since I didn't qualify for Medicaid. Somehow \$260 per week for a family of two was too much income to be eligible for Medicaid. We'd experience 6 hour waits at the free health clinics, and each visit was an all day affair – which took away further time from work. It was a double-edged sword: I had to go to the doctor because we had no choice, so I had to bite the bullet and take the cut on my paycheck. Eventually I sadly realized that the loyalty and years of work meant nothing. It was ironic that I worked at the symbol of freedom and liberty for our country, yet, at that full-time managerial job, I still couldn't provide my family with the basics we needed to live in our city.

I'm thankful that my mother is available to assist with childcare, and I pay her out of my paychecks on a weekly basis. But because the Statue of Liberty gave me such little advance notice of my schedule, it's as very difficult to let my mother and cousin know when I need them to be available. And because my children have special needs, it's not easy to find adequate caregivers. If my mother is unavailable when I've been scheduled for work, I rely on my cousin. If they are both unavailable, I need to call out from my job. It's very helpful to be on Medicaid now, due to my sons' diagnosis and having a temporary job, but our eligibility is always being re-evaluated and I can't rely on it forever.

Because of the low wages, scheduling issues, and lack of paid time off that I've experienced as a working mother, I joined an organization of retail workers dedicated to improving the standards and opportunities in the industry, called the Retail Action Project. This past fall, I was part of a team that surveyed 500 retail workers in all five boroughs of New York City. I went to dozens of stores and spoke to sales, stock, and cashier workers about their wages, schedules, and paid sick days. And what I heard was exactly what I'd been experiencing! We found that women of color in retail are paid less, are less likely to be promoted, and often don't receive benefits like health care or paid sick days through their employer. Workers told me about their erratic “just in time” schedules, and many people I spoke with weren't put on the regular schedule, but had “call-in” shifts where they were required to call in to their jobs two hours before their shift to see if the store needed them. People are expected to reserve their availability on these “call-in” days, because their employer may need them. As a mom, I need to know when I'm working to properly set up childcare. It was hard enough with three days' notice, so I can't even imagine two hours notice! Out of all the workers surveyed, less than a quarter had ever taken a paid sick day, and only 17% had a set schedule. These stories and numbers really echoed what I had been through.

I love to work and I love being a mom, but I need a clear, consistent schedule and reasonable work hours that would allow me to still be an active, engaged parent in my children's lives. I am more than willing to work hard. I want to work full time, and I should be paid a living wage, and have a few paid sick days for myself or my sons – so I won't have to borrow money for food and diapers when I take a day off work to take my son to the ER. I've been fighting to join the middle class for years, I do what I have to do to survive and invest in my family's future – working full-time, studying towards a college degree in social work while being a good mother to my sons. But working without some basics, I won't be able to get there. A few paid sick days a year, a set schedule, and wages that keep up with the rising cost of living would make a tremendous difference in my family's life. As a single mother, I need to be present for Ethan and Aiden, *and* provide for them. This is what middle class means to me. Thank you very much for your time.