



International
Domestic Workers
Network



International
Labour
Organisation

Decent work for domestic workers in Asia and the Pacific

MANUAL for TRAINERS



Decent work for domestic workers
in Asia and the Pacific

Manual for trainers



Copyright © International Labour Organization 2012

First published 2012

Publications of the International Labour Office enjoy copyright under Protocol 2 of the Universal Copyright Convention. Nevertheless, short excerpts from them may be reproduced without authorization, on condition that the source is indicated. For rights of reproduction or translation, application should be made to ILO Publications (Rights and Permissions), International Labour Office, CH-1211 Geneva 22, Switzerland, or by email: pubdroit@ilo.org. The International Labour Office welcomes such applications.

Libraries, institutions and other users registered with reproduction rights organizations may make copies in accordance with the licences issued to them for this purpose. Visit www.ifro.org to find the reproduction rights organization in your country.

Ramos-Carbone, Elsa

Decent work for domestic workers in Asia and the Pacific : manual for trainers / Elsa Ramos-Carbone; ILO DWT for East and South-East Asia and the Pacific ; ILO Regional Office for Asia and the Pacific. - Bangkok: ILO, 2012
124 p.

ISBN: 9789221262442; 9789221262459 (web pdf); 9789221262466 (CD ROM)

ILO DWT for East and South-East Asia and the Pacific; ILO Regional Office for Asia and the Pacific

domestic worker / domestic work / decent work / working conditions / workers rights / living conditions / Asia / Pacific

13.01.6

ILO Cataloguing in Publication Data

The designations employed in ILO publications, which are in conformity with United Nations practice, and the presentation of material therein do not imply the expression of any opinion whatsoever on the part of the International Labour Office concerning the legal status of any country, area or territory or of its authorities, or concerning the delimitation of its frontiers.

The responsibility for opinions expressed in signed articles, studies and other contributions rests solely with their authors, and publication does not constitute an endorsement by the International Labour Office of the opinions expressed in them.

Reference to names of firms and commercial products and processes does not imply their endorsement by the International Labour Office, and any failure to mention a particular firm, commercial product or process is not a sign of disapproval.

ILO publications and electronic products can be obtained through major booksellers or ILO local offices in many countries, or direct from ILO Publications, International Labour Office, CH-1211 Geneva 22, Switzerland. Catalogues or lists of new publications are available free of charge from the above address, or by email: pubvente@ilo.org

Visit our web site: www.ilo.org/publns

Artwork and pictures: Courtesy of S. Mitra, G. Nerincx, S. P. Ouseph, E. Ramos-Carbone, J. Roininen, K. Ryan and M. Wolterink, CONLACTRAHO, EUP Images, IDWN, ILO and ITUC.

Design and layout : m+m studios, Johannesburg

Printed in Hong Kong, China

Contents

Foreword	5
Introduction	7

MODULE 1

Domestic work: Work like no other, work like any other 9

GUIDE

Activities

Activity 1.1	What is domestic work?.....	12
Activity 1.2	Domestic workers: The national picture.....	12
Activity 1.3	Interviewing domestic workers.....	14
Activity 1.4	Examining our attitudes.....	16
Activity 1.5	The value of domestic work.....	18
Activity 1.6	Promoting recognition and appreciation of the value of domestic work	19

Tools

Tool 1.1	Sketching what we know about domestic workers: The national picture.....	21
Tool 1.2	Sample survey questionnaire for domestic workers	22

Handouts

Handout 1.1	Domestic work: Work like any other, work like no other	24
Handout 1.2	Domestic workers: A brief overview	27
Handout 1.3	Domestic workers tell their stories.....	32
Handout 1.4	The value of domestic work.....	35
Handout 1.5	Case studies: Changing mentalities and recognizing the value of domestic work.....	37

MODULE 2

Decent work for domestic workers: What is it and how do we get there? 39

GUIDE

Activities

Activity 2.1	A day in the life of a domestic worker	43
Activity 2.2	Decent work for domestic workers: The gaps	44
Activity 2.3	Stopping abuse and exploitation of domestic workers	45
Activity 2.4	What do our laws say? Domestic work in national legislation	46
Activity 2.5	Where do we go from here? Priorities for improving domestic workers' rights in practice	47
Activity 2.6	Where do we go from here? Priorities for improving domestic workers' rights in law.....	48
Activity 2.7	Campaigning for ratification of Convention No. 189.....	49

