



EMPLOYMENT
AND SOCIAL
PROTECTION

Work like any other, work like no other
Decent work for domestic workers

UN  INDIA 

WHO ARE DOMESTIC WORKERS?

Domestic work is work performed in or for a household or households in an employment relationship. The work may include cleaning, cooking, washing and ironing, taking care of children, elderly or sick members of a family, as well as household pets, gardening, guarding the house and driving for the family. Domestic workers include full- or part-time employees. Some live in their employers' residence, others in their own homes.

DOMESTIC WORKERS CONVENTION, 2011 (NO. 189)

In 2011, an overwhelming majority of the 185 member States of the International Labour Organization - governments, trade unions and employer's organizations- voted in favour of adopting the Domestic Workers Convention (No. 189), and its supplementing Recommendation (No. 201). India was among the countries which voted in favour of the Convention, paving the way for the new instruments to emerge. The Convention, often referred to as historic, is the first international labour standard laying down minimum labour protections for domestic workers. The Convention confers rights to domestic workers which have long been considered normal to other categories of workers. These include the right to a written contract, minimum wages, limited working hours with sufficient rest, and safe working conditions in a secure working environment. It also guarantees fundamental rights to freedom from discrimination, from child and forced labour, and freedom to associate by forming trade unions.

So far, the Convention has been ratified by 11 Member States of ILO, namely Bolivia, Ecuador, Guyana, Germany, Italy, Mauritius, Nicaragua, Paraguay, Philippines, South Africa and Uruguay.



WORK LIKE ANY OTHER, WORK LIKE NO OTHER

Every day millions of women and men in India clean other people's homes, cook their meals and look after their children. They are the invisible labour that make it possible for women and men in India to go about their work and life. Invisibility marks the work and status of a domestic worker. Despite the benefits their services bring, domestic workers lack recognition as real workers and constitute one of the most vulnerable categories of workers. The vast majority are women. Many are of tribal origin from poor areas. Large numbers are victims of trafficking, lured into jobs in big cities on false promises made by dubious recruiters. They often work in isolation and are invisible in the world of work. Abuses, such as working around the clock, physical violence, sexual assaults, even threat to their lives are common.

Domestic work is in higher demand than ever, offering new jobs for millions of women in India. The Employment and Unemployment Survey report of Government of India, 2009-2010 shows that more than 10 million people are working in private households.

Consultations carried out with domestic workers and organizations representing domestic workers indicate frequent malpractices. These include under payments, discrimination on grounds of caste, religion and ethnicity, no regulation on work hours, non-recognition as workers etc. Domestic workers and organizations representing domestic workers have requested state regulation over their working conditions in the form of a specific legislation. State regulation through specific policies and legislations, ensuring the collective bargaining power of domestic workers by workers organizations and civil society organizations, are key to ensuring dignity and respect and in seeing domestic work as work.



SAY NO TO CHILD DOMESTIC LABOUR

National statistics show vast numbers of “nowhere” or “idle” children, whose numbers are captured neither in education nor in employment. In India, 11 million of 7-14 years age group, were shown as neither attending school nor at work in employment. It is likely, that many, if not all of these children are involved in household chores and domestic labour, working up to 12 hours or more a day with little or no pay, every day of the week, exposed to physical, sexual and psychological violence. Children engaged in domestic work are more vulnerable since the domestic work takes place in private households, away from public scrutiny. Child domestic work for children younger than fourteen is illegal in India.

WIN-WIN FOR WORKERS, EMPLOYERS AND SOCIETY

Case studies show that when domestic workers meet good employers who give them respect, demand professionalism rather than servitude, and who invest in their skills, the worker is able to go from basic tasks to those requiring specialized skills ranging from cooking, caring for infants, the elderly and infirm adults in private households. More skills have meant better wages, better mobility and a stronger foundation to build a better life. The effect is far-reaching as domestic workers often express the importance of educating their daughters and sons well and equally. In short, contrary to negative perception, domestic work is a powerful source of empowerment for workers, employers, and society as a whole.

