“There’s no place like home,” “home, sweet home,” “going home,” “home ties,” “homeplace”—these phrases evoke comfort, safety, repose, and intimacy. But the presence of employment therein has posed a conundrum. How can the cash nexus enter the realm of affection, where love rather than money is to rule? How can labor in the home be like other forms of work, regulated by the state? When mothers and wives soothe the distressed, tend the ill, or clean the incapacitated, we name their acts love, devotion, and duty. But when strangers receive pay for caring for sick, frail, and elderly persons, then we speak of unskilled work, unworthy of respect or a sustainable wage. How did the United States come to the point that labor necessary to maintain living became invisible, undercompensated and defined as not real work?

To see the home as a workplace for paid as well as unpaid family labor, we turn to the history of home care. Ours is not just a history of wage labor in the private sphere. In contrast to the usual depictions of casual, low-wage jobs that blame shady employers operating out-of-sight in tenements, sweatshops, and fields, government social policies since the 1930s directly shaped the development of home care—including the beneficiaries of the service, the structure of the industry, and the terms and conditions of the labor. As public work performed in private homes, home care illuminates the public-private configuration of the American welfare state, the workings of federalism, and the twisted logic of welfare reform—all of which were racialized as well as gendered. State organizing of home care reproduced inequality between men and women and between women by relying upon existing divisions of labor and the social constructions surrounding them.

How the bonds of home obscured the work of care comes through in the policy and legal history of the past sixty years. In this paper, we turn more specifically to the exclusion of home care workers from the labor law to illuminate the poisoned outcome of cordonning off home from work. As the labor of women and especially women of color, home care has lacked the status of formal employment. Law, social policies, and professionals’ use of state regulation developed home care as a stigmatized and low-paying hands-on job in an expanding health care industry. Governments drew upon existing understandings and structures of class, gender, and race to create an occupation that was both racialized and gendered. Of central concern was whether the home location or the status of the employer would determine whether the worker deserved recognition under the law.