

Respect and Rights:

Protection for Domestic/Household Workers!

¡Protección para Trabajadoras Domésticas/Trabajadoras del Hogar!

PART II

ACTIONS AROUND THE WORLD

PART I

Was published on the web earlier in English and Spanish

See http://www.irene-network.nl/workers_is/domestic.htm

Part I + Part II form the full report of the international conference:

Protection for domestic workers!!

¡Protección para Trabajadoras Domésticas/Trabajadoras del Hogar!

Held in Amsterdam, 8-10 November 2006
at the headquarters of the FNV trade union federation of the Netherlands.

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Respect and Rights:

Protection for domestic/household workers!

¡Protección para Trabajadoras Domésticas/ Trabajadoras del Hogar!

Contents

PART I

1. Introduction

Why this conference was organised

Who was at the conference

2. What domestic/household workers want

The demand for recognition and rights

Suggestions for action

Conference statement

Post conference developments

PART II

3. Action around the world

What is domestic/household work?

Who is organising for domestic/household workers' rights?

- **Latin America and the Caribbean**
- **Asia**
- **Southern Africa**
- **Middle East**
- **Europe**
- **North America**
- **Global Unions**
- **ILO**
- **Migrant workers**
- **Child workers**

Annexes

1. Conference participants list

2. More useful resources

3. Action around the world

Just how many domestic/household workers are there?

No-one has definitive data about domestic/household work in the world, often because it is not seen as 'work' and so labour force surveys tend not to include it. Here are some estimates that give a picture of how many people are doing this work in the homes of others.

Worldwide:

- Some estimates say that one-third of the world's households have some form of 'hired-in support'.
- Domestic/household work is the world's largest occupation for young women.
- For children, it is the second largest occupation after agriculture; for girls under 16 years, it is the largest.

Asia:

- The Asian Migrant Centre estimates that there are at least two million migrant domestic workers in Asia, over 90% of whom are women.
- The AMC also calculates that over 750,000 migrant domestic workers in Asia are undocumented.
- **The Philippines, Sri Lanka and Indonesia** are the source countries for most Asian migrant domestic/household workers. Women make up 60-80% of registered migrants from these countries, most of them domestic workers.
- **Indonesia:** Since 1998, some 400,000 Indonesians have migrated to other countries each year.

Middle East:

- The countries of the **Persian Gulf** employ millions of immigrant women in domestic work. No fewer than one million immigrant women work in low-level occupations, including domestic work, in **Saudi Arabia** alone.

Latin America:

- Domestic/household workers make up to 60 per cent of internal and cross-border migration in Latin America.
- Female immigrants from **Mexico** and other parts of Latin America make up most of the domestic workforce in the **US**.

Africa:

- **South Africa:** about one million domestic/household workers, predominantly African and Coloured women, work as housekeepers, cooks and nannies. Domestic/household workers (including men gardeners) represent roughly 9% of all formal and informal employment in South Africa.

Europe:

- **Spain:** domestic work is the largest single area of female employment.
- **France:** more than 50% of migrant women are employed in domestic work.
- **Italy:** some 600,000 people are registered as employed domestic/household workers, the great majority of whom are non-EU nationals. There are also many who are undocumented, not having a work permit, giving rise to an estimated total of 1.2 million workers in Italy providing domestic services to individuals.

Sources:

International Labour Organisation

'Domestic Workers Far from Home', United Nations Population Fund

http://www.unfpa.org/swp/2006/moving_young_eng/stories/stories_Noraida.html

European Foundation for the Improvement of Living and Working Conditions,

www.eurofound.europa.eu/eiro/2007/02/articles/it0702079i.html

'Have Minimum Wages Benefited South Africa's Domestic Service Workers?' by Tom Hertz, 2004.

What is domestic/household work?

Domestic/household work covers many different activities, situations and relationships, and so is not easy to categorise.

It includes many tasks such as cleaning, laundry and ironing; shopping, cooking and fetching water; caring for the sick, elderly and children; looking after pets; sweeping and garden-tidying.

It involves workers in many different types of employment relationship:

- ⇒ In welfare societies, where care workers are employed by the State or organisations subsidised by the State, they often (though not always) benefit from proper employment contracts, union rights, and collective bargaining agreements.
- ⇒ With privatisation of such services, however, has come the growth of private supply agencies and a deterioration in working terms and conditions and unionisation.
- ⇒ In just a few countries there are collective bargaining agreements between trade unions and confederations of householders.
- ⇒ Most domestic/household work around the world, however, is done through private arrangements between individuals, someone hired in or a family member, sometimes with a written contract but usually with none.
- ⇒ Many live-in and are on almost permanent call in that household; others live elsewhere and may work for several employers, perhaps spending only a few hours per week for each.

Domestic/household work fundamentally involves power relationships. It is:

- ⇒ never free of a **gender** perspective: in all societies domestic/household work remains seen as 'women's work'; nowhere do men do an equal share of work in the home. It is when women get jobs outside the home that - rather than men of the household doing more of the caring work - other women (or children) are brought in to do it.
- ⇒ often holds a **race or ethnic** perspective: this is especially so for international migrant workers, whose labour is wanted but who are often met by racism or xenophobia; also within countries women from certain cultures or racial/ethnic groups are more likely to be employed by others from more powerful cultures or groups.
- ⇒ sometimes involves **age** as a key aspect: in many countries there are still thousands of children doing domestic work in private homes; on the other hand, there are also many older women whose only skills to sell in the labour market are domestic ones.
- ⇒ almost always concerns **poverty** and **class**: very few who are not poor leave their own homes to work in those of other people, who are usually more wealthy.

"Domestic/household workers are a big issue for trade unions, not only because of their large and growing numbers. It is also because they are among the most vulnerable of workers - and that is what we are here for. Plus they are crucial to the labour market policies of the future."
Annie van Wezel, FNV Mondiaal, Netherlands

'Swept Under the Rug - Abuses against domestic workers around the world'

Human Rights Watch, 2006
hrw.org/reports/2006/wrd0706/

'Domestic Workers Abused Worldwide'

A report that spotlights violence and slave-like conditions in 12 countries
Human Rights Watch, 2006
hrw.org/english/docs/2006/07/26/singap13804.htm

‘Domestic’ or ‘Household’?

The term ‘domestic work’ is associated with work we do in our own homes, to care for ourselves and our own family. Some argue that using this term for work that is done in other people’s homes may be interfering with getting it recognised as ‘work’ and those who do it properly respected and paid.

In some languages too there can be a disrespectful inference between ‘domestic’ and ‘domesticated’; the latter term refers to animals being trained to live in households and recalls the fact that household workers can sometimes be given terms of abuse such as ‘cat’ (‘gato’ in Spanish).

For these reasons, in some countries and particularly in Latin America, there has been a determined effort to drop the term ‘domestic’ and instead use ‘household’ (‘hogar’ in Spanish) for this kind of work.

“When this work is done by family members it is usually not valued. So automatically when someone else is hired in to do it, it is still not valued. Employers pay us what they like; they think they are doing us a favour; it is not a ‘real’ employment relationship. But we must start recognising that household workers must earn a decent wage. We must make this distinction between paid and unpaid work in the home; and this is why we in CONLACTRAHO have decided to use the term ‘household’ rather than ‘domestic’ for that work which should be paid.”

**Marcelina Bautista Bautista, General Secretary, Latin American regional network
CONLACTRAHO**

In the short-term, it may be difficult to make a complete switch in terminology in countries where employment legislation – where it does refer to this kind of work – uses the term ‘domestic’. However, conference participants largely accepted the idea of keeping ‘domestic’ for that which is done for love or duty, and considering a switch to the term ‘household’ for that which is done for a living.

In this report we are using both terms together.

Who is organising for domestic/household workers' rights?

"In fact, there is so much activity around the world for domestic/household workers' rights that it seems to me our warehouses are rich and full."

Annie van Wezel, FNV Mondiaal, Netherlands

Domestic/household workers' self-organisations exist all around the world. Indeed, there seems to have been quite a growth in recent years. What is more, they are more outspoken and creative in getting better seen and heard.

In welfare societies such as Canada, Western Europe and Scandinavia, 'care provision' has for the past half century been part of the public sector. There, most care workers who go into private homes to help look after the sick, elderly or children have been State employees and members of public sector trade unions. Despite privatisation and outsourcing, many still are in these unions – though the restructuring presents unions with many challenges to keep them organised and negotiate agreements with employers as in the past.

Such formal arrangements are not how most domestic/household work is done around the world, however. Even in welfare societies, household cleaning remains an unregulated arena: the 'cleaning lady' comes in, say, for half a day a week, by verbal agreement with the householder. And this is how most domestic/household work of all kinds is organised in most countries, not through the State but as a private arrangement between individual householders or private agencies and individual workers.

Despite all the difficulties they face, including their isolation from each other and their poverty, many domestic/household workers have nevertheless formed associations or trade unions to represent themselves and get their voice heard. In some countries, trade unions of domestic/household workers as such are technically 'illegal', but this does not stop them organising.

Meanwhile, for unions that are more used to factory- or office-based workers, organising the working poor in the 'informal' economy is still a low priority. Supporting those such as domestic/household workers can seem 'expensive', costing more in time and resources than they bring in. However, this is not a reason not to organise and there are very good examples of solidarity between domestic/household workers' organisations and trade unions in certain locations, to mutual benefit.

It is much harder for 'undocumented' migrant domestic/household workers to organise, of course, and there are literally millions of them around the world. Many are isolated, living under someone else's roof and far from home. Trade unions have found it difficult and not a priority to reach out to them and incorporate their interests. Even so, courageous individuals have got together and built associations of migrant domestic workers, often among those sharing a language or nationality. Of these, some have developed a close working relationship with a trade union, particularly where the union leadership has been open. Other migrant groups, by contrast, still work very much on their own, for many reasons.

Then there are the support groups for domestic/household workers set up by others concerned for their plight, sometimes by faith groups, for example. Some of these are small, local NGOs. Some are big international NGOs that focus on forced labour, or child labour, or migrant workers, and therefore relate to domestic/household work done by the most vulnerable people in these situations.

Meanwhile, there is a regional confederation in Latin America and a regional network in Asia, which combine elements of all these types of organisation.

The activities that all these organisations undertake for domestic/household workers' rights are also very varied. A few, such as those in South Africa, Bolivia, and Peru, have formed recognised trade unions and have helped to win new protective legislation and/or far greater visibility in society at large, though they still have to work hard to get it implemented or for their issues to remain on the agenda. Others are still small awareness-raising and support groups. And there is much in-between.

In fact, no clear mapping of the organisations and their activities around the world for domestic/household workers' rights seems to have been done as yet. So the conference aimed to do some 'stock-taking' of what exists, and for those there – as well as those reading this report - to learn more about each other. This 'stock-taking' continues since the conference.

Latin America and the Caribbean: Already united

Household workers' organisations throughout Latin America and the Caribbean are united in a regional federation called **CONLACTRAHO (Confederación Latinoamericana y del Caribe de Trabajadoras del Hogar, or the Latin American and Caribbean Confederation of Household Workers)**. It was established in March 1988 at the first ever meeting of Latin American household/domestic workers' organisations, held in Bogota, Colombia. Organisations from eleven countries were present. Today, member organisations come from thirteen countries of the region, as well as Canada and an organisation of migrant workers in Europe. Its headquarters are in Mexico City. For the first time at a conference in Europe, **Marcelina Bautista Bautista, CONLACTRAHO's Secretary General**, explains the work of her federation:

"Household workers, who are almost all women, have great problems defending their rights; many do not know the legal situation; many are working in isolation, not allowed to join unions and discouraged from making contact with support NGOs. Many are migrants within their own countries or come from indigenous communities. On their free day, Sunday, they need to go for a walk or visit their families and children if they can; so they have little time to organise themselves.

Many employers do not treat household workers as 'workers' but as inferior members of the household. But we must make a distinction between work done by family members and work done by those who are hired in as waged workers, for whom workers' rights should be implicit.

In most Latin American countries there are laws which regulate this kind of work, but with fewer rights than for other workers, for example with regard to social insurance. It is as if domestic/household workers are not 'real' workers. We need new initiatives to make this work visible and properly respected. Also, most of the laws are discriminatory, with no gender perspective, and still permeating through them, not just culturally but even within the juridical norms themselves, are notions of servitude or bondage.

In Bolivia and Peru, laws specifically to protect household workers were passed in 2003 (Bolivia: Law No.2450, 9 April 2003; Peru: Law No.27986, 3 June 2003) after a long struggle by organisations in those countries. Yet it is very difficult to get these laws respected. We need the ILO to help promote respect for household work in each country.

CONLACTRAHO promotes collaboration with trade unions because household workers' groups cannot do it alone. Many do get support from unions in their country, in political training, help with lobbying for legal changes, etc. In fact, in Brazil and Chile the trade unions have a long history of defending household workers, going back to the 1920s. In Bolivia, by contrast unions for household workers were banned until the 1980s; now there are several unions for them there. In Peru, it was not illegal as such but there were legal problems and the big unions were fragile; so it is a big achievement that household workers there can even talk about founding a trade union. In Mexico, the big unions are in decline and it was difficult for household workers to form their own union; so in 2000 they founded the Centre for Support and Training of Household Workers (Centro de Apoyo y Capacitación para Empleadas del Hogar, CACEH) in Mexico City.

Some of our organisations are also working across borders, for example collaborating with organisations in the Dominican Republic where many migrants come from. We have not yet started to work specifically on the issues of child labour but we are aware that we should.

Our Confederation holds its Congress every four years, most recently the Fifth Congress in Peru in May 2006. This elects the seven members of the Executive Board, including the General Secretary, the post I currently hold; the other members of the current Board are from Argentina, Bolivia, Brazil, Ecuador, Peru, and Costa Rica. We work to strengthen household workers' organisations in each country and across the region, to increase the visibility of this work and to try to combat the exploitation, marginalisation and discrimination that many household workers' face. We are very conscious of the social, cultural and economic diversities that exist in our region, causing many Indigenous, Mestiza and Black women to find work in other people's homes.

CONLACTRAHO members celebrate 30 March each year as an International Day for Household Workers, using it to raise awareness for the rights of and respect for the dignity of these workers. We also work to raise awareness in the international labour and women's organisations (ILO, UNIFEM and UNICEF). We publish a regular bulletin to keep everyone informed of developments.

It is not easy. We are not trained as professionals; many of us have worked in private homes for 15-20 years, since we were children, and so we have had few educational opportunities; we do not necessarily have the basic organising skills. However, we are convinced that we have to win back our rights and it is through our activities that we grow and learn how to organise and defend the rights of our members and friends. As a federation, CONLACTRAHO continues to promote the organisations of household/domestic workers and works towards building their capacities and skills."

A profile of Marcelina Bautista Bautista (in Spanish) is at:

www.indesol.gob.mx/docs/5_comunicacion/mujeres_14_MARCELINA.pdf

For more information on CONLACTRAHO (in Spanish) see:

www.cinterfor.org.uy/public/spanish/region/ampro/cinterfor/publ/sind_for/castillo/pdf/exp_sec.pdf

Montevideo Declaration

In December 2005, the International Labour Organisation (ILO) held a South American seminar on women migrant domestic workers in Montevideo, Uruguay. Trade Union representatives coming from Argentina, Brazil, Bolivia, Chile, Colombia Ecuador, Paraguay, Peru, Venezuela, Uruguay, met with South American household workers' organisations, consultants, trade union representatives from Spain, and ILO experts. At the end of the seminar, participants issued a statement.

"We, Latin American and Spanish women workers, participants to the 'Trade Union Seminar on Women Migrant Domestic Workers' agree:

1. **To denounce** the political-economic, social and cultural neo-liberal model that exploits male and female household workers.
2. **To promote** the value of paid domestic work; change in our texts and dialogues the term 'domestic workers' into the more suitable and respectful term of 'household workers' , which includes a collective recognition of their work.
- 3, **To recognise** that the demands of household workers, and migrants as well as the ending of child labour are fundamental tasks of the trade union movement
4. **To value** the contribution that household workers make to the development of our countries and to value the constant battle of their organisations throughout history for their just claims.
5. **To request** the ILO to support actions that guarantee full respect for the labour rights of household workers and migrants, to promote Equality and Non-Discrimination of Gender, Race, and Ethnic Groups, and the respect of the rights of indigenous people.
6. **To fight** together with labour organisations in all our countries, to defend the implementation of ILO Conventions and to promote an International Convention to guarantee the rights of household workers.
7. **To agree to work together to make sure that the demands of household workers are in the center of our trade union, social and political agendas, as well as in the center of the agendas of the Governments of our countries in order to guarantee equality of rights and better working conditions as well as better salaries for household workers.**

Signed: - **Argentina:** CGT; CTA; CONLACTRAHO - SINPE CAF - **Brazil:** CONLACTRAHO / FENATRAD; FORÇA SINDICAL; CGT; CUT – **Bolivia:** FNC Obrera BOL; CONLACTRAHO - **Chile:** CUT; CONLACTRAHO – **Colombia:** CGT; CTC; CUT; CONLACTRAHO / UTRAHOGAR - **Ecuador:** CEOSL / FENACLE – **Paraguay:** CUT - **Peru:** CGT P – **Venezuela:** CTV – **Uruguay:** PIT CNT / SUTD; PIT CNT; Gender Department PIT CNT – **Spain:** CC.OO

Bolivia: Household workers get legal protection

In a population of nearly 9 million, Bolivia has about 132,000 household workers, of whom 99 per cent are women. Household workers' organisation began in the mid-1980s in the capital city La Paz, using Sundays, when many could get time off. Classes were run on topics such as literacy, cooking and sewing; it was also the day for demonstrations, with household workers claiming their rights, wearing their aprons and carrying brooms.

After many years of organising and lobbying, in 2003 **FENATRAHOB (Federación Nacional de Trabajadoras del Hogar de Bolivia, National Federation of Household Workers of Bolivia)** successfully got the Bolivian Parliament to pass the Household Workers Law. The law includes a minimum wage; a maximum of 10 hours a day working time for live-in workers and eight hours for live-out workers; Sundays and holidays off; 15 days holiday each year, and a bonus of one year's pay after five years of work. Moreover, the Government has declared 30 May as Household Workers' Day.