“There is no place and no excuse for child labour in domestic or any other form of work.”

Guy Rider, ILO Director-General





MIGRANT DOMESTIC WORKERS ARE PARTICULARLY VULNERABLE

Many domestic workers are migrant workers, moving both within and out of India. In India, States such as Chhattisgarh, Jharkhand, West Bengal and Odisha with a dominant *adivasi* population are sources for inter-state migrant domestic workers. States such as Andhra Pradesh and Kerala on the other hand are witnessing significant

numbers of domestic workers working in middle east countries. Migrant workers, whether inter or intra-state are more vulnerable because they lack an organic link with the place they migrated to. Unfamiliarity and inability to communicate in the language of the locations they work in, different cultural contexts and being far away

from family and support systems accentuates their vulnerability. The concerns of migrant domestic workers can be addressed through state interventions aimed at promoting safe migration, regulating private placement agencies, and evolving an understanding between sending and receiving states to ensure decent working conditions.

IRREGULAR MIGRATION

The ILO Global Estimate on Forced Labour (2012) shows that internal and cross-border migration is an important factor that renders people more vulnerable to trafficking and forced labour. Almost half of all victims (44%) have moved prior to their exploitation, often under the pretence of false promises. In India, lack of alternative livelihood options, aspiration to enter into the labour markets to earn a decent living, and also the lack of freedom and independence within one's own community and family, make young girls an easy prey for trafficking. Many of these workers face an increased risk of trafficking because of their vulnerability, uninformed and unsafe migration, unprotected nature of work and the highly personalized relationship between the intermediaries who often help unscrupulous agents to take children, adolescent girls and women to cities for work. Irregular migration, particularly resulting from trafficking of women and children across borders is seen from Bangladesh and Nepal into India and from India to other countries. Trafficking for domestic work from *adivasi* dominant regions to urban centres in India is also an emerging challenge. Generating awareness at source states, creating alternative decent livelihood options, building efficient public infrastructure for education at source states and promoting safe migration, are some of the key steps forward to prevent trafficking for domestic work.





TOWARDS DECENT WORK FOR DOMESTIC WORKERS

Labour rights for domestic workers: The draft National Policy for Domestic Workers formulated in 2011, reflects the spirit of Convention 189 and ensures the rights and fundamental principles for domestic work. The draft Policy ensures minimum wages, weekly off, stipulated work hours, access to social protection, guarantees protection from abuses and strong collective bargaining power of domestic workers. Adopting the draft National Policy will be a step forward in achieving decent work for domestic workers in India.

Significant progress at State levels: Seven states, Andhra Pradesh, Bihar, Jharkhand, Karnataka, Kerala, Odisha, and Rajasthan have notified minimum wages for domestic workers. State governments of Kerala, Maharashtra and Tamil Nadu have constituted Welfare Boards for domestic workers who can avail of a prescribed set of welfare benefits by registering with these Boards. Several States have extended health insurance schemes to domestic workers. Trade unions, domestic workers

unions and associations in several states are organizing domestic workers toward promoting their collective bargaining power.

Caring for the carer: The availability of domestic workers has enabled households and their members, particularly women to enter the labour market and reap the benefits that economic autonomy and professional growth offer. Gender equality however, has been one-sided. Care responsibilities have largely shifted from women in the households to hired domestic workers who are a predominantly female and invisible workforce. Enabling public policies which shifts the burden of social care – care for young children and family services – from the household to the public, through publically funded services (such as day care for non-school going children) would be beneficial not only for households but to domestic workers themselves, who currently suffer from lack of options to care for their families.



Being good employers: How can I ensure decent working conditions for my domestic worker?

- By not engaging a child to do your domestic work
- By treating the domestic worker with the dignity, respect and professionalism you yourself expect from your employers at the workplace
- By recognizing that there is an employment relationship between you and the domestic worker
- By having clear terms of contract between you and your domestic worker
- By providing fair wages, decent working conditions, and a day of rest
- By contributing towards professionalization of domestic work
- By extending possible support to your domestic worker in acquiring new skills

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