Tools

Tool 2.1	Domestic workers' rights — Comparing our laws and practice to Convention No. 189.....	50
----------	---	----

Handouts

Handout 2.1	What is decent work? What does it mean for domestic workers?.....	53
Handout 2.2	Respect and dignity.....	57
Handout 2.3	Decent working and living conditions.....	59

Handout 2.4	Protection for particular groups of domestic workers	67
Handout 2.5	Case studies: Practical and legal measures to promote decent work for domestic workers	70
Handout 2.6	Ratification and implementation of Convention No. 189	72

MODULE 3

Decent work for domestic workers: Action Now!.....77

GUIDE

Activities

Activity 3.1	Facing the challenges	80
Activity 3.2	Organizing – Identifying obstacles	81
Activity 3.3	Organizing – Overcoming the obstacles.....	82
Activity 3.4	Developing an organizing strategy	83
Activity 3.5	Networking and building alliances	84
Activity 3.6	Lobbying your allies (for domestic workers’ organizations).....	85
Activity 3.7	Drawing up an action plan.....	87
Activity 3.8	Making a personal commitment.....	89

Tools

Tool 3.1	Checklist for organizing domestic workers.....	90
Tool 3.2	What trade unions and civil society organizations can do to support domestic workers	92
Tool 3.3	Roadmap for an organizing strategy	93
Tool 3.4	Checklist: Building organizations, forging alliances.....	94
Tool 3.5	SWOT tool.....	95
Tool 3.6	Pathway to change.....	96

Handouts

Handout 3.1	Facing the challenges: Organize, don’t agonize!.....	97
Handout 3.2	Building organizations, forging alliances.....	103
Handout 3.3	Case studies: Domestic workers organizing and building alliances around the world	106
Handout 3.4	Planning for change	110

Other Resources..... 112

Exercises for introductions of participants	112
Evaluation form.....	113
Domestic Workers Convention, 2011 (No.189).....	114
Domestic Workers Recommendation, 2011 (No. 201)	118
Declaration on the Rights of Domestic Workers in Thailand	122

Foreword

“Bearing in mind that the right to decent work is a human right for both men and women, and considering that human dignity is non-negotiable, we as domestic workers firmly believe that decent work is an inalienable and non-transferable right which should reflect the dignity of the individual and is fundamental in terms of making progress towards a democratic society.”

Marcelina Bautista, General Secretary of CONLACHTRAHO (Confederation of Domestic Workers from Latin America and the Caribbean), International Labour Conference, Geneva, June 2010.

“On 16 June 2011, our dream became a reality, and we are free - slaves no more, but workers. We cannot stop now. We won't stop until this new international labour convention on decent work for domestic workers is carried out. So we have work to do and, yes, we will be united as never before. The voices of domestic workers cannot be silenced.”

Myrtle Witbooi, Chair, IDWN (International Domestic Workers' Network), International Labour Conference, Geneva, June 2011.

Domestic work: Work like any other, work like no other. Work in households and homes is as old as time, vital for the well-being of families, communities and societies at large. Often considered a typical women's occupation, domestic work is rarely perceived as 'employment'. Some argue that women's contribution to the home and general social good is immeasurable – it is valuable and precious and any effort to put a price tag on its value only demeans the contribution. This gender-biased argument has resulted in the systematic marginalization and undervaluing of domestic work. Domestic work is not decent work for the majority of women and men performing this occupation. They are particularly vulnerable to abuses of their basic human rights, including the fundamental principles and rights at work.

Many of the problems faced by domestic workers can be attributed to the specific nature of their occupation and to inadequate attention in international and national laws, including international labour standards. The landmark adoption of specific international labour instruments on decent work for domestic workers in the form of Convention No. 189 and Recommendation No. 201 by the ILO member States at the International Labour Conference in June 2011 was most welcomed by domestic workers and their supporters world-wide. The adoption of the Convention has opened up greater opportunities for domestic workers to organize and to work together with their allies to promote its ratification and effective application.

The ILO in Asia and the Pacific has worked closely with governments, workers', employers' and civil society organizations, including domestic workers', migrants' and women's organizations, for many years to raise awareness on the pressing need to recognize domestic work as work and to protect and promote the rights of domestic workers in the region. This trainers' manual on decent work for domestic workers was developed with domestic workers in Thailand. It has been expanded for use by interested organizations elsewhere in partnership with the International Domestic Workers' Network (IDWN), which played a major role in mobilizing world-wide support for the adoption of Convention No. 189.