Migueline Colque of FENATRAHOB says:

"You don't achieve progress from one day to the next, but over a long period of many years, with a lot of commitment from colleagues. The laws passed in 2003 are very important and many cities are now complying; there is a new officer within the Labour Department to support the new law, so they are taking us seriously. And we now are able to take cases of unjust dismissals to court.

The laws are not yet fully implemented, though; we find that senior labour inspectors tend to support the employers. Also, most household workers still do not have health insurance, pensions or written contracts. However, we are anticipating help with getting health insurance. We have to get to every corner of every city; it is now the poorer people who are exploiting household workers the most, with the lowest pay.

Before we were vulnerable and invisible; but with the new law now people are aware of us."

Her FENATRAHOB colleague, **Basilía Catari Torres**, continues:

"We are a grassroots organisation of household workers, formed when we women organised ourselves on the basis of our needs. We were not recognised as workers, and many were migrants from rural areas who did not know our rights. So we organised ourselves to achieve rights for household workers to agreed working hours, fair wages, free education, access to health and retirement schemes.

As a way of attracting household workers, we hold training workshops to professionalise their cooking and sewing skills; the workers we have trained can then ask for higher pay and better working conditions. We also do training in handicrafts such as macramé, as this helps them to have an independent source of income. Plus we run workshops on rights, such as reproductive rights.

We defend ourselves as a group, but also we help to make individuals strong so that they can defend themselves. We experience triple discrimination: as indigenous people, as migrants, and as women. They think we are 'stupid' but training helps to overcome this, and this includes training in the rural areas where many household workers come from.

We are a women's organisation, organised by women household workers, and not managed by an NGO. They give us solidarity and we grew through their help, which we very much appreciate. But we manage ourselves. Our weak point is our financial situation; our resources are always very limited. However, everyone always does what she can, and it is this solidarity by many individuals which makes our organisation strong."

'De Chualluma He Venido' ('I came from Chualluma')

The life story of Basilía Catari Torres

Ayuda Obrera Suiza (AOS), La Paz, Bolivia, December 2000

Domestic worker becomes Minister of Justice in Bolivia

Casimira Rodríguez Romero started her working life aged 13 years, when she was taken from her rural village in Bolivia to work in a private household in the city of Cochabamba. She remained in this work for 18 years. As she grew up, she became a founder and then Secretary General of the FENATRAHOB National Federation of Household Workers of Bolivia, where she worked hard for the legal reforms that have been achieved in her country. She was also Secretary General of the Latin American and Caribbean regional confederation CONLACTRAHO.

In February 2006, Casimira Rodríguez was appointed as her country's Minister of Justice. She is also Bolivia's first Quechua Indian to serve as a government minister.

'Una Trayectoria Única' (A Unique Journey)

A news story and short video (in Spanish) about the life of Casimira Rodríguez at:
news.bbc.co.uk/hi/spanish/specials/2006/trabajadoras_hogar/newsid_5019000/5019716.stm

Mexico:

Centro de Apoyo y Capacitación para Empleadas del Hogar (CACEH), Mexico

(Support and Capacity-Building Centre for Household Workers) Information leaflet in Spanish
www.indesol.gob.mx/docs/5_comunicacion/10_PracSoc2004.pdf

'Hay condiciones de esclavitud'

Interview with Emilio Álvarez Icaza, President of the Mexican Human Rights Commission
In Spanish, with photographs
news.bbc.co.uk/hi/spanish/specials/2006/trabajadoras_hogar/newsid_5027000/5027812.stm

Paraguay:

'Necesarias, Invisibles, Discriminadas: Las trabajadoras del servicio doméstico en el Paraguay'

'Needed, Invisible, Discriminated Against: Domestic Service Workers in Paraguay'
ILO/IPEC and Centro de Documentación y Estudios (CDE), 2005, in Spanish
bibliotecavirtual.clacso.org.ar/ar/libros/paraguay/cde/areamujer/trabajadoras.pdf

Brazil:

'30 mil domésticas trabalham sem salário no Brasil'

'30 thousand domestic workers work without wages in Brazil'
In Portuguese, with photographs
www.bbc.co.uk/portuguese/reporterbbc/story/2006/08/060811_domesticassemsalarioebc.shtml

Latin America:

'International Women's Day 2006: More, but not always better jobs for women in Latin America'

www.ilo.org/global/Themes/Working_Conditions/Wages/lang--en/WCMS_067504/index.htm
In English, Spanish and French

Peru: Another success story

Out of a population of 28 million in Peru, there are thought to be nearly 500,000 working in households, of whom 200,000 are adolescents or children. In 2003, the same year as in Bolivia, the Peruvian Government passed new legislation for domestic/household workers, the Household Work Law No.27986. This recognises their work and gives them employment rights.

Marcolina de los Milagros Infante Ramirez comes from **I PROFOTH (Institute of Promotion and Formation of Workers of the Home)**, an NGO (and now a Trade Union) based in the capital city of Lima. She describes how this victory was won.

“The Household Work Law passed in 2003 took many years of struggle, a lot of demonstrations, travelling around the country to win visibility for this work and gain support, and so on. At the time, so many women who demanded their rights were dismissed by their employers.

We worked as a network of household workers’ organisations in ten regions. We visited night schools where household workers might be. We published articles to raise public awareness. We lobbied the Ministry for Women and the Ministry for Social Affairs for support; they said they had no budget, but they gave us resources such as places to hold our conferences.

Eventually we got the new law, and we are very proud of our achievement. It lays down that household workers have the right to a contract with their employer; this does not have to be written but can be verbal. The contract must include:

- ⇒ *wage levels; food and sleeping quarters cannot be considered as part of the pay;*
- ⇒ *there must be proof of payment/work done so that the household worker later has proof of employment;*
- ⇒ *maximum working hours of 8 hours per day;*
- ⇒ *a weekly free day of 24 hours on Sunday plus public holidays; if more time is worked, there must be more pay;*
- ⇒ *15 days’ leave per year on at least half-pay*
- ⇒ *a bonus for Christmas and Independence Day on 28 July.*

The Government also now sets a minimum wage, recognises the right of household workers to register for social security, join a pension plan, and pursue further education.

Now we are starting to work with employment agencies so that they know about these rights that they should comply with.

We are just starting to build a trade union of domestic/household workers. At night we go to the homes where household workers are working and invite them along; or we go out on the streets early in the morning when they are out buying bread. The union is very new and was only officially registered in October 2006. At first the Ministry said, ‘Why do you want a union, when you are not organised in a workplace?’ but we had to be strong and kept pushing them.

We household workers must be actors in every situation. We may not be university educated, but we have gained a lot of education through our lives. Now we are working on strengthening the capacity of our union leaders.”

A further interview with Marcolina de los Milagros Infante Ramirez

by Jan Bom for FNV Mondiaal (in Dutch only) can be found at:

<http://mondiaal2.cms.fnv.nl/renderer.do/clearState/true/menuId/28244/sf/12866/returnPage/12866/itemId/50851/realItem/50851/pageId/28192/instanceId/28476/>

Domestic worker: Half a worker

Household Workers Law No. 27986 was passed in **Peru** in 2003 after a long struggle by domestic/household workers in the country. Despite this victory, and the protections that it gives them, discrimination and an under-valuation of household workers is embedded even within this new law.

Household workers in Peru can count on less favourable labour rights when compared to other workers:

1. Household workers' pay is determined by free agreement between two parties. That is to say, household workers do not have the right to a minimum living wage, unlike other workers. Despite this, their social security contributions for health insurance and pensions are calculated on the basis of them getting a living wage.

2. Compensation for length of service: For household workers it is calculated at 50% of their pay, whereas other workers get 100% of their pay.

3. Holidays: Household workers only have the right to 15 days' annual holiday, unlike the other workers who have the right to 30 days' holiday a year.

4. Work during days-off/holidays: When somebody works on a holiday she has the right to receive pay for the work done plus an additional payment of 100% daily wage. However, household workers receive pay for the work done plus an additional payment of only 50% of the daily wage.

5. Gratuities/allowances: on Independence Day and Christmas, household workers get an allowance of 50% of their monthly pay; other workers receive 100% of their monthly pay.

Source: www.presenciacultural.com/blog/2007/01/27/casa-mazmorra-trabajadora-del-hogar/

'Haz Valer Tus Derechos!'

'Defend Your Rights'

Information for household workers, including on the Household Workers Law No. 27986 of 2003 and model employment contracts.

CESIP (Centro de Estudios Sociales y Publicaciones), Lima, Peru
www.cesip.org.pe/publicaciones/p69.htm

Centro de Capacitación para Trabajadoras de Hogar – CCTH

Centre for Household Workers Capacity-building

www.ccthperu.org/Hist-ccth.pdf

Publications including

'La Ley de las Trabajadoras del Hogar (Perú)' 'Household Workers Law (Peru)'

www.ccthperu.org/publicaciones.html

'La Sindicalización de las Trabajadoras del Hogar en el Perú: De la Necesidad a la Propuesta'

'Trade union organisation of Peruvian Household Workers'

Also includes information on laws in other Latin American countries.

CGTP (Confederación General de Trabajadores del Peru), 2006, in Spanish

cgtp.org.pe/Syscgtp/modules/Biblioteca/images/Publicaciones/Sindicacion_Trabajadoras_Hogar_2006.pdf

'Situación de la Trabajadora del Hogar en Perú'

'The Situation of the Household Worker in Peru'

La Red e Auto Organizaciones de Trabajadoras del Hogar del Peru, 2005, in Spanish.

Available from: redth276@hotmail.com

Trinidad and Tobago: ‘Crumpled up and thrown in the bin’

“For the purpose of this Act persons employed in domestic work and paid by the householder are not regarded as workers”.

Trinidad and Tobago, Industrial Relations Act, 1972

“This is still our struggle in Trinidad and Tobago”, comments **Ida le Blanc**, General Secretary of the **National Union of Domestic Employees (NUDE)** of **Trinidad & Tobago**, two islands in the Caribbean. NUDE was set up in 1982 to represent the 12,000-plus domestic/household workers there. Ten years later, the union also opened its doors to include other low-waged workers who are not protected such as casual/temporary workers. All the union’s leaders are women. Ida continues:

“Not being regarded as ‘workers’ under our legislation, our domestic workers still have no recourse for wrongful dismissal, or can be fired at the whim of their employer; they are also excluded from the Occupational Health and Safety Act.

We do have a Household Assistants Act and this says that there should be a written contract of employment, 14 days’ annual leave, maternity leave under the Maternity Protection Act and other provisions. However, there is virtually no implementation and it is a big problem for our union.

As for the National Insurance Scheme, it is mandatory for employers to register every worker; but in the case of a domestic worker, she must register herself. In a recent case taken up by our union, a domestic worker had asked her employer to get in touch with the NIS registration board to register her; she had given her employer all the details but the employer just crumpled them up and threw them in the bin, and then dismissed her. She went to the Ministry of Labour, who sent her to our union.

The Minimum Wage Act is a victory for us. Here we got the government to change the relevant court for domestic workers from the civil court to the industrial court so that we could have union representation. We achieved this after we held several workshops throughout Trinidad and Tobago. The Minister of Labour officially opened one, and heard the voice of over a hundred domestic workers. We used the media and newspapers to spread the word. Many workers do not use this mechanism, though, and I understand why; when we pursue the matter at the Ministry of Labour to get moving, we make enemies; if you take a case to court, you wait about two years for the bureaucratic wheels to turn. It means that many workers do not have confidence in the law. Workers feel they are not sufficiently compensated by the Judges at the Court, and no stiff penalties are ordered against the employers.

We have a ‘Workers Know Your Rights’ education campaign that was launched in 1998, whereby we educate our members on their rights and entitlements under existing labour legislation. For over twenty years, the Union has been focussing on the Industrial Relations Act, to get domestic/household workers included within the definition of ‘worker’. This remains a burning issue.

So we continue to struggle for recognition as ‘workers’. I hope to take ideas from this conference and insert them in our campaigning about the responsibilities of the employers.”

‘Equal Rights for Domestic Workers’ Campaign

On 13 January 2007, NUDE launched a campaign to get equal rights for domestic/household workers in Trinidad and Tobago. They wrote to the Minister of Labour asking for the Industrial Relations Act to be amended to include domestic workers. This was already recommended a decade earlier by an ILO workshop to Improve the Status, Terms and Conditions of Work of Domestic Workers in the Caribbean in 1997, and then by the country’s Committee on the Elimination of Discrimination Against Women in 2002. The NUDE letter was accompanied by a petition.

More details of their campaign can be found at:
www.globalwomenstrike.net/Trinidadindex.htm

Asia: A new network for domestic workers' organisations

The **Asian Domestic Workers' Network** was established in 2004, following a workshop in Hong Kong the previous year organised by the **Committee for Asian Women**. The workshop identified the need for a network to provide mutual support for domestic workers' organisations across the region.

ADWN currently has eleven member organisations, from Sri Lanka, India, Nepal, Pakistan, Indonesia and Hong Kong. Five are self-organisations (trade unions) of adult domestic/household workers, which become regular members of the network; they have voting rights and elect the Executive Board. A further six are NGO support organisations, which are associate members; they are involved in programme planning and implementation. At present, CAW hosts the secretariat of the ADWN.

Ip Pui Yu (commonly known as 'Fish') was one of the ADWN representatives attending the conference. She first gives an indication of the huge scale of domestic work in Asia, and then describes the efforts under way to organise these workers locally and through the network:

"The numbers involved in domestic work in Asia are very big:

- ⇒ *Employment in private households accounts for about one-third of all female employment in Asia.*
- ⇒ *About 1.5 million Asian women work as migrant domestic workers in other countries;*
- ⇒ *Statistics for internal migrant domestic workers (women and children) migrating from rural or poorer areas to cities scarcely exist, however;*
- ⇒ *In the Philippines, there are estimated to be over 600,000 local domestic workers;*
- ⇒ *Figures from one province alone of Indonesia, Yogyakarta (Central Java), indicate 40,000 local domestic workers and 40,000 working in Hong Kong;*
- ⇒ *In Hong Kong, nearly one-third of all families employ a domestic worker: one in ten employs a migrant domestic worker, while more than two in ten employ a local domestic worker.*

Domestic work has existed for centuries in Asia, when girls were sold by poor families to rich ones, put to work as 'slaves', 'maids' or 'servants' or described as a quasi member of the family so as to deny their rights. Today, such feudal and patriarchal values continue to shape the way the work is valued, i.e. it is 'work of no value done by women of low caste, ethnic group or race'.

As a result, in many countries the definition of 'domestic work' is vague - domestic workers are said to be there to make a person in their own home more 'comfortable'; so there is little recognition for these workers as 'workers'; little or no protection in labour law or social security; little or no respect for collective bargaining rights. This provides a rationalisation for abuse; some household workers receive no payment for their work at all, only 'shelter' and food; there is no opportunity for training to upgrade skills; no health insurance; no retirement protection. For others the abuse can be more extreme forms of mental, physical or sexual assault. Isolation from society and lack of personal life add to the stress.

We have to look at why domestic work is growing. It is directly related to wider economic and political developments. During the Suharto military regime in Indonesia, for example, farmers were told to plant certain crops, the prices fell, farmers became poor, and daughters had to find work. Elsewhere, policy prescriptions from the World Trade Organisation (WTO) are causing a collapse in the rural economy and increasing urbanisation. Capital flight, factory closures and privatisation lead to lay-offs, and the women who become unemployed resort to domestic work for a living. Urban women absorbed into the labour force need help with household work, and this demand is met by impoverished rural women who have few other options.

Many organisations of domestic workers have started up in Asian countries in recent years. Some, for example in Japan and South Korea, are in the form of associations or co-operatives. In Hong Kong and Indonesia there are registered trade unions of domestic workers; however, in most countries, this is legally difficult or impossible. Meanwhile, those who are migrants are joining migrant workers' self-organisations or support NGOs, for example in Xian in China. Others are supported by women's organisations, or religious institutions, or sympathisers such as teachers.

These organisations undertake a range of organising and mobilising strategies. Some emphasise the self-organisation of domestic/household workers in independent groups, to speak for themselves to raise public awareness and lobby for legal changes. Others are advocacy groups on behalf of domestic/household workers. Some provide support such as a help-line, or a rest house, or free health aid or legal aid. Some help women find work in households with decent employers.

Getting in touch with individual domestic/household workers is always difficult and groups try various methods: from personal networking via friends, relatives, or community/religious leaders; to door-to-door surveying and home visits; and going to markets, parks and other public places where domestic workers might be. Some groups try to attract with recreational activities. Others try building rapport with employers.

ADWN's main mission is to support the self-organisation of domestic workers, to assist them to strengthen themselves. We do this through training, study tours and exchange programmes where they can share their organising and legal reform strategies. However, we also want to work closely with others involved in supporting domestic workers such as the child and migrant workers.

We play an advocacy role, lobbying for policies and programmes, at international as well as local levels, that will bring about greater value for the work of domestic workers, give them access to social services and promote their rights as workers. We are particularly interested in the idea of a new ILO Convention to extend 'decent work' to domestic/household workers.

We also try to secure media coverage, to encourage more social partners to rally to the cause of domestic workers. We do need to make this invisible sector of work more visible in society at large. Our vision is for a society that affirms domestic work as decent and dignified."

For more on ADWN, see:

www.cawinfo.org/Article312.html

www.cawinfo.org/Category8-All.html

'New Initiatives in Organising Strategies in the Informal Economy: A case study of domestic workers' organising'

By Sujata Gothoskar

Committee for Asian Women, Bangkok, July 2005

'Reclaiming Dignity: Struggles of local domestic workers in Asia'

Report of the workshop held in Hong Kong, October 2004 involving domestic workers' organisations from five Asian countries: Hong Kong, India, Indonesia, South Korea, and the Philippines.

