

# Nail Salon Workers and the COVID Pandemic: One Year Later

MARCH 2021

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## OVERVIEW

Throughout the past year, the NY Nail Salon Workers Association has periodically surveyed nail salon workers to learn more about how the pandemic has impacted their lives, their families, and their jobs. Their responses paint a picture of a workforce that has been deeply impacted on many levels: workers report high rates of COVID infection; the vast majority have been excluded from government relief; the majority have not returned to work in nail salons; and inconsistent compliance with health and safety protections at salons has left workers unprotected and at a continued risk of contracting and spreading the virus.

Nail salon workers, the majority of whom are immigrant women of color, live in the neighborhoods that have been hit hardest by COVID. According to our February 2021 survey, **29 percent of workers reported that they had tested positive for COVID, and an additional 9 percent said that they believe they had the virus but were unable to get a test.** Workers continue to be at high risk of contracting COVID due to the nature of their jobs - they work indoors and cannot socially distance from their clients - but have still not been made eligible for vaccines.

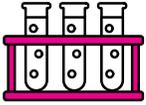
Last summer we learned that **more than 80 percent of workers were excluded from government relief**, including Unemployment Insurance and the federal stimulus checks, due to immigration status. Since salons were allowed to reopen in July, this has left workers with the difficult decision between risking infection by going into work or forgoing a paycheck in the absence of government assistance.

Despite being a rapidly growing and booming industry prior to the pandemic, nail salon workers have long been exploited and left out of the profits they have generated. In February 2020, **80 percent of nail salon workers stated that they had experienced wage theft** in the industry. Many workers are also exposed to workplace hazards like toxic dust and fumes that can cause cancer, respiratory issues, skin damage, impact fertility and fetal development and other issues. The vulnerability of the workforce only intensified with the pandemic, leaving workers with even less income and greater exposure to health hazards. As salons reopened in July, we found inconsistent compliance with both health & safety regulations that have existed for years and new COVID-specific regulations issued by the state.

New York's nail salon industry, like a lot of its economy, will have to be rebuilt. As of February 2021, more than half of workers surveyed said that they were currently not working in a salon, and many who are working report drastically reduced hours. Despite this hardship, we must use this moment of instability in the industry as an opportunity to chart a more sustainable and dignified course forward. Going back to "normal" would mean returning to high rates of wage theft, dangerous conditions that put both workers and clients at risk, and a race to the bottom that makes it difficult for responsible businesses to succeed. Instead, **New York can and should rebuild the industry on a foundation of health, dignity and safety**, where workers rights are respected, customers are safe, and salon owners no longer have to engage in illegal and exploitative practices to stay in business.

## FINDINGS

### COVID INFECTION RATES



**29%**

**OF WORKERS SURVEYED SAID THEY HAVE TESTED POSITIVE FOR COVID. AN ADDITIONAL 9% SAID THAT THEY BELIEVE THEY HAD THE VIRUS BUT WERE UNABLE TO GET A TEST**

Based on a February 2021 survey of 645 nail salon workers, 29% said they had tested positive for COVID and an additional 9% said that they believe they had the virus but were unable to get a test. Compared to positivity rates for the general U.S. population, (the New York Times reported that about 7.6% of the U.S. population had tested positive for COVID by February 2021), rates for nail salon workers are much higher, suggesting they are at an extreme risk for COVID. However, despite living in the communities that have been hit hardest by COVID and continuing to work in a high-risk job, nail salon workers are still not eligible for the COVID vaccine.

### ELIGIBILITY FOR GOVERNMENT AID



**81%**

**OF NAIL SALON WORKERS SURVEYED SAID THEY DID NOT QUALIFY FOR AID FROM THE GOVERNMENT, SUCH AS UNEMPLOYMENT INSURANCE OR THE 2020 FEDERAL STIMULUS CHECKS, DUE TO IMMIGRATION STATUS**

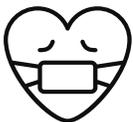
A survey of more than 1,000 nail salon workers in the spring and summer of 2020 revealed that 80% of workers did not qualify for aid from the government, such as Unemployment Insurance or the 2020 federal stimulus checks, due to immigration status. Workers went months - and in some cases have now gone a year - without working and without any financial help from the government.