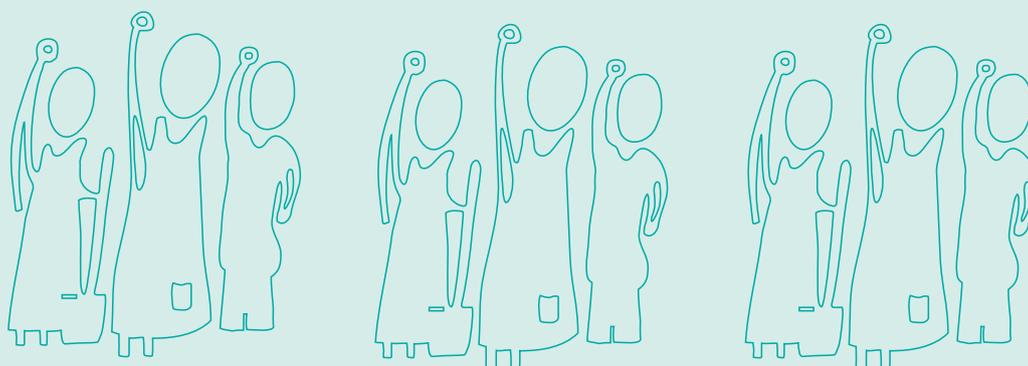
We thank Elsa Ramos-Carbone, the main author of this trainers' manual, and wish to record our appreciation to the many organizations which provided valuable material for the handouts, case studies and good and promising practices, in particular the ILO's Conditions of Work and Employment Programme (TRAVAIL) and Bureau for Workers' Activities (ACTRAV), the International Trade Union Confederation (ITUC) and its regional organization for Asia/Pacific (ITUC-AP), the European Trade Union Confederation (ETUC), the International Restructuring Education Network Europe (IRENE), the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), the Asian Domestic Workers' Network (ADWN), the Committee for Asian Women (CAW), the Women in Informal Employment: Globalizing and Organizing (WIEGO), the Hong Kong Confederation of Trade Unions (HKCTU), Human Rights Watch, and last but not least, Home Net Thailand which started to mobilize domestic workers in Thailand, initiated the development of this manual and helped set up the National Network of Domestic workers in Thailand in cooperation with the Thai trade union movement.

Our thanks also go to the individuals who generously gave their assistance, advice and support, in particular Marieke Koning of the ITUC; Ip Pui Yu, IDWN Asia/Pacific Coordinator, Joyce del Rosario of Samahan Belgium, Poonsap Tulaphan and Jantana Ekeurmanee of Home Net, Parimala Moses of MTUC Malaysia, Lita Anggraini of Jala-PRT Indonesia and ILO colleagues Nelien Haspels, Naomi Cassirer, Christine Nathan, Lotte Kejser, Silvia Cormaci, Kuanruthai Siripatthana Kosol, Chayanich Thamparipattra, Danapakorn Mirahong and Paveena Eakthanakit.

We hope that this trainers' manual will be useful for domestic workers' organizations, trade unions, migrants', women's, human rights and other organizations in their work to promote respect, rights, and decent working and living conditions for all domestic workers.

Elizabeth Tang
International Coordinator IDWN

Thetis Mangahas
Deputy Regional Director, ILO Bangkok



Introduction



Aim of the manual

The aim of the manual is to stimulate reflection and discussion on domestic work and how we can work together to:

- Gain recognition of domestic work as work like any other.
- Ensure respect for and dignity of domestic workers.
- Achieve decent working conditions for domestic workers.



How to use this manual

This manual is primarily for trainers and can be used by domestic workers' organizations, associations and groups, trade unions, civil society organizations (CSOs), migrants', women's and human rights organizations.

The Manual consists of three modules:

Module 1 Domestic work: Work like no other, work like any other

Module 2 Decent work for domestic workers: What is it and how do we get there?

Module 3 Decent work for domestic workers: Action now!

Each module starts with a **Guide** with the aims, contents, trainers' notes, a suggested lesson plan and a list of materials and equipment.

Each module is divided into sessions with activities, tools and handouts for participants. The sessions can be used separately or one after the other as a complete step-by-step guide for training courses and workshops, study groups, information sessions, meetings and assemblies. You can start at the beginning and work through the whole manual, or select only parts that are useful for the participants and circumstances.