Edited by Sarah Eunkyung Chee, Deepa Bharathi and Lee Siew Hwa

Committee for Asian Women, Bangkok, 2004

'Women Domestic Workers'

By Ranjana Athavale, Vijay Kanhere and Sujata Gothoskar

plus **'Report of Asian Domestic Workers' Network Study Tour'**

In 'Asian Women Workers', Committee for Asian Women, Vol.25, No.1, January 2006

'Overview of Key Issues Related to Domestic Workers in Southeast Asia'

'The Regulation of Domestic Workers in Indonesia'

'Using Indonesian Law to Protect and Empower Indonesian Migrant Workers: Some Lessons from the Philippines'

Three publications of the ILO project: Indonesia, the Philippines, Malaysia and Hong Kong SAR: Mobilising Action for the Protection of Domestic Workers from Forced Labour and Trafficking, ILO, June 2006, available at:

www.ilo.org/dyn/declaris/DECLARATIONWEB.PROJECTPUBLICATIONS?var_language=EN&var_ID=261

'Dreamseekers: Indonesian women as domestic workers in Asia'

By Dewi Anggraeni

Equinox Publishing and ILO, 2006

Indonesian migrants organise in Hong Kong

The **Indonesian Migrant Workers' Union (IMWU)** in **Hong Kong** was founded in 1999, out of a self-help group set up six years earlier, called the Indonesia Group Hong Kong. The IMWU is an affiliate of the Hong Kong Confederation of Trade Unions (HKCTU) and through the HKCTU has been developing common positions and relationships with the international confederation ITUC (formerly ICFTU) since 2003. **Sartiwen Binti Sanbardi** says they wanted to become a trade union so they could be officially recognised and so have a more political agenda of promoting labour rights. She continues:

“Our current membership is over 2,300 Indonesian domestic workers in Hong Kong. They are very poor. Some have to pay high deductions out of their salaries to an agency for the job, leaving them with virtually no income for a long time.

If they leave their job, or when their contract ends, they have to leave Hong Kong within two weeks, according to law. This makes many become undocumented, and they end up working in bars or in the sex industry. Other migrants can eventually become residents of Hong Kong after seven years, but not domestic workers. This is discrimination. So we took the ‘Two Weeks Rule’, as it is known, to the United Nations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and they are now bringing pressure on the Hong Kong Government to abolish it.

Even though many domestic workers send big revenues home, the Indonesian Government has not been supportive. So we have been very active in lobbying, with some success. In 2003, we argued strongly against a government policy that sought to make it compulsory for migrants to return home to renew their contract and re-pay agency fees. Eventually the Government succumbed and reversed the policy.

Then in 2004, we conducted a mass education campaign to put pressure on the Indonesian Government to reduce the exorbitant agency fees being charged to migrants coming to Hong Kong. We succeeded in signing a three-way Memorandum of Understanding between the Ministry of Labour, the union, and the largest employment agency, the PJTKI, securing a lower fee. Implementation has been difficult, but the process has forced the Government and agencies to recognise the role of our union. In August 2006, we again won a victory when stopped the Jakarta Labour and Transmigration Department from requiring all Indonesian migrants working overseas to re-register with the local Labour Department when back home on leave.

Meanwhile, over the past three years we have organised many training programmes for our members in Hong Kong on topics such as organisational management, bookkeeping, computer skills and the Internet, English and Cantonese, traditional dance, plus trade unionism, migrant human rights, leadership and team-building, and advocacy. This has helped our member to express their problems through filing complaints, and to participate in campaigns and protests. We also have a small shelter for Indonesian workers who are taking their cases to the Hong Kong Labour Department.

To help raise awareness, we take part in the annual May Day activities with the HKCTU and hold activities on the Indonesian national Kartini Women’s Day – which brings more Indonesian domestic workers to seek help. We have also produced a video called ‘2.5 Billion for the State’, referring to the remittances migrant domestic workers send back to our home country. We have shown this to other migrant support groups, as well as to the Indonesian and Hong Kong Governments.

As well as our union in Hong Kong, there are Indonesian migrant workers’ organisations in Korea, Taiwan and Singapore. We belong to the Migrant Forum in Asia, and coordinate with many others at regional and international level to strengthen the campaign for migrants’ human rights.

One weakness is that it is hard to collect fees from our members. For now, we have to depend on funding agencies and support from NGOs. We are strong because these NGOs and the HKCTU are helping us, for example with administration. But we understand this is a problem for our sustainability.”

A further interview of Sartiwen Binti Sanbardi

By Sam Grumiau for the ITUC (in English, Spanish and French)
can be found at: www.ituc-csi.org/spip.php?article472

'2.5 Billion for the State'

A film by the Indonesian Migrant Workers' Union, Hong Kong, 2002

In English and Bahasa Indonesia. 53 Minutes.

Contact: imwu@asina-migrants.org

'Underpayment: Research on Indonesian Domestic Workers in Hong Kong'

Asian Migrant Centre, the Indonesian Migrant Workers Union (IMWU), and the Hong Kong Coalition of Indonesian Migrants Workers' Organisations (KOTKIHO)

www.asian-migrants.org/index.php?option=com_content&task=view&id=4&Itemid=29

More information on the IMWU, including photographs, can be found at: www.asian-migrants.org

Hong Kong: 'Heart of Love, Care and Justice'

The **Hong Kong Domestic Workers' General Union** was formed in mid-2001. Its symbol and slogan represent the 'heart of love, care and justice'.

The union's membership comprises local domestic workers hired to clean homes and care for children, the aged and newborn infants. Most are employed on a casual basis, with irregular hours or only short-term contracts. Nearly all are women, and they meet weekly or monthly in local areas of Hong Kong.

The union's Executive Committee members are all women, Ip Pui Yu (Fish) is on of them. It is affiliated to the Hong Kong Confederation of Trade Unions (HKCTU), and collaborates with other migrant domestic workers' groups and unions in Hong Kong, such as the Indonesian Migrant Workers' Union (see above).

www.hkctu.org.hk

China: Growing unmet demand for household services

The massive growth of the Chinese economy under neo-liberalism is not good news for all of this country's huge population, particularly the women. Vast numbers are unemployed, especially women laid off from former State-owned enterprises and those in the rural areas. The Chinese Government sees expanding household services as a key area to solve this problem.

Meanwhile, there is huge demand for such services in the rapidly-growing urban areas. The intensity of work for those in employment is increasing, taking time away from that needed to run one's own household. Official figures indicate there are some 7 million people engaged in domestic services in the country's 32 mega-cities and 43 major cities.

Yet household work is still seen as 'disgraceful' and 'face-losing', a job only taken by poorly-educated rural migrants and non-locals. Wages are low compared to the cost of living, and working hours are very long and without a fixed schedule. Having one's own social life is very difficult. So there is a big shortage of women willing to do this work. Figures for the demand for these workers range from 14 to 22 million.

Shanghai is the only city in China providing social insurance for domestic workers in the city (both local and migrant), though it is a voluntary scheme into which employers contribute. The key problem is that labour law in China continues to exclude domestic workers from its protection.

Legal experts and labour/women's groups are calling for legislation on the household sector to be on the agendas of the 2007 National People's Congress and the Chinese People's Political Consultative Conference session. The Beijing Cultural Development Centre for Rural Women has drafted proposed regulations for the household service sector in Beijing. However, there is also disagreement among organisations about what kind of legislation should be promoted.

Edited extracts from:

'Domestic Work and Rights in China'

By May Wong

'Asia Labor Update', No.59, April-June 2006, Asia Monitor Resource Centre, Hong Kong
www.amrc.org.hk/5904.htm

New initiatives in Beijing

The **Beijing Migrant Women Workers' Club** is one of the activities of the Beijing Cultural Development Centre for Rural Women, an NGO aimed at promoting rural women's development. The Club, established in 1996, provides a cultural meeting place for migrant rural women who have come to find work in Beijing. It is run by the migrant women themselves, and their activities include literacy classes, encouragement for rural women to engage in politics, and suicide prevention training.

In 2003, concerned at the lack of access for domestic workers to medical or social insurance, the Club began organising activities to improve their legal situation, as well as their access to vocational training. They have drafted a set of regulations to protect domestic workers which they are trying to get taken up by the Beijing authorities.

In 2004, they tried to set up a domestic workers' union but faced great difficulties. Trade unions in the country are 'top-down' hierarchies and, with domestic workers having the lowest social status of all, it was questioned why domestic workers would want or need a union. It is also against the law in China for an NGO to help found a union; it is up to employers to help workers do this, which the Women's Club believes is a conflict of interest.

There is, however, a domestic workers' union in the city of Xian. It is affiliated to the All China Federation of Trade Unions (ACFTU) as all such organisations have to be.

www.nongjianv.org

'New Initiatives in Organizing Strategy in the Informal Economy: Case study of domestic workers' organizing'

Sujata Gothoskar. Committee for Asian Women, Bangkok, July 2005
www.cawinfo.org/Article205.html

'Report of Asian Domestic Workers Network Study Tour'

Committee for Asian Women, Bangkok, October 2005
www.cawinfo.org/Article207.html

'Reclaiming Dignity – Struggles of Local Domestic Workers in Asia'

Report of a workshop in March 2004
Committee for Asian Women, Bangkok
www.cawinfo.org/Article145.html

'Domestic Work is Work! Women's Work is Work! : Building an Asian Migrant Domestic Workers' Regional Alliance and Strategic Action Agenda'

Asian Domestic Workers' Assembly, June 2007
www.mfasia.org/mfaResources/ADWA%20Statement%20of%20Unity.pdf

The ILO office in Jakarta has produced several useful publications on domestic workers' rights in Asia, and Indonesia in particular, in English and Bahasa Indonesia, including:

'Domestic Workers in Southeast Asia - A Decent Work Priority' (2006)

'Overview of Key Issues Related to Domestic Workers in Southeast Asia' (2006)

See the full list at:

www.ilo.org/public/english/region/asro/jakarta/publ/domesticworkers.htm

'Help Wanted: Abuses against female domestic workers in Indonesia and Malaysia'

Human Rights Watch, July 2004
In English and Bahasa Indonesia
hrw.org/reports/2004/indonesia0704/

'Indonesia, Malaysia: Overhaul Labor Agreement on Domestic Workers: Proposed Malaysian migrants bill would violate basic freedoms'

Human Rights Watch, 21 February 2007
hrw.org/english/docs/2007/02/20/indone15370.htm

'Costly Dream'

An interactive photo essay on Indonesian migrant domestic workers, particularly in Singapore. With spoken commentary in English.

A collaboration between Magnum photographer Susan Meiselas and Human Rights Watch.

inmotion.magnumphotos.com/essays/costlydream.aspx

hrw.org/campaigns/women/2006/domestic_workers/photos.htm#nolink

'The Regulation of Domestic Workers in Indonesia: Current laws, international standards and best practice'

ILO, Jakarta, June 2006
www.ilo.org/public/english/region/asro/jakarta/download/dwregulation.pdf

'Indonesia: Exploitation and Abuse: The plight of women domestic workers'

Amnesty International, February 2007
English: web.amnesty.org/library/index/engasa210012007

Indonesia: 'We are now being taken seriously'

The '**Tunas Mulia**' Domestic Workers' Union was founded in 2003 in the city of Yogyakarta in Central Java, Indonesia. Originally meeting as a study group in mosques, the domestic workers felt the need to become a union so as to take up the issues of their rights as workers. The union has been running very imaginative campaigns, targeting employers to sign work contracts, successfully convincing the Local Government to recognise them, and getting the National Government to start work on a new Bill for legal and social protection of domestic/household workers.

Those helping the union have included the Tjoet Njak Dien Women's Forum (Rumpun Tjoet Njak Dien, named after a famous Acehnese woman who fought against colonialism) and the National Network for Domestic Workers Advocacy (Jaringan Nasional Advokasi Pekerja Rumah Tangga) which is a network of 26 member organisations around the country. **Susi Apriyanti** from Tunas Mulia explained the work of their union. Sadly, Susi died in a motor accident in August 2007.

"Our union has about 300 members at present. The national government does not recognise us officially as a union; technically it cannot, because domestic work is not recognised as 'work'. However, we have made progress with several Ministries, and even more so at regional and local level, and we are now being taken seriously.

At the provincial level in Yogyakarta, we persuaded the Provincial Governor to issue a decree in 2003 which requires the municipalities and the four regencies in the province to issue regulations on domestic workers. We are expecting these to be passed in 2007.

Meanwhile, we have also managed to introduce work contracts between individual employers and workers, to be signed by both. We target employers through, for example, publicity in women's magazines. We also campaign through drama and our newsletter. We explain how contracts benefit both the worker and employer in a win:win situation. We find that many employers do not want to look like abusers. We appeal to their sense of humanity.

We also have a school giving skills training to domestic workers. The Ministry of Education was impressed by our curriculum and provides some funds. The training is so far limited to skills and it would be good to expand it to training in how to deal with bad situations, including those experienced by migrant domestic workers working abroad. We think that there should be training for employers too.

Employers can come to our school to find the worker they need. In return, they must follow a binding agreement on working terms and conditions. In households where there is an employment contract, the union checks every three months that it is being implemented. Either the union visits the individual households to check, or the workers come to the union. We also distribute a questionnaire to our members every three months, to get updated information on their working conditions. The worker can join in our monthly meetings, where they can express their problems if they want to. We also reach out through drama and radio programmes.

Tunas Mulia members are very active, organising their own meetings and activities without 'knowledgeable staff' to help. In the Yogyakarta area they have set up 8-9 'Operatas' or village groups, to get domestic workers together and to liaise with local leaders, to get support and understanding.

We have been working like this since 2003 and it seems to be going well. The members feel secure, and the local government even took our contracts as a model. Even on a national level, we have made progress through our lobbying with the Ministries of Labour, Welfare, and Education. There is greater recognition now for how many people are involved in this industry and that they should have some protection. To get this far we have had to campaign non-stop."

India: National Domestic Workers' Movement

The **National Domestic Workers Movement** in India, based in Mumbai, brings together organisations in 23 states of India. It is part of the Catholic Church of India and works for and with domestic workers and children in domestic work. **Anjali Shukla**, Project Coordinator for the DWM, gives an overview of the situation in India and the work of the NDWM:

"Up to now, domestic workers are not recognised as workers under Indian labour legislation, and therefore have no rights or benefits. In 1995 and again in 1999 a Bill was tabled but was then set aside and not passed.

In just two out of 28 Indian states, there are provisions for a minimum wage, a weekly day off, or overtime pay for these workers. Just three states have approached us and other domestic workers' organisations to set up social insurance schemes.

There have been some encouraging developments recently, however. After a lot of lobbying, domestic work has been included in the schedule to a new Bill to regulate the 'unorganised sectors'; this is still awaiting approval. Also child domestic labour has been declared 'hazardous' and is now banned throughout India..

We see our movement not as a trade union but as a mediator between employers and workers. We introduce people looking for jobs to private households in need of workers. The workers pay a fee and get our support, which includes some minimum working conditions."

Geeta Menon of the **Karnataka Domestic Workers' Union** and **Stree Jagruthi Samithi, India**, adds:

"There is no central approach to domestic workers in India. Each state does the minimum that it can. In Karnataka and Kerala, for example, there are minimum wage notifications but the levels are too low for an adequate or 'living' wage. We have done research and made representations in Karnataka, which is our state, criticising their methods of calculation and proposing a better and fairer wage system.

But when we go to the Labour Commissioner, their appetite to do anything is low. This is 'not a sector to be looked at', they say, throwing up their hands. 'Enforcement is impossible as there are no inspectors'. Our reply is 'Why can't we help be that inspectorate? We could use the unemployed youth, for example'. We are trying to build databases of employers and employees so that we can help enforce whatever regulations exist.

In our union, we felt that, unless domestic workers are given a legal identity as workers, their work and relentless toil will go unrecognised. Society must go beyond the gendered notion of housework, lift this work from patriarchal definitions, and look at its economic value, changing the attitude of looking at these women as servants or slaves, and start perceiving them as workers.

The organising of domestic workers starts with their own understanding, moving away from the notion of individual workplaces to that of collective strength. This is a continuous process of education, meetings, dialogue and confrontation, done by the union collective, using the media and other communication methods.

So they become members, recognise the value of their work, and negotiate with government for recognition and regularisation. We have also been using the strategy of placement of workers so that there is space for drawing up formal agreements between employer and employee and there is responsibility on both sides. Another aspect is to assess the possibility of educating the employers.

Of late, we are working with the idea of including domestic workers in the Labour Welfare Board, as well as the Minimum Wage Advisory Board, so to suggest changes in the wage structure."

See also '**Minimum Wages: A boon for the domestic workers in Karnataka**'

Labour File, 2 June 2005

www.labourfile.org/newsMore.aspx?Nid=23

North-East India: 'It was an eye-opener'

To **Sister Teresa Joseph**, a nun with the Catholic Church, domestic workers remain the least protected and most exploited workforce in India. Sister Teresa is a Regional Coordinator of the **North Eastern Regional Domestic Workers' Movement (NERDWM)** in India.

Her involvement with domestic workers' support came about through her activities with Childline, a 24-hour emergency helpline for children in distress in her region. The region is prone to a lot of ethnic violence and movement of people for their own safety. It is also increasingly the target of traffickers, who are luring young people, especially girls, to work as prostitutes and domestic workers in urban areas and even further away.

"Childline was an eye-opener for me", says Sister Teresa. "The physical, sexual, emotional and verbal abuses meted out on young domestic workers inspired me to launch a separate wing for them. So the Domestic Workers' Association (DWA) was launched in Shillong in June 2003, and then we joined with other congregations in our region under the NERDWM.

We organise a lot of activities aimed at giving visibility to the children in domestic work. We also provide sponsorship so they can go to school, and 45 children benefited from this in 2005-2006.

From our concern for the children, we have broadened out also to adult domestic workers. NERDWM's activities centre around awareness-building and information sessions aimed at empowering domestic workers to act for themselves. We register domestic workers so as to help protect and prove their identity; help them obtain BPL (Below Poverty Line) and ID cards, which are particularly important for migrants between the states of India. There is a crisis intervention system, legal aid and medical assistance, adult literacy training (180 women in 2005-2006) and skills training. NERDWM also tries to find better employment opportunities for individuals. There are also cultural celebrations for the different ethnic groups in the region.

