



THE PATH TO CIVILIZED WORK FOR DOMESTIC WORKERS

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Introduction

In 2011, the ILO adopted the Domestic Workers Convention, 2011 (No. 189), the first international legal instrument entirely devoted to domestic work. In its Preamble, the Convention recognizes the contributions of domestic workers to the global economy and the persistent undervaluation of domestic work. Considering that domestic workers are some of the most marginalized workers, the Convention sets out to ensure that they enjoy decent work – like all other workers – while taking into account the specificities of the sector. Since then, governments, employers' organizations and workers' organizations have made efforts to promote the ratification and implementation of Convention No. 189. In 2021, on the occasion of the tenth anniversary of the Convention, the ILO published the report.

Domestic work: Where do we stand now?

According to the Domestic Workers Convention, 2011 (No. 189), domestic workers are those workers who work in or for a household or households on an occupational basis. As key members of the care economy, domestic workers provide indirect and direct care services to private households. Globally, at least 75.6 million men and women over the age of 14 were employed as domestic workers in 2019. These include domestic workers hired directly by households as well as those hired through or by service providers.¹ By this definition, 1 in 22 employee's works as a domestic worker, and accounting for 4.5 per cent of all employees worldwide.

The world's largest employers of domestic workers are in Asia and the Pacific (where 50 per cent of all domestic workers are employed) and the Americas (where 23 per cent of all domestic workers are employed). By contrast, Europe and Central Asia employ the smallest share of all domestic workers (4.7 per cent). Domestic work represents by far the largest share of total wage employment in the Arab States, where domestic workers account for 14.8 per cent of all employees. Domestic workers also represent an important share of employees in Africa (7.3 per cent), Latin America and the Caribbean (8.4 per cent) and Asia and the Pacific (4.6 per cent). By contrast, domestic workers represent only 1 per cent of employees in Europe and Central Asia. Domestic workers are overrepresented in upper middle-income countries, mostly due to this income group containing the largest employers of domestic workers and greater levels of inequality.

Forms of employment in domestic work

Domestic workers are not only employed for a variety of tasks in and for private households, but also in diverse ways. Domestic workers may:

- Work on an hourly, daily or monthly basis;
- Live in or out of the household in or for which they perform their work;
- Work with or without a written contract;
- Be employed directly by one household or several households;
- Be employed by or through a service provider.



The Components of Decent work Decent work comprises

- Safe work;
- Adequate earnings;
- Decent working time;
- Stability and security of work;
- Social dialogue;
- Employers' and workers' representation;
- Employment opportunities;
- Social security;
- Work, family and personal life balance;
- Abolishing child and forced labour; and
- Equal opportunity treatment.

While all existing international labour standards also apply to domestic workers (if not provided otherwise), the articles of Convention No. 189 complement these instruments with specific standards that are adapted to the sector. Importantly, the Convention seeks to achieve equality of treatment between domestic workers and other workers, calling on ILO Member States to ensure labour and social protection for domestic workers under conditions that are no less favorable than those provided to other workers, particularly with respect to working time, wages, social security and access to justice.

Decent work for domestic workers today?

Ten years after the adoption of Convention No. 189, the ILO sought to estimate the extent to which domestic workers enjoy decent work, both in law and in practice. The main measure to estimate access to decent work is informality. Informality can stem from:

1. Exclusion from labour and social security laws and/or inadequate levels of legal protection; and
2. Lack of implementation and compliance with laws and regulations. This section will first show the ILO estimate on the total percentage of domestic workers who are informally employed, regardless of the source of this informality. It will then look more closely at the two sources of informality noted immediately above.

Informality in domestic work

Despite the essential responsibilities of their job, eight out of ten domestic workers are informally employed, meaning they do not have access to social security. Informality tends to be higher among domestic workers than among other employees, even in regions with generally high levels of informality such as Africa or Asia and the Pacific. Globally, the share of informal employment among domestic workers is twice that of the share among other employees. As we will see below, the fact of being informally employed is also strongly associated with the lowest wages and either very short or very long hours of work. Female domestic workers are more exposed to informality than their male counterparts in 67 per cent of countries reviewed. However, men are overrepresented in the Arab States and Africa, where the rates of informality of domestic workers are the highest.

Social security is a fundamental human right

Effective social security systems guarantee income security and access to health protection, thereby contributing to the prevention and reduction of poverty and inequality and the promotion of social



inclusion and human dignity. They do so through the provision of benefits, in cash or in kind, which are intended to ensure access to medical care and health services, as well as income security throughout the life cycle. Universal social protection is essential for advancing social justice, fighting inequality and promoting inclusive growth.