Introduction of participants

A useful – and fun – way to start a course is to have an activity which “breaks the ice” so participants can get to know each other. Three activities for introductions of participants are provided after Module 3. You may pick one, or use another which is familiar to you.

Always remember two things: Introduce yourself and add the time for this activity in your lesson plan.



Activities, tools and handouts

The challenge of decent work for domestic workers - nationals and migrants - is to identify the changes needed and take action. This manual has many and varied activities with exercises, games and discussions to help domestic workers and their advocates discuss the challenge of decent work and plan actions together to reach it.

Every activity starts with the aims of the exercise and the tasks, both for the trainers and the participants. The aims explain what people may learn from each activity. Always look carefully at the aims and think about how to achieve them. Briefly explain the aims at the start of each activity so that everyone knows what to do and why they are doing it. The activities include: group work, brainstorming and other collective and personal exercises. Feel free to change or adapt any activity in this manual, according to the profile, background, needs and expectations of the participants.

One or more training tools are included in every session to make the activities more lively and interesting for participants. Look also for other tools such as video or audio programmes. If possible, ask domestic workers to make pictures (drawings or photographs) of specific situations like how they work and where they sleep.

The handouts provide information, case studies, practical experiences and good and promising practices on the topic of discussion. You can use these to introduce sessions, prepare slide presentations, and to start discussions among the participants. You can also add case studies and examples based on your own experience and/or those of organizations and advocates in your country. You can photocopy and distribute the handouts or tools which participants can use when they organize their own activities. Where participants do not read, you can use these for ideas to guide what you say or for storytelling and reading by a trainer or participants who can read.

On the internet, you can find plenty of material on all aspects of domestic work and on the rich and varied experiences of domestic workers worldwide who have acted to gain respect and rights. References to key articles, books and websites are given in the lists of sources at the end of each handout. You can also check the websites of the ILO (www.ilo.org), the IDWN (www.idwn.info) and the ITUC (www.ituc.org) for updates and news.



Note

Many workers have little formal schooling. With careful organization, e.g. assigning participants who have reading skills to help as facilitators and reporters, most of the activities will work without any reading or writing.



Sum-up, feedback and evaluation

At the end of every session, summarize the key points, identifying any points of agreement and disagreements. Do not gloss over genuine differences of opinion. An important outcome of the training activity is the ability of participants to agree to disagree, respecting each others' views and beliefs.

Give time for participants' feedback: What did they learn? Did the session meet the aims? And their expectations? Were they able to participate fully in the discussions? Were they comfortable with the group and the trainer(s)/resource person(s)? What improvements are needed to make future training activities more effective? An evaluation form at the end of the manual may be used to solicit participants' feedback.

MODULE 1

Domestic work: Work like no other, work like any other

GUIDE



Aims

On completion of this module, participants will be able to:

- Arrive at a common understanding and definition of domestic work.
- Explain why domestic work is work like any other work and why domestic workers should be recognized and treated like all other workers.
- Propose ways to raise awareness and recognition of the rights of domestic workers to respect and dignity.



Contents at a glance



Activities

Activity 1.1	What is domestic work? (<i>Brainstorming</i>)
Activity 1.2	Domestic workers: The national picture (<i>Group work</i>)
Activity 1.3	Interviewing domestic workers (<i>Interviews or panel discussion</i>)
Activity 1.4	Examining our attitudes (<i>Plenary exercise or group work</i>)
Activity 1.5	The value of domestic work (<i>Group work</i>)
Activity 1.6	Promoting recognition and appreciation of the value of domestic work (<i>Group work</i>)



Tools

Tool 1.1	Sketching what we know about domestic workers: The national picture
Tool 1.2	Sample survey questionnaire for domestic workers



Handouts

Handout 1.1	Domestic work: “Work like any other, work like no other”
Handout 1.2	Domestic workers: A brief overview
Handout 1.3	Domestic workers tell their stories
Handout 1.4	The value of domestic work
Handout 1.5	Case studies: Changing mentalities and recognizing the value of domestic work



Trainers' notes

- Read the activities, tools and handouts and select the ones you want to use in your training.
- Prepare yourself for every session and activity. Make sure that you have the information your participants need in order to think about the situation, decide what they may want to change and how they want to go about doing it.
- You may need to do some research. For example in Session 1, you need to know about the situation of domestic workers in your country (nationals and, where applicable, migrants). If possible, prepare your own handout on the situation of domestic workers in your country or city. A trainer does not need to know everything; if you find you do not know enough about a subject like the laws in your country on domestic work, invite a resource person – from the trade unions, government, university and research institutes, or civil society organizations (CSOs) – to give a short presentation and do a question and answer session with participants. Ask resource persons to share their main points on paper or in another form so that participants can remember.
- Make sure no trainer or resource person talks for longer than 15 minutes in a row. Too much talk is boring, participants will fall asleep and decide they will not come another time.
- ALWAYS prepare the material and check the equipment BEFORE a session starts.