As well as recognition of domestic workers as 'workers', it is our vision to see all domestic workers treated with respect and recognition for their contribution to the economy."

'To Make the Invisibles, Visible'

A booklet on the activities of the North Eastern Regional Domestic Workers' Movement (NERDWM), based in Shillong, India, from its foundation in 2003 to 2006.

'Invisible Hands'

A film produced by NERDWM and the Meghalay Domestic Workers' Movement, in collaboration with splitENDS, a group of young filmmakers, Shillong, India, 2005
34 minutes. Contact: teresamsmhc@yahoo.com

The film shows some young workers talking about how they took up domestic/household work when a lack of money forced them to stop school. It is a story of long working days, little rest and low pay.

One girl migrated from her village, so as to help her family. The middle (wo)men said they would arrange work in Dehli, but then cheated everybody. Her wages were not sent back to the parents. Her situation was very bad, but she could not return home. The parents were told that she did not want to. So the family sold their property to start searching for her, and it took them a long time to find her. The result was that her brothers also had to leave school.

The domestic/household workers in Shillong formed a group to support each other, and rescue others, particularly young girls. Some live together in a small house in the slums. They are very aware of the need to organise themselves.

A further interview with Anjali Shukla and Teresa Joseph
by **Sam Grumiau** for the **ITUC**, in English, French and Spanish,
can be found at: www.ituc-csi.org/spip.php?article987

Southern Africa

South Africa: 'Why is domestic work always last on the agenda?'

Hester Stephens has been a domestic worker in South Africa since she was 15 years old. She is also President of her union, the **South African Domestic Services and Allied Workers' Union (SADSAWU)**. SADSAWU was formed in 2000 and is part of the COSATU union federation. It has up to 30,000 members on the books, of whom 25,000 are paying members and 5,000 are active.

"Before SADSAWU we had SADWU, the South African Domestic Workers' Union. SADWU was one of the first unions in COSATU when it was founded in 1985. But domestic workers only earn starvation wages and it was difficult to finance SADWU; so it was disbanded in 1997-98. It was the saddest time in my life; I wondered what would happen to the workers. COSATU wanted to find us a home in another union but failed; it was frustrating how little support we got, even from other women workers.

So I started organising again; I got a phone and I used my own room, even though it annoyed my employer to have other workers visiting the house. Then five of us got an office in Community House in Salt River (Cape Town); the caretaker gave us some chairs, and the South African Communist Party gave us a desk. A couple from Canada gave us 700 rands which we used to pay the rent. Then COSATU gave us an office and equipment. We re-launched in Durban in 2000, with 25,000 members.

In South Africa, we do have laws governing the employment of domestic workers. This was achieved after the first democratic elections in 1994, recognising the part that domestic workers played in getting the country to democracy. The Labour Relations Act was extended to include us, giving us some protections against unfair dismissals, for example. There is also a minimum wage through the Wages Act of 2000. We are unhappy with the low levels set, though; it makes it very hard to pay for your children's school fees, transport or clothes; it also means the banks won't give you a loan if you need one.

Then in 2003, domestic workers became entitled to join the Unemployment Insurance Fund (UIF); you have to be registered by your employer, and then both employer and worker pay contributions. About 600,000 domestic workers are now contributing to the Fund, but many others have not yet registered.

No matter how good the laws, if they are not implemented you are in the hands of the bosses. So there is still work we must do for the one million domestic workers in my country. The revised Workmen's Compensation Act, due to be passed in April 2007, still needs to include domestic workers. Plus we are going to launch a campaign to get the government more involved in regulating the employment agencies.

Domestic workers are also tired of waiting for houses. We don't qualify for government subsidies to buy a house because you have to earn at least 3000 rands a month and we usually get below 1000 rands. But we do have 1000 workers in a savings scheme, and in 2007 we will meet with the Minister for Housing.

Many domestic workers who become HIV-positive are being dismissed and end up on the street. So we work in clinics to try to educate workers; we produced a booklet and a video for those who can't read or write. Meanwhile we are investigating the possibility of a loyalty card at supermarkets and chemists, and a funeral policy; many workers die in the backyard and their employers don't want to pay for their funeral.

It has been announced that the Old Mutual insurance company and the trade unions are going to establish a joint investment scheme for workers. We say that domestic workers must be included. We are part of the new democracy of South Africa. We were part of the liberation movement and we must be part of the discussions for the future. We ask the unions, 'Why is domestic work always last on the agenda? We don't want our children to live as we did'.

We still need to educate the young workers how to speak up for themselves, to go to meetings and training, to grow as women. We can help them learn how to speak to their employers, to say 'Mrs.'D', let me make us a cup of tea and we can sit down to discuss some issues' or to put a note on the fridge

to tell her it is time for a wage rise. If it wasn't for their domestic worker they wouldn't be where they are today, running their factory or their business. I speak so much because my heart is full of them oppressing us. But I feel proud as long as I earn my money in an honest and decent way."

'Together We Can Do It'
'Women won't be free until domestic workers are free'

A further interview of Hester Stephens

By Sam Grumiau for the ITUC (in English, Spanish and French)
can be found at: www.ituc-csi.org/

'Labour Pains for the Nation'

SADSAWU members who were part of the old South African Domestic Workers Union (SADWU), some already active during the Apartheid era, have written up their life stories, with help from the Human Rights Commission in Cape Town.

'Migration and Domestic Work in South Africa: Worlds of work, health and mobility in Johannesburg'

Southern African Migration Project (SAMP), 2005

www.queensu.ca/samp/sampresources/samppublications/policyseries/Acrobat40.pdf

Namibia: 'No-one wanted us except the farmworkers'

Apart from the difficulties of reaching out to workers isolated in individual households, it is very hard to provide services for domestic workers when they can afford such low union dues. In 2003, the **Namibia Domestic and Allied Workers' Union (NDAWU)** had to cease operations because of low finances. **Alfred Angula**, NDAWU's General Secretary, says that only the farmworkers understood and now the two unions are merging:

"We have similar history to South Africa but in Namibia the laws still do not apply to domestic workers. There is an idea that 'You are a servant of the master and you do not deserve protection'. Or employers say, 'You are a family member; I am looking after you. No, you don't need education'. Domestic workers say, 'We have seen little of the fruits of independence'.

Prior to national liberation, unions for domestic workers were not allowed. Only after independence from South Africa in 1990 could we set up the Namibia Domestic and Allied Workers' Union (NDAWU), at that time with 4,500 members.

But even after independence it has proven difficult to get laws for domestic workers. The legislators themselves employ these workers; they look after their own interests and delay improving the laws or getting them implemented. It is also very difficult to get access to an individual in someone else's home. So we reach out to them in other places such as salons and kindergartens.

However, their low wages mean they can make only small financial contributions to build the union. We collect membership fees of one per cent of their monthly wage, which often amounts to only N\$3, equivalent to US\$0.50. In 2003, due to lack of funds, the NDAWU had to cease operations.

We raised these problems in the national federation, asking if another union would take domestic workers under its umbrella. No-one wanted us except the farmworkers, who said they understood. So both domestic workers and farmworkers are now under the same administration, of which I am the General Secretary, and the formal merger of the two unions is due at the next Congress.

It is our dream to have the work valued. Domestic workers are doing the work that others cannot or will not do, but it is not respected. To me, it is not a question of where you come from – whether you are a migrant or whatever – it is about the contribution of each individual. Globalisation is not only

about the movement of goods; today there is a huge movement of people; it is a question of how we value people. We need a strong political will to change the minds of politicians.”

Middle East

The oil-producing states of the Middle East have a long tradition of bringing in domestic workers from other countries. Now that they have become super-rich through booming oil prices, this labour market has seen a massive growth. Today the numbers of women migrating from poor communities in Asia and Africa to work as domestic workers in the Middle East are truly staggering, literally millions.

Despite the value they bring to their host societies, these women workers are isolated and highly vulnerable. The comparative lack of democratic 'civil society' organisation in the region means there are virtually no trade unions or labour support NGOs to help provide an organising infrastructure for these workers. The only support comes from a few philanthropic individuals and groups, including some mosques that have, for example, refuges for workers fleeing abuse.

One evening of the conference, participants watched a film about Sri Lankan women working in households in the Lebanon, and heard from several academic and ILO researchers about their findings in the region.

'Servants of Globalisation' in the Gulf States

Some estimate that migrant domestic workers in Gulf States now add up to 2.5 – 3.5 million individuals, or some 10 per cent of the entire population, according to **Rima Sabban** of the **Arab Women Academic Network**, based in the **United Arab Emirates (UAE)**. However, many migrant domestic workers are undocumented, making accurate statistics impossible. These 'servants of globalisation', as Rima calls them, come from poor communities in India, Bangladesh, Pakistan, Sri Lanka, Philippines, Indonesia, Vietnam and Ethiopia, amongst others. Rima provides an overview of the situation in the region:

"These are very traditional tribal and male-dominated societies that were colonised and then experienced a sudden boom in revenues from oil. Along with the huge economic growth came social changes in the family. Nuclear families are replacing extended families, meaning that wives – who still have many children and labour-intensive households – call less on family members for support and more on hired domestic/household workers from other countries. Meanwhile, other aspects of power relationships within the family have not changed. When you bring dependent, vulnerable workers into this situation, there are bound to be problems.

Working conditions for domestic workers are largely the same throughout the six States of the Gulf Cooperation Council (GCC): Bahrain, Kuwait, Qatar, Oman, Saudi Arabia, and the UAE. They are denied status of 'workers' under labour laws. Instead, they tend to enter through the 'servants' system, officially under two-year contracts. This system allows them no days off; most daily working hours are from 6.30 am to 10.30 pm with 1-2 hours break; they remain under the sponsorship of their 'kafil' (boss) who retains their passport; and they are responsible for their own ticket home if they abscond.

A new contract is being introduced in 2007, but it only applies to workers coming from the Philippines and Indonesia.

Across the region, more and more expatriate professional workers are also employing migrant domestic workers. In response, the UAE has introduced an annual payment of US\$1300 from each expatriate who employs a domestic worker. However, this has served to encourage a hidden economy of domestic workers coming in under sponsorship by an UAE national and then absconding to work for better pay from an expatriate.

There is also a serious problem of women arriving as domestic workers, or believing that this is what they have been recruited for, and then finding themselves working as prostitutes. Among those they service are the large numbers of men migrants who have entered the Gulf States to work on the construction sites and who live in labour camps. We know this through the stories of women who have run away; however, there has been little research done as yet.

There is within the culture of Islam a notion of treating servants well, and there are many cases of this happening. However, young Arab women are becoming more assertive, and this has an impact on how they treat their domestic workers.

There is a lot of emotion in the way that the matter is discussed in the region. On the one hand, domestic workers are often blamed for crimes rather than seen as victims; or they are alleged to mistreat children, etc. On the other hand, employers are accused of not being able to care for their own children and relying too much on domestic workers. The media produce sensational reports of abuse, trafficking, absconding, and deception. However, rarely do they include the voice of domestic workers themselves; there is a general policy of silencing them by denying them the right to organise or gather in public.

There has been little development of civil society in the region. Women's organisations tend to be headed by royal or other high status women, and as yet are not addressing migrant women's rights; the only exception is Bahrain.

Until recently, the only Gulf States with human rights activists have been Bahrain and Kuwait. However, international pressure has led the General Secretary of the Gulf Cooperation Council to announce that from 2006 each Gulf state will issue an annual human rights report, with contributions from NGOs. Considering that 5-10 per cent of domestic workers in these countries complain of serious verbal or physical abuse, it is to be hoped that they will have a presence in these reports.

There are also a few concerned journalists, and some philanthropic organisations, with whom we work. Plus some religious leaders (ulamas) are building alliances in Indonesia to generate solidarity, although it is not clear whether this will lead to effective solutions for such large-scale problems."

"In the Middle East, there are several thousand migrant domestic workers imprisoned, 800 of whom are women and 50 children. Two women, one in Saudi Arabia and one in Kuwait, are on death row, convicted of killing their employers. Extreme abuse by employers is rife.

So we and the Asia Pacific Forum on Women, Law and Development (APWLD) have been running a postcard campaign 'End the Violence Now!' specifically against violence against migrant women in Saudi Arabia. People are encouraged to sign the postcards and send them to their country's ambassador in SA. We are also setting up a centre in the country, hoping for funding from the European Union and United Nations Development Programme."

Connie Bragas-Regalado, Migrante International
(for more on the work of Migrante International, see page

‘Gender and Migration in Arab States: the case of domestic workers’

Edited by Simel Esim and Monica Smith

ILO, Regional Office for Arab States, June 2004, in English and Arabic

English: www.ilo.org/dyn/gender/docs/RES/477/F2008148367/Gender%20-%20Migration%20in%20Arab%20States%20PDF%20File%20Revis.pdf

Arabic: www.ilo.org/dyn/gender/docs/RES/512/F1745545898/Gender%20-%20Migration%20in%20Arab%20States%20PDF%20Arabic%20Fil.pdf

‘Trafficking in Women, Forced Labour and Domestic Work in the context of the Middle East and Gulf region’

Anti-Slavery Society, working paper, 2005

www.antislavery.org/homepage/resources/PDF/traffic%20women%20forced%20labour%20domestic%202006.pdf

‘Workshop on Awareness Raising on Women Domestic Migrant Workers in Lebanon’

By Simel Esim

ILO, Regional Office for Arab States, Beirut, 28-30 November 2005

English:

www.ilo.org/dyn/gender/docs/RES/451/F799002463/Workshop%20Report%20on%20Women%20Domestic%20Migrant%20Workers.pdf

Arabic:

www.ilo.org/dyn/gender/docs/RES/451/F1302386141/Lebanon%20Workshop%20Report%20Arabic.pdf

‘Migrant Women in the United Arab Emirates: The case of female domestic workers’

By Rima Sabban

ILO, January 2003

www.ilo.org/public/english/employment/gems/download/swmuae.pdf

‘Migrant Women Domestic Workers in Lebanon’

Dr. Ray Jureidini, ILO Regional Office for Arab States, 2001

www.ilo.org/public/english/region/arpro/beirut/infoservices/report/index.htm

‘Bad Dreams - Exploitation and Abuse of Migrant Workers in Saudi Arabia’

Human Rights Watch, July 2004

hrw.org/mideast/saudi/labor/

‘Migrant Women Domestic Workers in Bahrain’

Dr. Sabika al-Najjar, ILO Regional Office for Arab States, 2001

www.ilo.org/public/english/region/arpro/beirut/infoservices/report/index.htm

Bahrain Centre for Human Rights

Includes information on the Migrant Workers' Protection Society (MWPS) in the country.

www.bahrainrights.org/migrantworkers

Indonesian women in Saudi Arabia

Yuniyanti Chuzaifah is a Research Fellow at the **International Institute for the Study of Islam in the Modern World (ISIM)** at the **University of Leiden** in the **Netherlands**. The Institute currently has a research programme called 'Migrant Domestic Workers in the Middle East: Becoming Visible in the Public Sphere?' From Indonesia herself, Yuniyanti is investigating the situation of Indonesian women migrant domestic workers in Saudi Arabia.

"According to Saudi Government figures, there are about 600,000 foreign domestic/household workers registered as working in the country. By contrast, media reports suggest there are as many as three million foreign women doing this work there, indicating a very high number of undocumented workers.

It is thought that the majority are brought in under cover of the 'haj' pilgrimage to the holy sites. The pilgrimage is not only an ideal for all Muslims; it also leads to higher status. So, many Indonesian women are highly motivated to do so. Labour agents use this as a cover to bring women into Saudi Arabia, who then become undocumented domestic workers. And if they run away from an abusive employer, they are vulnerable to becoming involved in the illegal sex trade.

There is very high demand for domestic workers in Saudi Arabia. As well as the high economic growth, there are cultural factors in the way that domestic labour is organised. It is a male-dominated society, where women are married very young, are expected to bear a child each year, and must organise all the domestic work.

For Indonesian domestic workers in Saudi Arabia, there can be dangerous misinterpretations of cultural differences. For example, Indonesian women are taught to smile as a way of showing humility. Yet this can be misinterpreted by women employers as trying to attract their husbands, with severe repercussions.

In Saudi Arabia, it is illegal to have sexual relations outside marriage. There is little punishment for the men, but foreign woman who get pregnant are often sent home before their pregnancy becomes revealed. However, in Indonesia there can be no birth certificate without a marriage certificate. This means that any child born to unmarried Indonesian women migrant worker cannot be registered in his or her home country. Meanwhile, any child born to an Indonesian woman in Saudi Arabia has no legal status there either."

"The system for deportation of women migrant workers from Saudi Arabia is relatively good. They get a ticket home, along with accommodation and food while waiting. Some mosques house domestic workers who have run away; and Islamic law is used to punish employers; for example, there are cases of huge fines or imprisonment for rape, etc. Saudi Arabia is conscious of its international image, and they are getting harder on bad employers."

Rima Sabban, Arab Women Academic Network

'Maid in Lebanon'

This film portrays the story of the thousands of Asian women who become domestic/household workers in the Lebanon. Some have their dreams fulfilled. For many others the experience is one of exploitation and even extreme violence from their employers. Vimala from Sri Lanka weeps as she recounts, "When they started cutting my hair, I begged: 'Beat me more, but don't cut my hair'".

A film by Carol Mansour, April 2006

Available in English, Spanish and French

www.ilo.org/global/About_the_ILO/Media_and_public_information/Feature_stories/lang--en/WCMS_069056

"In the Lebanon, research indicates that three-quarters of the violence comes from the women employers, shouting or locking their worker in. It seems that many domestic workers are dying by jumping over the balcony to escape. It is thought that many domestic workers were killed in the recent Israeli bombing of Beirut."

Rima Sabban, Arab Women Academic Network

"In the Lebanon, the ILO Office engaged the Government on the Private Employment Agencies Convention (No.181 1997) so as to better regulate the agencies that bring in domestic/household workers. At first they resisted, but we did training and opened their eyes. Even though they have not yet ratified this Convention, they have agreed to start monitoring."