Actual working conditions

Being legally covered is necessary but not sufficient to enjoy decent working conditions. Even when they enjoy labour and social protection in law, many domestic workers do not have access to effective protection in practice due to a lack of implementation and compliance with applicable laws and regulations. This section details the real Working conditions of domestic workers with respect to wages, working time, violence and harassment, and Occupational safety and health.

Wages

Domestic workers are some of the lowest earners among all wage employees, and domestic workers in informal employment earn far less than either formal domestic workers or other employees. Low wages are often due to the lack of an applicable minimum wage to domestic workers and/or noncompliance with minimum wage provisions. Live-in domestic workers are particularly vulnerable, as they work very long hours and are often paid a monthly salary that translates into very low hourly wages. They are also frequently paid a portion of their wage in kind, further reducing their cash pay, and increasing their dependence on the household employer. Globally, domestic workers earn 56.4 per cent of the average monthly wage of other employees. Women domestic workers earn just half of the average monthly wage of all other employees; whereas male domestic workers earn 67.3 per cent of the average monthly wage of other employees.

Domestic workers in informal employment earn 49 per cent of that of all other employees, and just 37.6 per cent of the average wages of formal employees. This latter ratio drops to 35.1 per cent for female domestic workers in informal employment. Domestic workers in high-income countries earn 53 per cent of the average wage, and about half of them work less than 35 hours a week. While this might make them the highest paid per hour among domestic workers worldwide, their salaries remain substantially lower compared to other employees in these countries. Africa is the region in which domestic workers earn the least compared to other employees.

Working time

Domestic workers are less likely to work within the range of normal weekly hours and are more likely to work very short or very long hours compared to other employees. Globally, 64 per cent of all domestic workers work outside the scope of “normal hours”, compared to 46 per cent among other employees. Domestic workers are more likely to work excessive overtime (more than 60 hours per week) or very short hours of work (less than 20 hours a week), as compared to their employee counterparts, across countries in all income groups. The figures are more extreme for informal domestic workers (see figure 8). Most domestic workers work more than 48 hours a week in the Arab States (75 per cent) and in Asia and the Pacific (50 per cent).

Long hours are mostly associated with live-in domestic work, which predominates in these regions, and which is often performed by migrants. In Europe and Central Asia, the tendency is to work shorter hours: 28 per cent work less than 20 hours and 24 per cent work 25–34 hours. In Latin America and the Caribbean, there is a stronger tendency to work “normal” hours compared to other regions: 39.9 per cent of domestic workers work a 35–48-hour workweek, and 47.9 per cent work



fewer than 35 hours. This suggests a tendency towards compliance with labour laws, and of employers hiring domestic workers on an hourly or daily basis (which also suggests a reduction in the number of live-in domestic workers). Very short and very long hours both entail significant risks. Short hours are associated with low, uncertain and unstable income, compounding decent work deficits. Those who work very long hours often do so because of their low hourly wages, pushing them to work more to earn a living. For live-in domestic workers, long hours tend to be the result of a lack of legal limits on working time and lack of minimum wage coverage. Those who work long hours find themselves exposed to work-life imbalances and health impacts, likely compromising their psychological and physical health.

Poor working conditions as both cause and consequence of informality

Decent work deficits are often greatest among informal domestic workers. The correlation between informal employment and working time and wages works in both directions: domestic workers with the shortest and longest hours and the lowest wages tend to be informally employed. Conversely, domestic workers in informal employment work more extreme hours (both shorter and longer) in comparison with formal domestic workers and earn lower wages. For domestic workers who work short hours or earn low wages, informality may be a result of the fact that their hours worked per household or per week fall below established thresholds for accessing social security, effectively barring them from coverage. Long working hours and low wages can also be closely correlated to informality in the form of inadequate or insufficient legal limits on working time and no right to a minimum wage, or the insufficient enforcement of such laws where they do exist.

Occupational safety and health

Domestic workers tend to experience decent work deficits in relation to occupational safety and health (OSH) and are more vulnerable to the impacts of OSH risks due to the characteristics of their work, the nature of their workplaces and the specificities of the sector. In their cleaning responsibilities, domestic workers are typically exposed to chemical hazards such as bleach, ammonia, insecticides, glues and medications that can enter the body through inhalation, skin contact or ingestion, causing immediate (intoxication, allergies) or long-term effects, such as cancer. Domestic workers also face physical hazards, such as working at heights, as well as ergonomic hazards stemming from tasks such as lifting, moving and handling heavy loads, and repetitive postures (such as long hours standing), without the possibility of sharing or shifting the workload with co-workers. Moreover, domestic workers often work for multiple households and in close proximity with the persons in the households, in which they work, making them especially vulnerable to biological hazards and communicable diseases, such as the COVID-19 virus (see box 5). Live-in domestic workers are furthermore overexposed to risks such as long working hours, workplace isolation and social exclusion. Those working in informal employment are particularly vulnerable in the face of OSH risks, owing to their lack of access to healthcare and social protection.