Rallying in the Republic of Korea





Suggested lesson plan

Session 1 What is domestic work and who are domestic workers?

Duration	4 to 6 hours (Add time for introductions and breaks)
Time (minutes)	Handouts 1.1, 1.2, and 1.3
5	Welcome and purpose of the session by the trainer
40	Activity 1.1 What is domestic work? (Brainstorming)
20	Presentation on national situation by trainer or resource person, Question & Answers (Q&A)
60	Activity 1.2 Domestic workers: The national picture (Group work)
210	Activity 1.3 Interviewing domestic workers (Interviews or panel discussion)
15	Sum-up and feedback

Note: Activity 1.3 — Option 1 can be used in-session if the participants themselves are domestic workers. Otherwise participants will need to spend time outside the training venue to find and interview domestic workers and the schedule will need to be adjusted accordingly, including time to report back. If Option 2 (panel discussion) is used, the duration of the activity will be reduced.

Session 2 Respect and dignity for domestic workers: Raising awareness

Duration	4 hours (Add time for introductions and breaks)
Time (minutes)	Handouts 1.4 and 1.5
5	Welcome and purpose of the session by the trainer
80	Activity 1.4 Examining our attitudes (Plenary exercise or group work)
60	Activity 1.5 The value of domestic work (Group work)
80	Activity 1.6 Promoting recognition and appreciation of the value of domestic work (Group work)
15	Sum-up and feedback



Material and equipment

- If using Activity B of the Introduction of participants collect newspaper/magazine cut-outs and postcards with various images (see Other Resources at the end of this manual).
- Photocopies of Handouts for distribution to participants.
- Board or flipchart and markers.
- Masking tape.
- Coloured papers (A4 cards cut in half).
- If available, computer or overhead projector for slide presentation.

Activities



Activity 1.1 What is domestic work?

Aim	To reach a common definition of domestic work
Duration	40 minutes



Materials

- Black/white board or flipchart.
- Coloured cards or half of A4 paper (Option 2).
- Coloured markers (Option 2).



Handouts

- Handout 1.1: Work like any other, work like no other.
- Handout 1.2: Domestic work: A brief overview.



Tasks

Brainstorming: Option 1 (40 minutes)

1. Begin the discussion by asking how many participants employ domestic workers in their homes. Underline that many of us do have personal and varied experiences with domestic workers. (Note: For groups of only domestic workers, skip this question.)
2. Ask participants to briefly describe domestic work, jotting down on black/white board, the key words, clustering ideas (type of work, working conditions, profile, etc.)
3. Facilitate the discussion, encouraging participants to explain or clarify their ideas.
4. When no new ideas are brought up, summarize the discussion by proposing a definition of domestic work and domestic workers for discussion and consensus by all participants.
5. Write the definition on a flipchart and display prominently in the meeting room. Relate this definition to that in Convention No. 189 (see Handout 1.1), noting that the definition in the Convention is necessarily broad, so it can include all types of domestic work.

Brainstorming: Option 2 (40 minutes)

1. Begin the discussion by asking how many participants employ domestic workers in their homes. Underline that many of us do have personal and varied experiences with domestic workers. (Note: For groups of only domestic workers, skip this question.)
2. Distribute two coloured cards or the two halves of an A4 paper to each participant (only one card if there are more than 20 participants), explaining what has to be done.
3. Within five minutes, participants are requested to describe domestic work by writing down on the card(s)/paper(s) a word or a phrase or by a drawing a picture.

During the next 25-30 minutes:

4. Ask participants to present their card(s) or paper(s) and briefly explain what they mean to the whole group.
5. Cluster the cards/papers on black/white board or wall and facilitate the discussion, encouraging participants to exchange views.
6. Summarize and propose a definition for discussion and consensus by all participants.
7. Write the definition on a flipchart paper and display it prominently in the meeting room. Relate this definition to that in Convention No. 189 (see Handout 1.1), noting that the definition in the Convention is necessarily broad, so it can include all types of domestic work.