Simel Esim, Regional Gender Advisor, ILO Regional Office for the Arab States

Yemen: Little public discussion

Yemen is the poorest country on the Arabian peninsula. Yet here too there are a lot of migrant domestic workers. According to **Marina de Regt**, an anthropologist at the **University of Amsterdam** specialising in gender, labour and development, the demand is linked to the oil boom of the 1970s. At that time, many Yemenis migrated to other Arab countries and became richer, forming a new urbanised middle-class. Today, having a domestic worker is a status symbol, even for Yemeni families who cannot easily afford one.

Marina has been doing academic research on migrant domestic workers in Yemen since 2003, largely in the cities of Sana'a and Hodeidah. She has also been in Ethiopia and Indonesia which, along with Somalia, are the main countries sending domestic workers to the Yemen.

“Alongside the development of an urbanised middle class, there has been a breakdown of the extended family in Yemen. This has generated a greater demand for domestic workers. However, it is still a small percentage of Yemeni families who have a domestic worker, unlike in the other Arab countries.

It is quite hard to do research on the situation of domestic workers in Yemen. Many employers do not see the relevance and do not want to be interviewed. Domestic workers themselves are sceptical that research can help them. They face all the usual problems associated with migrant domestic labour; many arrive on ‘tourist’ visas, and so are not properly documented for the work they are doing and are highly vulnerable to abuse.

In any case, as in many other countries, domestic workers do not fall under Yemeni labour law. There is little official recognition of their work or awareness of their situation, for example in the Ministry of Labour. There is virtually no public awareness-raising, nor discussion in the media.

A lot of development aid is going into Yemen, but it has no relation to the presence or problems of the international migrant domestic workers. This is so even though many of the women are Somali refugees fleeing war in their own land. Foreign embassies in Yemen tend not to want to help, for fear of upsetting their relationships with the host country. Only the Indonesian Embassy has a refuge for its nationals fleeing abuse.

We have established a support group of just ten people who are interested in this issue. They meet monthly but all are volunteers, and do not have professional skills or experience. It is still a small project, dependent on project funding. We are looking at the possibilities of opening a centre for women and to engage in more work at a policy level.”

Marina de Regt is planning to make a short documentary film in 2007 about Ethiopian women working as domestic workers in Yemen, many of whom are supplied through agencies.

‘Mapping Study on Women Domestic Workers in Yemen’

By Marina de Regt

ILO, April 2006

www2.ilo.org/public/libdoc/ilo/2006/106B09_159_engl.pdf

‘Ethiopian women increasingly trafficked to Yemen’

By Marina de Regt

‘Forced Migration Review’, Refugee Studies Centre, University of Oxford, Issue 25, May 2006

www.fmreview.org/FMRpdfs/FMR25/FMR2521.pdf

Europe: Still in the shadows

This international conference followed a previous one in Brussels on 14-15 April 2005 on trade union responses to domestic work in Europe, co-organised by the European Trades Union Confederation (ETUC), IRENE and PICUM. The aims of that conference were to increase awareness among European trade unions of the needs of millions of relatively invisible household workers across the continent.

Europe is experiencing a growth in household services as more women enter into the labour market and people live longer. There are increasing numbers of women migrating into and around European countries to do this work, many of whom are undocumented and vulnerable despite the service they render.

Over three days in April 2005, about a hundred representatives of unions, domestic/household workers' organisations, migrant workers' support groups and labour support NGOs exchanged information and ideas about how better to protect the millions of household/domestic workers of Europe. **Kirsten Moller**, International Advisor to the **United Federation of Danish Workers (3F)** of **Denmark**, gives a report from the European conference:

"We found that the situation in European countries varies a great deal, and there are very different strategies in response. But of course there are also similarities. This is invisible work and it is not the usual group of workers that unions deal with. Yet we cannot accept that millions of workers in our societies are exploited – that they have no, or very unclear, rights. We need to provide household services in a much more sustainable way for all. Many politicians in Europe recognise the need for this, but sadly this is all too often limited to a discussion among women in the Women's Committees of organisations such as trade unions or the European Parliament.

Better household services are a precondition for the European Union policy of bringing at least 60 per cent of all women into the labour market by 2010 - as more women go out to work, more families need help with the care of children and the elderly, etc. Better provision of household services is also a way of helping to cope with unemployment, especially among the unskilled, the young and the migrant workers.

However, at the conference it became clear that government policies and the role of the social partners (business and labour) are very different from country to country. Systems of care provision involving the public and private sectors vary a lot; so do taxation/fiscal policies relating to household services; and family policies affecting women's access to the labour market. Politicians take different paths, leading to very different welfare societies, where unions have different roles.

In Nordic (Scandinavian) countries, the caring of the sick, the children and the elderly is done largely through the public sector and most of the workers are organised in trade unions, benefiting from collective bargaining agreements. Cleaning is primarily done by the private sector, sometimes by formal and sometimes by informal arrangements; it is here that there is an unknown number of unprotected migrant workers.

In France and Spain, by contrast, the household services sector is largely regulated by law rather than by collective bargaining, but the laws and policies vary widely. In the UK, meanwhile, privatisation means that many care services are now contracted out by the state to private agencies to supply the workers that go into people's homes; this has undermined union negotiated terms and conditions, and implementation of the legal provisions that exist.

We looked at who the employers are with whom unions can negotiate. With the thousands of private individuals, it is very difficult, but it is certainly possible with private agencies as well as the state. We also recognised that diplomats and politicians are especially heavy users of household workers – directly benefiting from this labour. So are many international trade unionists; trade unions could do much more to raise awareness among their own members about proper terms and conditions for those they employ in their homes.

Without doubt, domestic/household and home service work is – with the increasing need and wealth in Europe - a growing labour market, and the workers in it should become part of the mainstream of

union work. The trade unions have responded to the EU Green Paper on Economic Migration, pointing out the lack of gender awareness in it. Now there is a Green Paper on Labour Law on its way, and we need to make sure the challenges of 'a-typical' work such as household work are included.

We need to restart the debate on domestic work in the European Parliament as well as in the ILO – whether there should be a new Convention or better implementation of elements in existing Conventions.

We need to be much more pro-active and professional on the future of social services in our countries. Many governments want to keep household services as a 'private' matter while at the same time wanting women to take up more jobs in the formal labour market. We would all be better off if the provision of household services, the caring of the elderly, the sick and children, was defined as a collective responsibility and recognised as a profession. Then we could offer proper and regulated jobs for the many unemployed migrant women and men in Europe. The conference in 2005 highlighted some innovative methods such as voucher schemes, homeservice schemes, or reduced taxation for those who employ household workers on regular basis in their own homes.

Work permit systems to manage the flow of migrant workers vary a lot between countries – affecting how many become 'undocumented'. In most countries, domestic/household work is not officially recognised as part of the labour market; therefore no data is kept on it and any demand for it is not officially recognised. So it is not included the work permit system. The numbers of undocumented migrant domestic/household workers in Europe can only be estimated but, from the work done by unions in Great Britain, Belgium, Italy, France and Spain, we are talking about millions of workers.

Trade unions in Europe can also do much more to develop new ways of working with migrant workers' organisations. We heard from a number about what they already do but all can do more, starting from making room space and facilities available for meetings, to better access to information and training. Some unions are providing union cards, which has been shown to be a very valuable form of identity especially for undocumented workers, though it can raise difficult legal questions. Other unions build close cooperation with migrant workers' organisations and offer training and other activities to empower migrant workers through a better knowledge of their rights."

Detailed case studies on organising domestic workers in European countries can be found in: **'Out of the Shadows: Organising and protecting domestic workers in Europe: the role of trade unions'**

Report of a conference organised by the European Trades Union Confederation (ETUC), IRENE and PICUM, Brussels, 14-15 April 2005

English: www.etuc.org/a/2809

French: www.etuc.org/a/2810

The right to say 'Yes' all the time

The European conference 'Out of the Shadows' heard from 'Raquel', a trained accountant from the Philippines who is now a domestic worker in Belgium. There she has joined her mother, who has been an undocumented worker in Belgium for fifteen years, supporting her children at home, especially their education. Raquel's mother had made a list of her rights:

- ⇒ Right to say 'yes' all the time
- ⇒ Right to be cheerful always
- ⇒ Right to be dismissed at any time

Her 'no rights' list is longer:

- ⇒ No right to get sick
- ⇒ No right to be without money
- ⇒ No right to be without work
- ⇒ No right to have papers
- ⇒ No right to question the employer
- ⇒ No right to be sad or have a long face
- ⇒ No right to be tired.

(For more on migrant workers in Europe, see page

Netherlands: ‘Domestic Work: Decent Work?’

The **CNV National Federation of Christian Trade Unions** in the **Netherlands** has recently developed a new programme for the protection of domestic/household workers. **Lieke Ruijmschoot**, from the CNV’s International Department, explains what their activities entail:

“It is unclear how many domestic workers there are in the Netherlands, but according to a 2003 survey there are 1.2 million households making use of domestic services. A substantial part of these services, mainly those for elderly people, is carried out within the subsidised care system. This is formal work where the employees are employed by care institutions, are registered, pay taxes, take part in a social security system, and have access to collective bargaining.

However, most domestic work in the Netherlands takes place informally. You can imagine how it goes: someone looking for or offering domestic services simply puts up a note in the local supermarket, and the employer and worker just find each other. Or else family members or neighbours are employed by verbal agreement; there is no institution as employer, no taxes, no social security. For these people, the advantages of the formal economy do not apply. Moreover, a growing number are (undocumented) migrants, who are especially vulnerable.

Domestic workers in the Netherlands technically have the status of a regular worker if they work for more than two days per week for the same employer. And, even when the work is informally arranged, they have certain minimal rights: to earn a minimum wage, to receive paid leave for holidays, sickness, when pregnant and in emergencies, to have occupational health and safety, to receive a contract in writing on request, and to receive one month’s notice before termination of the work. Domestic work is, however, explicitly excluded from the Unemployment Act.

Workers could in theory claim all these rights through their employment contract. However, informal workers hardly ever have a written contract. Also there is a profound lack of information on these rights for employees and also, importantly, for employers. Third, temporary workers, which domestic workers often are, have fewer rights than those with a long-term contract. Fourth, undocumented migrant domestic workers have special difficulties in claiming their rights; formal work is not even an option for them. And lastly, informal workers are difficult for trade unions to represent and fight for under the Dutch system because certain formal structures, like a representative institution for the employers, do not exist.

In 2006 the CNV decided that domestic workers, as a vulnerable group of employees, deserve more attention from trade unions, despite the difficulties. The CNV international department, CNV Internationaal, is launching a campaign in 2007, and a report on domestic workers and their labour problems worldwide and in the Netherlands has been produced. This has led to various activities and plans, both nationally and internationally.

First of all, the union concerned with workers in the cleaning industry, the CNV Bedrijvenbond, has announced that it is open to independent domestic workers. They are still discussing the practical details: what the union can offer them, how much the membership fee will be, how to handle the administration of undocumented workers and, last but not least, how to reach these workers. One proposal is to appeal to current union members as employers of domestic workers.

Secondly, the CNV policy department has been lobbying against a new regulation that allows domestic workers to work for three days a week for the same employer without social protection.

Third, we are launching a campaign in 2007 to create awareness about the rights of domestic workers, most probably targeting possible employers and young working women. We have also sent all our partners around the world information on our findings, encouraging them to start new projects protecting domestic workers in their countries with our support.

Also we are looking into the possibilities of lobbying the Dutch Government to ratify the ILO and UN Conventions on the rights of migrant workers. We are unsure why this has not yet been done and we feel that to do so would convey a good message at home and abroad.”

www.cnvinternationaal.nl/ons-werk/schoon-werk-campagne and www.schoonwerk.nl, in Dutch only.

Netherlands: Results of a survey

In September 2005, the **FNV** trade union federation of the **Netherlands** published the results of a survey on domestic/household work in the country. The data comes from responses by 76 employers and 163 domestic workers, and the information from the two groups largely corresponds.

On average, a domestic/household worker in the Netherlands works 11.5 hours a week for 2.3 employers. The average hourly payment is € 8.90, which is about equivalent to the legal minimum wage. However, actual earnings vary from well below the minimum wage to € 15.- an hour.

48% of employers said they are well informed about the regulations. One in four gives a Christmas bonus, but only one in five pays their domestic worker during holidays and even fewer offer sick pay.

Domestic workers should pay income tax, and 60% say that they do report their income to the tax authorities. However, most employers do not believe this. 66% of employers and 61% of domestic workers think it alright if income for domestic/household work is not reported to the tax system.

Half of employers in the survey think that domestic workers should be treated equally to any other worker. The other half thinks that, if there is equal treatment, domestic work would become too expensive. However, the vast majority (86%) of employers agrees with the proposition, "If I could deduct from my taxes the costs of personal household services, then I would pay more per hour so that domestic workers would have the same rights and duties as any other employee".

For more on recent trade union developments towards migrant domestic workers in the Netherlands, see '**A Union Opens Its Doors**' (page).

'Domestic Work: Decent Work? Protecting the Labour Rights of Domestic Workers'

CNV, Netherlands, 2006

In Dutch: www.jouwvakbond.nl/foto/domesticwork.pdf

Council of Europe:

Domestic slavery, Doc. 9136, 25 June 2001

assembly.coe.int/Documents/WorkingDocs/doc01/EDOC9136.htm

Resolution 1509 (2006) Human rights of irregular migrants

assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta06/ERES1509.htm

Recommendation 1755 (2006) Human rights of irregular migrants

assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta06/EREC1755.htm

'Domestic Slavery' versus 'Workers Rights': Political mobilizations of migrant domestic workers in the European Union'

Helen Schwenken, Centre for Comparative Immigration Studies (CCIS), University of California, 2005 www.ccis-ucsd.org/publications/wrkg116.pdf

'Devil is in the Detail: Some Lessons to be drawn from the UK Government's recent regularisation of migrant domestic workers'

Dr. Bridget Anderson, Department of Sociology, University of Warwick, UK, (no date)

www.picum.org/DOCUMENTATION/Regularisation/REGULARISATION%20OF%20MIGRANT%20DOMESTIC%20WORKERS.pdf

'Migration Must Work for Workers Too'

Campaign leaflet against the British Government's proposed changes to immigration law and practice for migrant domestic workers

Kalayaan, London, April 2007

www.kalayaan.org.uk/documents/Kalayaan%20Campaign%20statement%20with%20supporters.pdf

'Undocumented Workers: a Guide to Rights'

Organisation for Undocumented Migrant Workers, Brussels, Belgium

English: http://www.orcasite.be/ENG/Rechtengids_ENG.pdf

Spanish: www.orcasite.be/ESP/Rechtengids_SP.pdf

French: www.orcasite.be/FR/Rechtengids_FR.pdf

Basque Country (Spain): ‘Sweep in your own interests’

The Household Workers’ Association of the Basque country in Spain was formed in 1986, the year after a ‘Royal Decree’ governing domestic/household workers’ working terms and conditions was announced.

The 1985 Decree provides discriminatory protection for domestic/household workers. The standards it contains are lower than for other workers. For example, it allows employers of household workers to avoid the maximum working hours that apply to other workers. Minimum wage levels are lower, and the maximum level of compulsory deductions for accommodation and food allowed are far higher, 45% as compared with 30%. There is a special social security regime applying to domestic/household workers - sick leave is paid only after 29 days; there is no access to unemployment benefit, and inferior pension rights. Nor is there any recognition of workplace accidents. Oral employment contracts are permitted, and labour inspectors have no rights to inspect private households.

One of the roles of the Association has been to lobby for change in the laws (see below). Meanwhile, on the ground, the Association provides free legal assistance plus advice to domestic/household workers on labour rights and social security. Its website contains information on the legal situation and court verdicts which have been positive for domestic workers. There is a model employment contract, and information on salary levels, indicating what a domestic/household worker should expect to earn.

www.ath-ele.com

‘Barre a Tu Favor: Guía de Derechos de las Trabajadoras de Hogar’
(‘Sweep in Your Own Interests: Guide to the rights of household workers’)
Asociación Trabajadoras Hogar, Asamblea de Mujeres de Bizkaia-BEA, Spain
In Basque and Spanish.

‘Domestic Work Examined’ A survey of domestic/household work in Spain
European Industrial Relations Observatory, May 2002, in English and Spanish
www.eurofound.europa.eu/eiro/2002/05/feature/es0205206f.htm



New Social Security Rights in Spain

In May 2007, the Spanish Minister for Social Security announced a change in the laws. Now an estimated half of the domestic/household workers working in Spain – those working to help care for dependents - will be included in the general social security scheme rather than the discriminatory provisions of the 1985 Royal Decree.

www.eleconomista.es/empresas-finanzas/noticias/221746/08/07/Ley-Dependencia-hara-mitad-trabajadores-Regimen-Hogar-pasen-al-General.html

North America

New York, USA: “We have a dream”



Domestic Workers’ United was founded in 2000 in New York, **USA**, by a partnership of various domestic workers’ organisations and the Women Workers’ Project of the CAAAV Organizing Asian Communities in the city. **Erline Brown** has been a DWU member since its founding, and is on both its Steering Committee and Organizing Team which develops the membership base. Erline was originally from Barbados, and then lived in the UK before moving to New York. Here she describes DWU organising efforts in the city:

“I was very excited when I first heard about the DWU. As a domestic worker since ever I could remember, I have always seen people who are abused; if they don’t get paid, this is abuse; a friend who protected her employer’s child from falling down stairs got injured but was dismissed – and that employer worked as a doctor! More abuse. So when I heard about the DWU, I had to get involved.”

We do what we call ‘base-building’. Whenever you see another domestic worker, you approach her. You recognise the look: haggard and tired. She may deny she is a domestic worker, because there is a big stigma attached to the job; there’s no respect; ‘It is all she can do’, people say.