### RETURNING TO WORK



**46%**

**OF WORKERS SURVEYED IN FEBRUARY 2021 ARE CURRENTLY WORKING IN A NAIL SALON**



**87%**

**OF WORKERS WHO QUALIFY FOR NYC'S PAID SAFE & SICK LEAVE LAW REPORT NOT RECEIVING PAID SICK DAYS FROM THEIR EMPLOYER**

Throughout the pandemic, the Association periodically surveyed workers to see who has returned to work. The results never surpassed 50%. Based on the most recent February 2021 survey of 645 nail salon workers, 46% were currently working in nail salons. Many who are working report drastically reduced hours.

For those who have returned to work, our August 2020 survey, conducted shortly after nail salons in NYC were allowed to reopen in July, found inconsistent compliance with both health & safety regulations that have existed for years and new COVID-specific regulations. Most notably, 87% of workers who qualified for NYC's Paid Safe & Sick Leave Law reported not receiving paid sick days from their employer, even in the midst of a pandemic.

## **POLICY RECOMMENDATIONS**

### **HOW TO REBUILD A BETTER INDUSTRY FOR WORKERS, CLIENTS AND SALON OWNERS**

**Vaccine Eligibility:** At the beginning of the pandemic, nail salons were recognized by the state as being a high-risk industry; they were one of the first industries ordered to be shut down by the Governor in March and one of the last industries to reopen in July. Almost 30 percent of workers surveyed said that they have tested positive for COVID, and an additional 9 percent suspect they were infected but were unable to get a test - there are alarmingly high numbers that are much greater than statistics for the general population. However, despite living in the communities that have been hit hardest by COVID and continuing to work in a high-risk job, nail salon workers are still not eligible for the COVID vaccine. In addition to protecting workers and their families from the virus, vaccine access for workers is an essential part of both workers and clients feeling safe in salons and will be integral in the economic health of the industry moving forward. New York State should open vaccine eligibility to nail salon workers as soon as possible.

**Nail Salon Accountability Act ([S4638/A2307](#)):** The nail salon industry has long been in a race to the bottom in regards to low wages and poor safety conditions, making it hard for businesses who are complying with the law to succeed. The Nail Salon Accountability Act would tie compliance with existing health and safety and labor laws to the business licensing and require new training for workers and salon owners. This bill will help owners understand how to comply with existing laws and provide an incentive for all salons to come into compliance, which will help level the playing field and allow businesses to compete fairly. The Nail Salon Accountability Act would ensure that NY's nail salon industry is rebuilt on a foundation of health, dignity and safety, that will ensure workers rights are respected, customers are safe, and salon owners no longer have to engage in illegal and exploitative practices to stay in business. This is the key to the long-term sustainability of the industry.

**NY HERO Act ([S1034/A2681](#)):** Workers across different industries in New York have been left at high-risk in their workplaces throughout the pandemic. While reopening guidance issued by the CDC and NY state was a step in the right direction, workers need more detailed, enforceable standards. The NY HERO Act would ensure that safety measures are put into place and enforced to address the continual presence of COVID in New York as well as future infectious diseases. The proposal also includes protections against retaliation and authorizes workers to form health and safety committees. The bill has already passed the state Senate. The Assembly must act now to protect workers.

**Excluded Workers Fund ([S4543/A5421](#)):** Less than half of workers surveyed are currently working in a nail salon, and more than 80 percent reported being excluded from government relief. Many nail salon workers have been out of work for all or most of the past year, but have been excluded from Unemployment Insurance and the government stimulus due to immigration status. We need a Fund for Excluded Workers to help prevent homelessness and dire poverty in majority immigrant workforces not covered by existing public relief. While the Covid-related closures may have been temporary, the recession and high unemployment will be ongoing and affect not only workers and their families, but also our local and regional economies. The Excluded Workers Fund would provide an essential safety net for our state's most vulnerable workers.