Legal provisions on OSH rarely cover the domestic work sector. In some cases, domestic workers are excluded from such legislation because of their exclusion from labour law, while at other times they are explicitly excluded from OSH legislation. Without clear OSH guidelines for the domestic sector or due to lack of consideration for the sector's specificities, it becomes difficult to target existing problems and expose violations. Certain social and cultural characteristics of domestic workers may increase their exposure to OSH risks. For example, domestic workers may not speak or read the language of the place in which they live and work, as is often the case for migrant domestic workers



and indigenous domestic workers. Low rates of literacy can also contribute to difficulties in accessing information on OSH risks. In addition, domestic workers are rarely trained in OSH standards.

Violence and harassment

Psychosocial hazards form another set of OSH risks faced by domestic workers; the most frequently being violence and harassment in its different forms, including gender-based violence. Violence and harassment against domestic workers is a systematic phenomenon, deeply embedded in the patterns of society and too often seen by domestic workers as “normal”, “part of our life” or “part of our culture” (IDWF 2020, 34 and 37). The most common types of violence and harassment experienced by domestic workers in their workplaces include economic abuse, psychological abuse, physical and sexual abuse, verbal abuse and lack of access to appropriate food. Other less frequent but alarming types of violence are bullying, coercion, violations of privacy and withholding of wages (IDWF 2020, 9). Domestic workers are particularly vulnerable to violence and harassment at work due to a confluence of factors: work is carried out behind closed doors, in isolation and in working environments with deepened power imbalances.

Assessing sources of informality

Formalizing domestic work requires a clear analysis of the sources of informality, which can be the result of one or more of the following two conditions:

1. Gaps in legal protection, including: • exclusion from labour and social security laws; • inadequate levels of protection
2. Gaps in implementation, including lack of compliance with laws and regulations. Making decent work a reality for domestic workers therefore requires, first, the extension of labour and social security laws so that they provide adequate protection to domestic workers, and second, the effective implementation of those laws.

Making decent work a reality for domestic workers

- Safe work
- Adequate earnings
- Decent working time
- Stability and security of work
- Employment opportunities
- Social security
- Work, family and personal life balance
- Abolishing child labour and forced labour
- Equal opportunity treatment

The way forward

The Five Steps to Decent Work

Making decent work a reality for domestic workers remains an urgent priority for achieving the ILO Decent Work Agenda and to reduce gender inequality. This report has summarized the two main sources of informality in the domestic work sector – namely, legal gaps and implementation gaps – and estimated the numbers of domestic workers in informal employment because of these two sources. It has also proposed some good practices to close these legal and implementation gaps. This final chapter will demonstrate how governments and social partners can use the content and the structure of this report to guide them through five steps to advance towards decent work for domestic workers.



These Five Steps to Decent Work for domestic workers are as follows:

1. Estimate the number of domestic workers and the share of domestic workers in informal employment.
2. Analyse gaps in labour and social security laws and regulations.
3. Identify other drivers of informal employment practices and non-compliance.
4. Discuss the results of Steps 1–3, and develop a strategy or action plan through social dialogue.
5. Begin implementing the action plan and The Five Steps are to be taken across three distinct phases, as seen in figure 10 below. As this chapter details each of the Five Steps below, it will also highlight the kinds of support that the ILO has provided to constituents around the world over the last ten years. At each step, reference is also made to relevant sections of the ILO report *Making Decent Work a Reality for Domestic Workers* where further information can be found. Governments and social partners seeking to promote formalization and decent work in their domestic work sector can seek support from the ILO in their efforts.

Before beginning the Five Steps, it is important to establish a **technical working group** that will serve as the main consultation body for each step. The working group should be composed of representatives of any pertinent government ministry or department, the most representative workers' and employers' organizations, and, where they exist, organizations of domestic workers and of employers of domestic workers. This working group can be called together by the Ministry of Labour or equivalent, for example. Clear tasks and objectives set out in terms of reference can help guide the purpose and activities of the working group.

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