Or they say, ‘If it’s such a bad job, why don’t you leave it?’ It sounds reasonable, but it is not the reality. Another friend was repeatedly raped by her employer; so why didn’t she leave? Well, he had guns and he told her, ‘You say anything and I will shoot you and bury you in the garden’. So she stayed; until eventually she came to us. We got her compensation, though it wasn’t enough.

In New York, domestic workers are excluded from labour laws and protection. You take care of their loved ones and most valuable possessions but you are not worthy of respect. We are mainly women of colour, and there are many migrant women too, from countries like India and Tibet.

We are campaigning for a New York State-wide Bill of Rights for domestic workers, to include a living wage, notice and severance pay, paid holidays and vacations, protection from discrimination and unjust firing, and healthcare. We want domestic workers recognized as employees, and protected from trafficking. So we went to the New York State legislature at Albany but they told us to form a union. We had to tell them about the laws they wrote – about how, legally, they excluded us from the right to organise!

Diplomats employ domestic workers but have diplomatic immunity from prosecution. So we have been protesting outside embassies and flooding their fax machines. We don’t mind making a nuisance of ourselves. In a case involving a high-ranking Argentinian lawyer who demanded extraordinary hours to care for his twins, we made his life hell.

The DataCenter, based in Oakland, California, has also been helping us with research and analysis to back up our organizing and campaigns. Their survey involved 547 workers, and they did interviews with employers. The results have been published in our new booklet ‘Home is Where the Work Is’. We are also working on a new video ‘Maid in New York’, as a tool for community education.

Once a year we run a 4-week Nanny’s Course that gives skills training in infant/child care, with a certificate to present at job interviews, as well as workshops in organising skills and basic rights. Plus we have leadership and organising training programmes to develop more worker-leaders.”

“We have a dream that one day all work will be valued equally.”

www.domesticworkersunited.org

Graphic by John Won

‘Home is Where the Work Is: Inside New York’s Domestic Work Industry’

“New York City is a leading force in the global economy, but it couldn’t be without the 200,000 domestic workers who sustain the city’s families and homes.”

Domestic Workers United and DataCenter, New York, July 2006
www.domesticworkersunited.org/homeiswheretheworkis.pdf

Ai-Jen Poo, an organizer with Domestic Workers United, estimates that there are 200,000 domestic workers in New York City, and about 600,000 in the greater metropolitan area. Despite the popular image, white nannies are in the minority, she says. Most nannies come from countries in Asia, Latin America and the English-speaking Caribbean, some illegally, though it is hard to get an exact figure.

‘Work and Respect’ – film excerpt

4-minute excerpt of a film made by Domestic Workers United and Third World Newsreel can be found at: www.domesticworkersunited.org/media.php?show=18

[space for cartoon]

Canada: 'Getting the word out'

Ann Chambers arrived in Canada twenty years ago as a migrant from Scotland, to work as a nanny. Today her union, the **British Columbia Government and Service Employees' Union (BCGSEU)**, has an outreach programme for migrant workers in healthcare, in collaboration with the **Public Services International (PSI)**, the Global Union Federation for workers in the public sector (see page). Ann explains how privatisation of public care services has led to the increasing employment of migrant workers under worse working conditions:

In British Columbia, Canada, the provincial government has been privatising the public sector healthcare services, and through this gaining from cheap labour. Employers have been laying off workers and then contracting out to companies who bring in overseas workers at well below our negotiated rates. Many come from the Philippines, Hong Kong and China to work as nannies and in healthcare.

The migrant workers come in through a federal government programme which gives them two-year visas and after this they can apply for 'landed status' and permanent residence. But, even so, they are not recognised and respected for the contribution they make. They work in lower paid jobs than they were trained for in their home countries, and they are not allowed to receive training in Canada to boost their chances of promotion. This is despite the fact that we have a shortage of nurses and doctors! So we are fighting the government to let them work and receive training.

We are getting the word out to migrant workers through a small leaflet which looks like a passport – it is called 'A Passport to Worker and Union Rights in Canada'. We want them to know that the law in Canada gives them the right to join a union, without interference from their employer, and that employers are required under law to negotiate with the unions.

Yes, there will be some opposition to organising domestic/household workers, but it is up to us to convince the sceptics. We need to go back to our leaders and get them to put in on the agenda, to bring pressure on the ILO, to move and not just sit and wait. We need to educate our members about the realities, by telling them about the personal stories such as those I will take back from this conference."

www.bcfed.com

'Borderless'

A documentary film about undocumented workers in Canada including Angela, a second-generation Caribbean domestic worker. Comes with a study guide.
Directed by Min Sook Lee, Kairos, Canada, 2006, 25 minutes
www.kairoscanada.org/e/media/press/maBorderless060502.asp

Global Unions

ITUC: 'Women's committees are good allies'

The **International Trade Union Confederation (ITUC)** (formed as a result of a merger between the ICFTU and WCL in November 2006) is a confederation of national federations from 154 countries and territories. It works closely also with the eleven sector-based Global Union Federations (GUFs).

Kamalam is Equality Director of the ITUC. Here, she gives an overview of the situation at global level regarding domestic/household workers:

"The ILO Conventions should apply to all workers but many national governments have not ratified them – and, if many formal workers do not benefit from them, we know how much worse it is for domestic/household workers.

Paramount is the right to freedom of association agreed by the International Labour Organisation (Conventions Nos. 87 and 98). All workers have this right. But many are excluded in reality, especially domestic/household workers. Even if not yet organised, domestic workers have the right to be represented, and it is a responsibility of the trade unions to ensure that labour legislation in their country includes domestic/household workers, including migrant ones. Then the unions should make it their work to ensure the legislation is implemented.

When it comes to the Declaration on Fundamental Principles and Rights at Work (adopted in 1998) - which cover freedom of association and the right to collective bargaining; the elimination of forced and compulsory labour; the abolition of child labour; and the elimination of discrimination in the workplace - countries have to report every two years on their implementation. Unions are consulted on this, and so this is an ILO mechanism that can be used.

It is true this is a gender issue. Many trade unions which are male-led prefer to focus on industrial workforces. It is our own struggle to look at work in a different way, and to win union leaders over to understanding issues from a gender perspective. It has been a long discussion, for example, to persuade many that the 'informal' part of the economy is not a 'sector' but integrated into the 'formal' economy; it is just production and services done in a different sphere. We still have much to do on our part but unions are moving, as indeed are 'informal economy' organisations.

Where domestic workers are organised into trade unions or their own organisations, they benefit much more. We appreciate your difficulties at national level, but unions' Women's Committees are good allies. Many are happy to form alliances, to build a bridge rather than pursue old mutual hostilities which have existed between unions and NGOs. Women's Committees are probably key to taking domestic workers' issues up more strongly in the ILO.

For example, the ILO has a complaints mechanism, where trade unions participate. We can use this, but only if we get complaints. The ITUC has asked the Women's Committees of our affiliated unions for more complaints. Non-union organisations could be collaborating with these national-level Women's Committees to file such complaints about the treatment of domestic/household workers. The ILO has no enforcement mechanisms (except in extreme cases such as forced labour in Burma) but governments have been known to be embarrassed into change.

For workers, the most powerful body in the ILO is the Workers' Group in the Governing Body; the Workers' Group holds 14 seats, equal to the number for the Employers' Group (Governments have 28 seats). By the time you include the titular and substitute unions for those 14 seats, some 30 national union federations sit on the ILO Governing Body, where they are very influential. It is important to identify who they are and use this influence.

Another route is through the Global Union Federations (GUFs), such as the IUF and the PSI. Their affiliates are national unions with members in particular sectors. When domestic workers' associations and support NGOs build collaboration with unions, then they have a channel to the GUFs and can use this to influence them to make this a priority item.

As for the ITUC's current activities on domestic/household work, we are addressing it through the question of international migration, which is a key focus for the ITUC. In December 2006, we are holding a workshop on international migration, focusing on various sectors including domestic/household work. (See page

As well as international migrants, there are huge numbers of internal migrants in such countries as China and India, to replace women who go into other employment. It is related to gender inequality in society, but it comes about through globalisation. Companies relocate and hire women workers; then other women workers have to do the work in their homes. The rise of household work relates to the demand for more women in the formal labour market and the long hours of work they have to do there.

In combating the worst forms of globalisation, alliances show the way forward. Meetings like this are important, where we can make friends. Working together, the possibilities are much better for getting domestic/household work recognised and the workers respected and protected. But we need your help, because the unions have many priorities."

www.ituc-csi.org

www.global-unions.org

IUF: Representing domestic/household workers

The **International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)** is the Global Union Federation for workers along the whole food chain, and that includes domestic/household workers. Its affiliated national unions come from 124 countries, representing some 10 million workers. The IUF collaborated with many organisations in achieving the ILO Home Work Convention in 1996 and at that time tried to get domestic workers included (see page [1]). Here the IUF Equality Officer **Barbro Budin** speaks of the pressure needed inside unions to get the issues more actively taken up.

"We have passed a resolution in the IUF that domestic work should be given much more focus. However, we still lack resources for these activities and need to lobby for them within our organisation.

I believe that this is a gender issue. It is nearly always the Women's Committees in the unions who say that domestic workers should get more attention and have their status regulated. We do find a lack of interest from many male colleagues. In the 1990s, many men referred to homeworking as a 'women's issue', as indeed they did with child labour. Some said that informal work 'should not exist' and it would be a 'waste of energy regulating it'; others seemed to think that informal work is somehow 'disappearing'. We have yet to convince many that domestic workers are 'workers'. Yet there are examples where activities to help organise domestic workers have actually strengthened unions, as in the case of CHODAWU in Tanzania, working with the ILO/IPEC programme. (See page [1]).

It is an enormous task to monitor the implementation of ILO Conventions, but it can be done. We need ILO assistance to train more labour inspectors who know about the problems that domestic/household workers face; they could be roving health and safety inspectors who are trade unionists who have received appropriate training and have rights to inspect.

We - the ILO, unions, workers' groups and support NGOs - also need to collaborate together better. The IUF is already doing this, for example working with the Flora Tristan Centre in Peru to help organise undocumented women migrant rural workers. When it comes to organising, I see a lot of similarities between the agricultural and domestic sectors.

For example, the IUF has a Charter of Rights for Migrant Workers in Agriculture, and something like this could be useful for highlighting domestic/household workers' rights too. It includes their right to a job description, training (higher status leads to greater bargaining power for higher wages), freedom of association and collective bargaining (which are fundamental rights for all), maternity protection, healthy and safe working conditions, and freedom from child labour, physical harassment, violence, inhumane treatment or deportation."

www.iuf.org

The IUF Charter of Rights for Migrant Workers in Agriculture can be found at:

www.iuf.org/cgi-bin/dbman/db.cgi?db=default&ww=1&uid=default&ID=927&view_records=1&en=1

As a result of this conference, the IUF agreed to take responsibility for establishing an international project 'Protection for Domestic Workers!', to build an open network for all those interested in furthering the rights of domestic/household workers, and to work towards an ILO Convention for the rights of domestic/household workers. For this, additional funding would be sought.

A presentation was made to the IUF Women's Conference in Geneva on 16-17 March 2007, see: www.irene-network.nl/download/IUF%20domestic%20work.ppt

The issues then were raised at the ILO-ILC International Labour Conference, in Geneva in June 2007.

'Mon Entreprise Embauche'

A short film about domestic/household work around the world, including child labour. Includes an interview with Barbro Budin, Equality Officer of the IUF Global Union Federation explaining why an ILO Convention for domestic/household workers' rights is needed.

Dialogue in French. 6 minutes.

Made by ILO ACTRAV for the International Labour Conference, Geneva, 2007

www.pourlemploi.com/video/domestiques/.domestiques.html

PSI: Representing public sector care workers

The **Public Services International (PSI)** is the Global Union Federation for workers in the public sector, which includes all kinds of care services including those done in private homes. **Ann Chambers**, an activist of the **British Colombia Government and Service Employees' Union (BCGSEU)**, outlines PSI support for domestic/household workers involved in care work:

"The focus of the PSI is on care workers employed in the public sector, i.e. in the formal economy. This includes care workers who go into private homes, to help look after the elderly, the sick, children, and so on.

However, the PSI knows that in many countries privatisation is being accompanied by outsourcing to agencies to provide the care workers; and, with that, collective bargaining between unions and employers is becoming much more difficult and working terms and conditions are deteriorating; in some cases this is to such an extent that care workers are being pushed into the informal economy, for example when undocumented migrant workers are employed by agencies to provide care assistance in private homes."

To help healthcare workers make the right choice when faced with the decision of migrating for employment, the PSI has produced a 'Pre-Decision and Information Kit'. Produced with the help of organisations in 16 sending and receiving countries, it contains practical information on the cost of living, legal and employment rights, and union contacts in the main destination countries. It also provides general information on the issues on migration in the health sector and the role of public sector trade unions.

The kit is part of the PSI 'Migration and Women Health Workers Project'. This has been involving public sector trade unions in providing information and assistance to migrant healthcare workers. The aim is to protect the migrant workers' rights and make sure that they continue to be part of the trade union movement even as they migrate.

www.world-psi.org/migration

Migration and Women Health Workers: Pre-Decision and Information Kit'

Public Services International, 2007

The kit contains brochures on basic questions and union contacts, posters, a postcard, and specific information relating to migration into the US, Canada, and Netherlands, and from the Philippines.

[www.world-](http://www.world-psi.org/TemplateEn.cfm?Section=Women_Health_Workers&Template=/ContentManagement/ContentDisplay.cfm&ContentID=14494=/ContentManagement/ContentDisplay.cfm)

psi.org/TemplateEn.cfm?Section=Women_Health_Workers&Template=/ContentManagement/ContentDisplay.cfm&ContentID=14494=/ContentManagement/ContentDisplay.cfm

'Who Cares? Women Health Workers in the Global Labour Market'

Public Services International, 2005

www.world-psi.org/Content/ContentGroups/English7/Publications1/Who_Cares.pdf

'Women and International Migrations in the Health Sector'

Public Services International, June 2004

[www.world-](http://www.world-psi.org/Content/ContentGroups/English7/Publications1/Women_and_International_Migration_in_the_Health_Sector.pdf)

psi.org/Content/ContentGroups/English7/Publications1/Women_and_International_Migration_in_the_Health_Sector.pdf

ILO: Proposals for a comprehensive agenda

‘D W for D W !’

Decent Work for Domestic Workers!

Simel Esim is a gender specialist based in the Arab States Regional Office of the **International Labour Organisation (ILO)** in Beirut, Lebanon, and she has been working on domestic/household workers' rights in the region. Here she gives an overview of domestic/household work in the context of the ILO's strategy to promote 'decent work' and gender equality, and in the fight against poverty and towards a globalisation that is fair.

“Domestic/household work is approached from various directions by a number of ILO programmes: those on the informal economy, labour migration, child labour, forced labour, and the care economy. However, as yet there is no comprehensive framework in the ILO for this sector, unlike some others.

The definition of a domestic worker, which the ILO uses to this day, comes from 1951 – half a century ago - and perhaps needs reviewing; certainly some of its terminology seems outmoded in today's world.”

The ILO's legal definition of a domestic worker:

“[a] wage-earner working in a [private] household, under whatever method and period of remuneration, who maybe employed by one or several employers who receive no pecuniary gain from this work.”

A domestic worker (household helper or domestic aid) includes any person employed in or about a private residence either wholly or partly in any of the following capacities – cook, house servant, waiter, butler, nurse, baby sitter, personal servant, bar attendant, footman, chauffeur, groom, gardener, launderer or watch keeper.

The status and conditions of employment of domestic workers

International Labour Organisation, Meeting of Experts, Geneva, 2-6 July 1951, Report, Document MDW/8, paragraph 3

Simel continues:

In 1965, the ILO did pass a Resolution on the Conditions of Employment of Domestic Workers. This urged members states to introduce 'protective measures' and training for domestic workers, wherever practicable, in accordance with international labour standards. A survey was done and further research towards an international instrument on domestic workers' employment was considered. However, there was never enough international support for a Convention to protect domestic workers' rights, and the resolution remained just that. As we know, few governments paid much attention.

Three decades passed, and then the ILO commissioned another report, 'Making Domestic Work Visible: the case for specific regulation' by Adelle Blackett (ILO, 1998). A few years later, this was followed by a larger research project, 'Domestic work, Conditions of Work and Employment: A legal perspective' by José Maria Ramirez-Machado (ILO, 2003). However, despite the reports' recommendations, there is still no specific regulation – though there is, as mentioned above, work done through various wings of the ILO.

When considering whether to try to get a new Convention on the rights of domestic workers, it might be worthwhile looking at how the Home Work Convention (No.177 1996) was achieved. This is work that also takes place in the home, outside the formal labour market. Yet, in this case, the work is for the 'outside' world, linked to formal production and trade. One is not battling that notion commonly held about domestic work - that it is 'non-productive'.

The trade unions have a special position in the ILO, being one of the three social partners, and so they will be key to any developments towards a new Convention. The ILO has held a number of regional workshops with trade unions about domestic work, in the Caribbean in 1997, in Asia in 1999, and in South America in 2005.

Of course there are already ILO Conventions which should directly apply to domestic/household workers, including:

- ⇒ all the fundamental ILO Conventions because these apply to all workers
- ⇒ ILO Conventions on migrant labour for the millions who are migrants
- ⇒ ILO Conventions on gender equality for the majority of domestic/household workers who are women
- ⇒ Occupational Health and Safety Conventions
- ⇒ Maternity Protection Convention (No.183, 2000)
- ⇒ Private Employment Agencies Convention (No.181, 1997) for those employed through agencies.

The ILO's Special Action Programme to Combat Forced Labour (SAP-FL) has the task of promoting the fundamental ILO Convention on the Abolition of Forced Labour (No.105, 1957) In recent years, it has held activities in West Africa, Brazil, Tajikistan, Uzbekistan and the Russian Federation, China and Nepal. www.ilo.org/public/english/region/asro/tokyo/pdf/sapcfl.pdf

In Asia, a two-year programme 'Mobilising Action for the Protection of Domestic Workers from Forced Labour and Trafficking' up to April 2006 specifically addressed domestic workers in Indonesia, the Philippines, Malaysia and Hong Kong. A briefing on this programme is at: www.ilo.org/dyn/declaris/DECLARATIONWEB.PROJECTDETAILS?var_Language=EN&var_ID=261

Then there is research being undertaken by the ILO in specific countries related to domestic/household work: Bahrain, Lebanon, Kuwait, United Arab Emirates, Yemen, Ethiopia, and Costa Rica. Plus a cross-country analysis from a legal perspective was published in 2003. There are some very useful publications coming out of the ILO, particularly to help combat abuse of women migrant workers (see below and pages.

So there are a lot of initiatives being taken in the ILO in terms of research, publications, training and consultation, rather than in developing a binding instrument such as a new Convention. And these initiatives are taken within one programme or another of the ILO, or as a collaboration between several programmes. Although there is not yet a comprehensive agenda on 'decent work for domestic workers', there are proposals circulating in the ILO to develop one. This would be supported by many ILO technical staff as it would enable us to do more research and develop more institutional capacity-building as well as policy advocacy and public awareness-raising."

www.ilo.org/public/english/region/arpro/beirut/index.htm

See also:

'The ILO and Domestic Work'

Presentation by Gloria Moreno-Fontes Chammartin, ILO International Migration Programme (MIGRANT) in 'Out of the Shadows' conference report, ETUC, 2005, pages 47-50

ILO-IPEC programme on eliminating the worst forms of child labour
including child household work, pages

All ILO Conventions, their text and list of which countries have ratified them, can be found at the ILOLEX database: www.ilo.org/ilolex/english/index.htm

'Domestic Work, Conditions of Work and Employment: A legal perspective'

By Jose Maria Ramirez-Machado, ILO, Geneva, 2003
www.ilo.org/public/english/protection/condtrav/publ/7cwe.htm

'Making Domestic Work Visible: The case for specific regulation'

by Adelle Blackett, ILO, Geneva, 1998
www.ilo.org/public/english/dialogue/ifpdial/publ/infocus/domestic/index.htm

Migrant domestic/household workers

As the conference participants showed, particularly those from Asia, the Middle East and Europe, the huge demand for domestic/household services pulls millions of women from poor communities to leave their own families and travel far in search of an income. The scale of this movement of women is probably unprecedented, and rising.

These women migrant workers are highly vulnerable. In some sending countries, there are official schemes managing the outflow but the protection they provide for individuals is inadequate. Meanwhile, in the receiving countries, immigration systems such as work permit schemes rarely cover these workers because domestic/household work is hardly ever included as 'work'. Then there are the private labour supply agencies which are often poorly regulated; sometimes the fees they charge the workers turn into a kind of debt bondage or slavery (see below).

All this means that migrant women domestic/household workers are especially dependent on their employers, not just for an income but for their accommodation – and their permit to be in that country. If they face abuse, they must make a choice: put up with it or run away and become 'undocumented'.

However, migrant domestic/household workers and their allies are getting organised.

Debt bondage, forced labour and domestic/household labour

Labour agents often charge workers an 'up-front' fee – to find a job placement, or for transport costs to the new workplace (which cross-border migrants often have to pay), or for accommodation, etc. Such fees can then act as a debt which ties the worker to the job or the agent; they become 'bonded'. They cannot leave until the debt is repaid. Sometimes they are threatened with violence against themselves or their family if the debt is not paid back. It is a modern form of slavery.

***“No one shall be held in slavery or servitude;
slavery and the slave trade shall be prohibited in all their forms.”***

*Universal Declaration of Human Rights
10 December 1948, Article 4*

Unhappily, many migrant domestic/household workers find themselves in this slave-like situation.

The International Trade Union Confederation (ITUC) has a new Action Programme on Forced Labour
See www.ituc-csi.org/spip.php?article1383

For more resources on debt bondage, trafficking and forced labour, see Annex 2.

“I would like to go home and mourn”

“Eight months ago, my son was stabbed to death in the Philippines. I would like to go home and mourn together with my family. But I have no choice but to stay because I know that if I go home I cannot come back, and there is no job for me back home. The pain that I have until now is a violation of my right to be united with my family in their time of grief.”

‘Lorie’ is from **TRUSTED Migrants**, a migrant domestic workers’ organisation in the Netherlands. She has been working in private households since 1987, first in Singapore, then Hong Kong, and now in Europe. She continues:

“It is always said that work in private households is important, but it is not adequately recognised as proper work or as a category for immigration. Therefore migrants working in private households are denied their basic rights and are frequently forced to become undocumented and vulnerable to abuse of our human rights.”

TRUSTED Migrants has members from Nigeria, Ghana, Surinam, Ivory Coast, Indonesia and the Philippines. They have organised themselves so as to share work and shelter, and to learn from each other’s experiences as a way of empowering themselves. They are campaigning for their work to be recognised with respect, and with proper immigration status, because they are fully aware of how important they are to families in the Netherlands.

One important tool for building their own capacities and for raising awareness in others is the Forum Theatre in which the migrant workers participate. It was a performance of this which so impressed Edith Snoeij, the President of the FNV–ABVAKABO public sector workers’ union, to get her organisation to open up to migrant domestic workers (see ‘Netherlands: A union opens its doors’).

Forum Theatre: ‘Acting Together’

Migrant Workers in the Netherlands enact scenes from their lives, directed by Claire Fossey, followed by discussion with the audience. An initiative of the Commission for Filipino Migrant Workers (CFMW), TRUSTED Migrants, and RESPECT Netherlands.

www.cfmw.org

As well as the Netherlands, member organisations of the RESPECT network in Europe are found in the UK (Kalayaan, see ‘Out of the Shadows’, pages 42-43), Spain, Italy and Greece.

‘MDWs Visible and Making a Difference’

Research report on Migrant Domestic Workers (MDWs) in the Netherlands
Commission for Filipino Migrant Workers (CFMW), December 2005
www.cfmw.org/files/CFMW%20MDW_Research%20Report%20-2005.doc

‘Globalization Comes Home: Protecting Migrant Domestic Workers’ Rights’

Nisha Varia, Human Rights Watch, 2007
www.hrw.org/wr2k7/essays/globalization/

Migrante International

Some 8-10 million Filipinos work overseas. This is about 10 per cent of the country's population, and they contribute US\$10.3 billion a year (2005) to their home country's economy, providing the highest form of export revenue earnings. Yet they receive inadequate protection from their own Government.

Of these migrants leaving the Philippines, almost 30 per cent are domestic/household workers, and a further 13 per cent are care-givers and nursing aides. Their top countries of destination are Saudi Arabia, the United Arab Emirates, Kuwait, Qatar, Jordan, Brunei, Hong Kong and the United Kingdom.

Migrante International is a global alliance of Filipino migrant organisations, mostly composed of domestic workers and care-givers, in 23 countries. Established in December 1996 and with headquarters in Quezon City in the Philippines, MI's main objective is to protect and promote the rights and welfare of Filipino migrant workers, particularly domestic/household workers.

Concepcion (Connie) Bragas-Regalado is Migrante International's Chairperson. She has worked as a migrant domestic worker in both Singapore and Hong Kong. Before that she was a senior social worker with the Philippines Government Department of Social Welfare and Development for seven years.

"In 1995, amidst public outrage against the unjust hanging of the Filipina domestic worker Flor Contemplacion in Singapore, then President Fidel V. Ramos signed the Republic Act 8042, said to be a 'Magna Carta for Overseas Filipinos'. The Philippines Government has two agencies attached to the Department of Labor and Employment: the Philippines Overseas Employment Agency (POEA) in charge of regulating the deployment of migrants, and the Overseas Workers' Welfare Administration (OWWA) mandated to provide them with welfare services.

However, Sections 29 and 30 of the Act make labour conditions subject to the contract between the employer and employee; and there are no agreements about labour standards reached between the Philippines Government and host governments. This effectively absolves our Government of any responsibility. So it exports millions of people to places where no protections exist. Yet it is happy to collect from them legal and processing fees plus a welfare fund contribution, and to use the vast sums they send back to help prop up the ailing economy. In 2005, the amount going through formal banking channels reached US\$10.3 billion, and even this excludes the unknown 'informal' remittances.

Those migrant workers going through the POEA should be on two-year contracts, with payment standards. But when they arrive in their host country, they often have to sign a different contract. If they run away, they become undocumented because their employers keep their papers. Others do not go through the POEA but on 'tourist' or 'trainee' visas through an employment agency. The price of a job overseas can reach US\$400 which many migrant workers have to borrow and pay back later; this means it is hard to leave your job until you have paid off your debt to the agency. It is a kind of bonded labour. Those who do want to go home but have become undocumented sometimes have to do something to make themselves deported.

The first emphasis of Migrante International is to support the organisations of migrant domestic workers overseas, as well as their families, their children, and former domestic workers. In the Middle East, it is illegal to organise and so our groups have to operate underground. We have ten groups in countries such as Saudi Arabia, UAE, and Qatar; and we are currently working in Kuwait and Lebanon.

We also engage in a lot of campaigning, advocacy and lobbying at home. We are now trying to get our voice heard better in the national Congress, and I stood as a national candidate. We participate actively in the hearings of the parliamentary committee for migrant affairs in the House of Congress and Senate, which we were instrumental in getting set up.

We encourage alliance-building with other migrant organisations, trade unions, women's associations and human rights groups. It is one of our main tasks to help domestic workers of other nationalities to organise themselves.

In our international solidarity we are working towards the formation of an International Migrant Alliance, whose founding congress is to be on 6-8 October 2007. Internationally, we believe there should be:

- ⇒ *A campaign for the ratification of the **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families** (United Nations Assembly Resolution 45/158, New York, 18 December 1990). Not one receiving country has ratified this Convention yet.*
- ⇒ *More lobbying of sending governments to forge labour agreements with host governments.*
- ⇒ *Discussions about the prospects for a new ILO Convention on Domestic Work.*

In the long term, we need better economies that create more jobs so that working overseas becomes an option, not something that is forced on the poor.”

www.migrante.org

To find out which countries have signed the **UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**, see:

www.unhchr.ch/html/menu2/6/cmw/ratifications.htm

Also see www.december18.net, and page [1]

The **Kaagapay Overseas Filipino Workers Resource and Service Center**, based on Catabato City, **Philippines**, works for the protection and promotion of the rights and welfare of overseas Filipino workers, their families and relatives, who are based in the southern region of Mindanao.

www.kaagapay.org

“From the sending countries, people often see migrant workers as victims of a terrible fate. In the receiving countries, there is another negative image, that of ‘foreigners having a bad influence on our children’. But to look at migrants only as victims does them a disservice. They do have choices and many are making their own lives better, as well as making a strong contribution to the world around them.”

Rima Sabban, Arab Women Academic Network

ILO Resources on Migrant Labour

‘Non-Binding Multilateral Framework for a Rights-Based Approach to Labour Migration’

Draft adopted by the Tripartite Meeting of Experts, ILO, 31 October- 2 November 2005

www.ilo.org/public/english/standards/relm/gb/docs/gb295/pdf/tmmflm-1.pdf

‘Preventing Discrimination, Exploitation and Abuse of Women Migrant Workers’

An Information Guide of 6 Booklets, ILO, 2003

Also: **‘Series on Women and Migration’**: 10 Working papers covering United Arab Emirates, Sri Lanka, Italy, Japan, Nicaragua, Nigeria, Philippines, Costa Rica, Bolivia and Ethiopia

www.ilo.org/public/english/employment/gems/advocacy/protect.htm

‘Handbook on Establishing Effective Labour Migration Policies in Countries of Origin and Destination’

ILO/IOM/OSCE, 2006

English and Russian: www.osce.org/item/19187.html

Netherlands: A union opens its doors

The **FNV-ABVAKABO** is the second largest trade union in the Netherlands, with over 355,000 members, working in a wide range of public services including healthcare and welfare institutions. In June 2006, the union opened its doors to migrant domestic/household workers and in just a few months 250 have joined. **Meinert van den Berg**, the union's, outlines these new initiatives:

"In February 2006, our union's President Edith Snoeij was invited to meet with migrant domestic workers and watch their Forum Theatre (see page. She was very impressed by their strength to bear all the difficulties they encounter in their working and daily life. She also felt embarrassed that such working conditions still exist in Dutch society today. She became determined to put the situation of migrant domestic workers high on the agenda of our union. Whether documented or not, all workers have the right to join a trade union, and since then things have moved very swiftly.

We welcomed the first migrant domestic workers as members in June 2006, and we have been discussing with them how the union can benefit them, and what they can do to empower themselves. We have discussed what our intentions and ambitions are. As a trade union with no previous experience with migrant domestic workers, we had to be careful not to raise false expectations. After every inspiring meeting, some more decided to become members.

Initially, we had to overcome many practical issues: which address the undocumented workers would use, and how payments of union dues would be done by workers with no bank accounts. They seemed like hassles, but in fact they were easy to overcome. More difficult, but also more challenging, is how to find answers to the problems that migrant domestic workers face.

On the one hand, there are all the issues related to the status of being undocumented. Then there are those related to the fact that household work in the Netherlands is not regulated; most household work is done in the informal economy, whether by documented or undocumented workers. The problems that arise are not easy to separate; but to a worker it doesn't matter whether the problems stem from being undocumented or in an unregulated sector – solutions need to be found.

At least the first step has been taken. We as a trade union have recognised undocumented migrant domestic workers as members. And in a joint effort we will try to find the solutions, in getting changes to Dutch labour law, in greater recognition for the rights of undocumented workers, or by pressing our government to regularise household work. In the meantime, we are giving them use of facilities such as space to meet and access to email/fax.

We cannot offer immediate solutions; we have no experience with this particular group. What we do know is our strength as a union, and we will join forces with undocumented migrant workers to get the best result. There is still a long road ahead, and that is also what we aim for: a long-term relationship.

I would like to repeat that, in the eyes of the ABVAKABO-FNV, workers are workers. Nobody gains from unregulated work by undocumented workers; everybody will gain from regulated work by documented workers, from people who live among us and deliver a professional and high-quality service, with rights and respect. I know I will have to explain a lot to our members; there will questions when our union becomes known for defending workers who are undocumented. I will explain that members should not want to live nextdoor to exploited people because the next in line will be themselves. We cannot gain respect for our own work in an unregulated environment. In any case, respect does not only apply to people who originate in our country.

Thanks to their own initiatives, the self-organisation of migrant workers means we can be allies in defending their interests. Our ambition is to gain recognition of the status as 'workers' for domestic workers in general and for migrant domestic workers in particular. We will do that in cooperation with the national and international confederations of trade unions, but first of all in cooperation with domestic workers themselves."

www.abvakabofnv.nl (in Dutch only)

The **United Migrant Domestic Workers in the Netherlands (UMDW NL)** was formed by Filipino migrant domestic workers in Amsterdam in June 2006. It is collaborating with the FNV-ABVAKABO to encourage migrant domestic workers in the Netherlands to join the trade union and campaign together for regularisation of their status.

See also: **'A Step in the Right Direction'**

'Migrants' magazine, MinistryHouse Publications, Netherlands, No.1, 2006.

Belgium: Where the 'undocumented' have rights

Undocumented migrant workers have rights in Belgium, as the country's labour laws technically apply to all who work. These rights cover such issues as minimum wages, working hours, and workplace health and safety. Those who employ people 'illegally' risk a hefty fine.

However, there are many barriers to exercising these rights. Many undocumented workers accept poor working conditions rather than have no work at all; or they fear their employer or the Belgian authorities too much to complain. And so employers ignore labour laws and do not get prosecuted.

The **Organisatie voor Clandestiene Arbeidsmigranten (OR.C.A.)** (Organisation for Undocumented Migrant Workers) is campaigning to change this situation, by providing information to migrant workers and being involved in discussions on labour migration. OR.C.A. works with trade unions, policy-makers, labour inspectors, community organisations and NGOs in the country.

orcasite.be

'Undocumented Workers: A Guide to Rights'

OR.C.A., Brussels, (no date)

English: www.orcasite.be/ENG/Rechtengids_ENG.pdf

French: www.orcasite.be/FR/Rechtengids_FR.pdf

Spanish: www.orcasite.be/ESP/Rechtengids_SP.pdf

Flemish: www.orcasite.be/NL/Rechtengids.pdf

Switzerland: Here too the 'undocumented' organise

In Switzerland too, undocumented migrant workers have formed the **Mouvement Suisse des Sans-Papiers** (Swiss Movement for the Undocumented). This comprises local groups in various cities, such as the **Colectivo de Trabajadores Sin Status Legal (CTSSL)** (Collective of Workers Without Legal Status) in Geneva.

www.sans-papiers.ch

www.ctssl-geneve.org

For more on trade union support for undocumented migrant workers in Geneva, see 'Out of the Shadows' report, pages 36-37.

For more on migrant workers in Asia and the Middle East, see **'Indonesian migrants organise in Hong Kong'** (page) and the section on the **Middle East** (pages

Child Domestic Workers

“Many children work in Latin America, and so it is hard to prohibit it. There are orphans who need to work because the State cannot provide for them; if we banned the work, the State would have to step in.”

Participant from Bolivia

According to ILO research, the numbers of child domestic workers worldwide run into double figure millions at least, and they are mostly girls of 10-14 years. While, there is some evidence that fewer are being employed at a very young age, perhaps as a result of greater public awareness, very few go to school once they start working. It is almost always extreme poverty in their own families that pushes them into this work.

Since 1956, the United Nations has considered child domestic labour a modern form of slavery which should not be tolerated (UN ‘Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery’, 1956). In its worst forms, it certainly can be.

However, there is more agreement these days that calling all child domestic labour ‘slavery’ and demanding its immediate end is not necessarily the best way to protect the children concerned. The ILO and advocacy bodies such as Anti-Slavery International are concentrating rather on eliminating the worst forms of child labour.

Anti-Slavery International: ‘We Consult Child Workers’

Anti-Slavery International has been intensively working on child domestic labour for over a decade. Founded in the UK in 1839, this is the world's oldest international human rights organisation.

Jonathon Blagbrough, Coordinator of Anti-Slavery International’s Forced Labour Programme, says that their programme of work has been strengthened by finding out what the children concerned want:

“A child domestic worker is separated from his or her own family, dependent on the employer, often isolated and confined, denied education and vulnerable to abuse. The child usually feels under great obligation to his/her parents to earn money and not run away. However, simply considering all child domestic work as slavery is not particularly useful for improving the lives of the children involved.

Anti-Slavery International is an advocacy body and, in order to understand how best to do our work, we consult child domestic workers. In 2004, along with our local partners, we talked with more than 450 current and former child domestic workers in nine countries in Africa, Asia and Latin America. They overwhelmingly told us that they want more opportunities for training so that they can move on from domestic work. They want help with dealing with abusive employers but also said it is more effective to enlist the cooperation of relatively good employers than to demonise and alienate all. This is not to accept abusive behaviour, but to acknowledge that many employers do believe that they are helping the child whom they employ.

We believe that child domestic workers are important agents for change and we must encourage opportunities for their self-organisation and self-help. This already exists in some countries, for example India, the Philippines, and Togo. There is, however, often a gap between when a child can work and when s/he can join a union. NGOs and unions can assist child domestic workers above the minimum working age by helping them to meet, support one another, and form groups which enable them to advocate for their own protection.

At an international level, Anti-Slavery International works with the ITUC (formerly ICFTU) trade union confederation and the ILO on forced labour and child labour issues, for example to lodge complaints against individual governments. We provide a bridge between the ILO and NGOs active in the field and, and we believe it is an important role we can play.

More important for the real protection of child domestic workers, however, are legal and policy changes at national level. We work with local partners to get child domestic workers included in

legislation. For example, in the Philippines we continue to press local legislators to finalise and pass the *Batas Kasambahay (Domestic Workers Bill)* through lobbying of key officials and several mass letter-writing campaigns.

National and international labour standards relate to physical and environmental situations. However, for many children in domestic work, psycho-social trauma is a far more serious problem. One study in Kenya revealed significant evidence of psychological problems, including phobias, depression and withdrawal. So, in our efforts to end the worst forms of exploitation, we need to deal with this, and yet there are virtually no mechanisms to do so.”

www.antislavery.org

Anti Slavery International resources:

English: www.antislavery.org/homepage/resources/PDFpublication.htm

French: www.antislavery.org/homepage/resources/PDF/PDFtranslations.htm#FRENCH

Spanish: www.antislavery.org/homepage/resources/PDF/PDFtranslations.htm#SPANISH

Anti-Slavery International handbooks on child domestic labour

Three ASI handbooks which pull together local good practice from many countries on child domestic labour:

- **Child Domestic Workers: A handbook for research and action** (1997)
- **Child Domestic Workers: Finding a voice (A handbook on advocacy)** (2001)
- **Child Domestic Workers: A handbook on good practice in programme interventions** (2005)

Available in English, French and Spanish versions from Anti-Slavery International's website:
www.antislavery.org

'Child Domestic Workers Speak Out'

Anti-Slavery Society Submission to the Sub-Commission on the Promotion and Protection of Human Rights, Working Group on Contemporary Forms of Slavery, United Nations Commission on Human Rights, 30th Session, Geneva 6-10 June 2005

<http://www.antislavery.org/archive/submission/submission2005-childdomestics.htm>

*“As from 10 October 2006, the employment of children as domestic workers has been included as ‘hazardous’ work and is now banned throughout **India**. There has been a big advertising campaign, with a film aired on several TV channels, aimed at employers. We have not experienced a big response so far, though a few employers did call our offices. Successful implementation of these new pieces of legislation remains to be seen.”*

Anjali Shukla, National Domestic Workers Movement, India

Tanzania: Driven by poverty

In Tanzania, there are many children doing domestic work in other people's homes. Most are girls, from as young as 8-9 years old, even though the legal minimum working age is 14 years. Driven by poverty, parents in rural areas allow their children to be taken to the towns and cities, believing that they will earn a wage and have a better life there.

In the city of Mwanza, the **Kivulini Women's Rights Organisation** focuses on combating domestic violence. Kivulini means 'In the Shade'. Since 2004, the organisation has been working specifically on helping child domestic/household workers, in collaboration with Anti-Slavery International. **Ruge Florence** explains how Kivulini approaches this work:

"People think that those working in rich families will be well paid, but it can be dangerous. While boys tend to work outdoors, girls work indoors, and it is children in closed areas who are the most vulnerable. They are dependent on their employer, and have little communication with their families. In our four years working on this issue, we have found a lot of physical, sexual, emotional and economic violence of child domestic workers. By 'economic' violence, we mean depriving them of education, refusing to pay them wages, and denying them control over what they do earn.

We started our work in 2004 with interviews of 60 child domestic workers in the cities of Mwanza and the capital Dar es Salaam. We found that girls outnumber boys by a ratio of 4:1. Two-thirds were forced into this work by family poverty. 43 per cent work 16-19 hours a day, and 42 per cent work 12-15 hours. While they get food, clothing, shelter and access to health services, they are paid less than US\$15 per month, half of them only US\$5-8. The majority pass this money to a relative who depends on it. Three-quarters would choose not to do this work if they had the choice, and most would not want this for their own children. Over 80 per cent showed high interest in getting education like vocational training, while the rest would like basic education in how to read and write.

*Under Tanzanian labour law, domestic workers do have legal status as 'workers'. However, there is no minimum wage and, in practice, domestic work is 'casual' or 'private' where the worker works at the favour of the employer; there is no contract, either written or verbal; **you do what you are given, and you do it as a matter of survival.***

When a worker is abused, the Police see it as a 'private' matter. This is especially the case when the work is done for distant family members, aunts or cousins, etc. We are trying to convince the Police that abuse of a domestic worker is a criminal offence. However, those who are responsible for enforcing laws are themselves often the employers of domestic workers!

Our programme involves crisis intervention, providing legal aid; awareness-raising among child domestic workers on their rights and assistance to help them organise themselves; actions aimed at improving the relationship between child domestic workers and their employers in order to solve problems amicably; working with other organisations to reintegrate child domestic workers back into their own families; and sensitisation of parents, teachers, children, youth groups and local government and religious leaders to keep children in school.

We work from the community-level upwards, especially involving elected street leaders who are part of local government in our country. We are seeing an increased number of cases of abuse reported to them for action. We also work with trade unions, civil society organisations, the Social Welfare Department, religious leaders, local militia, and employers of domestic workers.

We are currently in consultations to encourage the formation of an association of responsible employers with whom we can work. There is an employers' 'Code of Conduct' approved by the Tanzanian Ministry of Labour in 2001 but it is only voluntary. Some organisations have their own standards. So there is no unified approach at present."

www.kivulini.org

IPEC: Eliminating the worst forms of child labour

“The ILO estimates that more girl-children under 16 are in domestic service than in any other category of work... Almost without exception, children who are in domestic labour are victims of exploitation, often of several different kinds.”

International Programme on the Elimination of Child Labour (IPEC)

www.ilo.org/public/english/standards/ipec/themes/domestic/index.htm

Children are supposed to be protected from exploitation by the United Nations Convention on the Rights of the Child as well as ILO Conventions. The ILO is particularly concerned to eliminate the worst forms of child labour and has a special programme for this, the **International Programme on the Elimination of Child Labour (IPEC)**. IPEC has activities in about nearly 25 countries in Asia, Africa, and Latin America, working with governments, employers, trade unions, NGOs and teachers' groups to combat the worst forms of child exploitation, including domestic labour. **Maria José Chamorro** of the IPEC, explains how IPEC works on child domestic labour:

“IPEC takes its lead from two important ILO Conventions on child labour:

- **Minimum Age Convention (No. 138, 1973):** *this lays down a general minimum age for employment of 15 years; children in developing countries can start at 14 years, though only after finishing school; light work is allowed between 12-14 years – so, where domestic work is considered 'light', children are allowed to start at 12; 'hazardous' work can only start from age 18 years; unfortunately, some countries have specifically excluded domestic work when ratifying this Convention;*
- **Worst Forms of Child Labour Convention (No. 182, 1999):** *all governments are obliged to eliminate as a matter of priority the worst forms of child labour - those involving bonded labour or slavery, sexual exploitation, armed conflict, or hazardous activities; how hazardous activities are defined is a matter for governments in collaboration with unions, and so it is important to ensure that domestic work is included in this agenda (e.g. use of cleaning chemicals, fire hazards when cooking, and girls sleeping in the homes of their employers who are most vulnerable to exploitation).*

So, those that IPEC targets in its programmes around the world are:

- **Victims of the worst forms of child labour:** *to remove them from exploitation immediately and provide them with safe conditions;*
- **Children under the minimum working age:** *to remove them from exploitation as soon as possible and reintegrate them with their families and education programmes;*
- **Children above the minimum working age but below 18 years:** *to get them protected against working under hazardous conditions.*

IPEC's programme for the next few years will focus on child labour in agriculture and in domestic work. This was the outcome of an ILO 'Interregional Workshop on Child Domestic Labour and Trade Unions', held in Geneva, on 1-3 February 2006, chaired by Sir Roy Trotman, Chairman of the Workers' Group of the ILO Governing Body. Those taking part were trade unionists representing domestic workers, teachers' unions, and national and regional trade union federations. They examined the role of workers' organizations in combating child domestic labour, and a Trade Union Resource Manual on Child Domestic Labour is currently being produced.

Among the strategies that workers' organizations (particularly trade unions) can undertake are:

- *Examining the exclusions (explicit and implicit) in minimum age legislation, and ensure that domestic workers are included in all appropriate legislation;*
- *Getting involved in the consultation process over what is 'hazardous' child labour; this has been the subject of campaigns in Paraguay, Uruguay, Sri Lanka, the Philippines, Cambodia and Costa Rica, for example;*
- *Monitoring the enforcement of the laws on light work, hazardous work, etc.; many unions could play a stronger role, for example through their members;*
- *Promoting youth employment and press for education and training opportunities for all young workers;*

- *Enlisting young domestic workers as members; after all, according to fundamental ILO Conventions each person with the right to work has the right to affiliate to a union;*
- *Doing more awareness-raising among union members not to employ domestic workers below the age of 15 years;*
- *Consulting with adult domestic workers about where the child workers are; for IPEC activities in the field this has been a very important source of information.”*

www.ilo.org/public/english/standards/ipec

See also **‘Combating child labour raises the profile of unions’** (page .

ILO/IPEC Resources on Child Domestic Labour

ILO/IPEC Overview of key documents:

www.ilo.org/ipec/areas/Childdomesticlabour/Keydocuments/lang--en/index.htm

‘ILO-IPEC Workshop on child domestic labour and trade unions’

ILO, Geneva, 2006.

Report of the interregional consultation of trade unions active in the field of child domestic labour, organised in Geneva in February 2006. The objective of the workshop was to examine the role of workers’ organizations in the elimination and prevention of child domestic labour.

English: www.ilo.org/ipecinfo/product/viewProduct.do;?productId=4627

French: www.ilo.org/ipecinfo/product/viewProduct.do;?productId=4628

Spanish: www.ilo.org/ipecinfo/product/viewProduct.do;?productId=4629

‘Child Domestic Labour Information Resources: A guide to IPEC child domestic labour publications and other materials’

ILO/IPEC, 1/2007

English

ISBN 9789221197638 (not yet on the Internet)

‘ILO-IPEC and the Girl Child Domestic Worker’

ILO/SEAPAT, OnLine Gender Learning & Information Module, Unit 2

www.ilo.org/public/english/region/asro/mdtmanila/training/unit2/ipecgcdw.htm#title

‘Good Practices and Lessons Learned’

ILO/IPEC documents on child and adolescent domestic work in English, Spanish and French

www.ilo.org/ipec/areas/Childdomesticlabour/Goodpracticesandlessonslearned/lang--en/index.htm

‘Steps toward determining hazardous child labour – toolkit’

CD-Rom, ILO, October 2006

In English, French and Spanish

www.ilo.org/iloroot/public/english/standards/ipec/doc-view.cfm?id=3319

‘Combating Child Domestic Labour’

Useful resources, including videos, leaflets and brochures, on

www.ilo.org/public/english/standards/ipec/themes/domestic/index.htm

‘Helping Hands or Shackled Lives? Understanding child domestic labour and responses to it’

ILO/IPEC, 2004

In English, Spanish and French

www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/kd00098.pdf

More Resources on Child Domestic Labour

'Guinea: Thousands of Girls Face Abuse as Domestic Workers'

Human Rights Watch, 2007
hrw.org/reports/2007/guinea0607/

'Abuses Against Child Domestic Workers in El Salvador'

Human Rights Watch, 2004
www.hrw.org/reports/2004/elsalvador0104/index.htm

On Violence against Child Domestic Workers

Including recommendations to governments
Human Rights Watch
hrw.org/english/docs/2007/02/20/global15343.htm

Human Rights Watch on child labour in general:
hrw.org/children/labor.htm

Task Force on Child Domestic Workers

Child Workers in Asia, a network of organisations working on child labour in 11 Asian countries.
www.cwa.tnet.co.th/Network/tf_domestic.html

'Trade Unions and Child Labour: Challenges for the 21st Century'

By Rachel Kurian, Institute of Social Studies, The Hague
FNV Mondiaal, 2005
Available via : iz@vc.fnv.nl

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Annex 2 More Resources

Publications and websites on domestic/household work around the world are given throughout this report. Here are some additional useful sources.

- **Women and migration**

'A Passage to Hope: Women and International Migration'

United Nations Population Fund (UNFPA), 2006

Languages: English, Spanish, French, Arabic, Russian

www.unfpa.org/publications/detail.cfm?ID=311&filterListType=

'Preventing Discrimination, Exploitation and Abuse of Women Migrant Workers'

A series of six booklets

International Labour Organisation, Gender Promotion Programme (GENPROM), (no date)

www.ilo.org/public/english/employment/gems/advocacy/protect.htm

'Empowering Woman Migrant Workers in Asia: Briefing Kit'

UNIFEM East and Southeast Asia, (no date)

www.unifem-eseasia.org/projects/migrant/Briefing%20kit%20files.htm

UNIFEM resources on migrant women workers

www.unifem.org/gender_issues/women_poverty_economics/women_migrant_workers.php

'Feminized Migration in East and Southeast Asia: Policies, Actions and Empowerment'

Nicola Piper and Keiko Yamanaka, UNRISD, 2005

[www.unrisd.org/80256B3C005BCCF9/\(httpPublications\)/06C975DEC6217D4EC12571390029829A?OpenDocument](http://www.unrisd.org/80256B3C005BCCF9/(httpPublications)/06C975DEC6217D4EC12571390029829A?OpenDocument)

ILO on international labour migration

www.ilo.org/public/english/protection/migrant/

'All For One = One For All: A Gender Equality Guide for trade unionists in the Agriculture, Food, Hotel and Catering Sectors'

IUF, June 2007

From: iuf@iuf.org

'Progress of the World's Women 2005'

UNIFEM, 2005

www.unifem.org/attachments/products/PoWW2005_eng.pdf

- **Trafficking and Forced Labour**

HumanTrafficking.org

A web resource for combating human trafficking

www.humantrafficking.org

'Forced labour, migration and human trafficking'

in 'A Global Alliance Against Forced Labour'

ILO, 2005

www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=5059

ITUC Conference on Forced Labour, September 2007

International Trade Union Confederation (ITUC)

www.ituc-csi.org/spip.php?rubrique156

'A workers alliance against forced labour and trafficking' leaflet
www.ituc-csi.org/IMG/pdf/CSI_TravailForce_ANG.pdf

'Training Materials for a Global Alliance Against Forced Labour'
Pilot version, ILO, 2006
www.bondedlabour.org/web/Display.asp?SubCat_id=21&ID=38

'Human Trafficking and Forced Labour Exploitation: Guidance for legislation and law enforcement'
ILO, 2005
www.ilo.org/dyn/declaris/DECLARATIONWEB.DOWNLOAD_BLOB?Var_DocumentID=5296

Human Trafficking and Forced Labour Exploitation - Guidance for Legislation and Law Enforcement
Training materials, ILO, 2005
opentraining.unesco-ci.org/cgi-bin/page.cgi?g=Detailed%2F940.html;d=1

'Contemporary Forms of Slavery'
Six booklets on Argentina, Bolivia, Brazil, Paraguay, Peru and Uruguay
Anti-Slavery International, 2006
www.antislavery.org/homepage/resources/PDF/PDFlatinamerica.htm

'Debt Bondage: Slavery Around the World'
Anti-Slavery International and Development and Peace
www.antislavery.org/homepage/campaign/bondedinfo.htm

- **Informal Economy**

'Tools for Advocacy: Social protection for informal workers'
Frankie Lund and Jillian Nicholson
WIEGO and Homenet Thailand, 2006
www.wiego.org/publications/Tools_For_Advocacy.pdf

'Ten Trade Union Actions to Strengthen the Status of Workers in the Informal Economy'
World Confederation of Labour, 2005
[www.cmt-wcl.org/cmt/ewcm.nsf/0/2e1580062c589391c1256eb300535f09/\\$file/wva-infecon-en.pdf?openelement](http://www.cmt-wcl.org/cmt/ewcm.nsf/0/2e1580062c589391c1256eb300535f09/$file/wva-infecon-en.pdf?openelement)
Plus a WCL campaign 'medicine box' of remedies for social protection in the informal economy
www.cmt-wcl.org/cmt/ewcm.nsf/_/D74E3073898DB199C12570B90054313A?OpenDocument

'Decent Work and the Informal Economy'
International Labour Conference, ILO, 2002, reports and resolutions
www.ilo.org/public/english/employment/infeco/ilc2002.htm

'Trabajo Informal y Sindicalismo en América Latina y el Caribe: Buenas prácticas formativas y organizativas'
(Informal work and trade unionism in Latin America and the Caribbean: Good Practice)
CINTERFOR/ILO, Montevideo, 2005, in Spanish
www-ilo-mirror.cornell.edu/public/spanish/region/ampro/cinterfor/publ/sind_for/castillo/index.htm