Note

During the discussion, give information and examples from Handouts 1.1, 1.2 and 1.3.



Activity 1.2 Domestic workers: The national picture

Aim	To find out what we know about domestic workers, nationals and migrants.
Duration	60 - 90 minutes



Materials and preparation

- Copy the table in Tool 1.1 (*Sketching what we know*) on a flipchart for filling in by the trainer when responses are given by the group reporters.
- Flipchart and markers.



Handouts

- Handout 1.2: Domestic workers: A brief overview.
- Tool 1.1: Sketching what we know.



Tasks

Step 1: Directions and group work (30 minutes)

1. Divide participants in small groups of up to five to six people. Ask each group to assign a facilitator and a reporter.
2. Tell the groups to fill out the table, and make a list of points for the reporter to present in plenary.

Step 2: Group reports and summary (30 minutes)

3. In plenary, go through the questions one by one, asking two to three reporters to present their group's answers for each question. Make sure the reporters take turns. Mark the responses of each group on the flipchart.
4. Confirm and/or clarify responses, filling gaps if necessary.
5. Summarize the main outcomes of the discussion and conclude by asking: Do replies conform to reality? How much do the participants know about domestic work and domestic workers?

Step 3: Briefing – Optional (30 minutes)

6. Find out if any study/research has been done on domestic work and domestic workers in the country and prepare a short (10 minutes) summary, identifying key points and major gaps. You can also use news clippings, articles, advertisements or case studies to collect information.
7. Invite someone with knowledge on the issue (e.g. from the trade unions, women's organizations, Ministry of Labour, or university) to give a brief – 15 minutes – presentation AFTER the group work.





Activity 1.3 Interviewing domestic workers

Aim

To gain first-hand information from domestic workers about their work and life



Option 1 : Interview

Note

Where the majority of participants are domestic workers, the interviews can take place at the workshop venue. Otherwise, pairs of participants need to go out to find domestic workers in markets, parks, bus terminals, shopping malls, religious centers, support centers or shelters for migrants, women or trade unionists, etc. Set a specified time for reporting back on the interviews at the next session or activity.

Duration

3hrs.30 to 4hrs.30 (Interviews) or 1hr.30 (Panel discussion)



Materials and preparation

- You will need to adapt Tool 1.2. (sample survey questionnaire) as appropriate to your national/local context.
- Photocopy the adapted questionnaire for participants.
- Note pads, pencils (for interviewers) and flipcharts with a summary of the questionnaire to tabulate the results.



Handouts

- Copies of adapted questionnaire for participants.
- Handout 1.2: Domestic workers: A brief overview.
- Handout 1.3: Domestic workers tell their stories.



Tasks

Step 1 : Directions (30 minutes)

1. Distribute the questionnaire and go through it with the participants so that all questions are understood.
2. Divide the group into pairs and ask each pair to interview at least two domestic workers:
 - a. Within each pair, take turns: One person asks questions, the other one fills in the questionnaire
 - b. Discuss the interview guidelines given below in step 2

Step 2 : Interviews (120 - 180 minutes)

3. For each interview, apply the following interview guidelines:
 - Introduce yourselves and the reasons for doing the interview.
 - Ask respondents for permission to do the interview and tell them that the answers will be treated as confidential.
 - Respect the privacy of those who do not want to be interviewed, or who do not want to answer certain questions.
 - Make sure the interview does not last longer than 30 minutes.
 - Thank the interviewed domestic worker for her/his time and leave a contact address for more information, if possible.

Step 3 : Tabulation, discussion and summary (60 minutes)

4. In preparation for the discussion, ask every pair to put their main findings in bullet points or drawings on a flipchart. If all interviews are tabulated, add up the answers on quantitative questions and highlight significant qualitative answers.
5. Convene the group and go through the main findings, asking a few volunteers to share their experiences.

Summarize the findings, filling gaps if necessary. Point out differences in experiences of domestic workers in their work and way of living. Conclude with a statement on the importance of ensuring that all domestic workers have a right to decent working and living conditions and ask whether everyone agrees.

Option 2 : Panel discussion (for trade unions and other agencies)

Duration	90 minutes
----------	------------

1. Organize a panel discussion with three to four domestic workers (locals and migrants). You or one of the participants can moderate.
2. Each panelist shares her/his story. Give some guide questions (ref. Tool 1.2 and Handout 1.3) to help them prepare their five to eight minute presentations.
3. The presentations are followed by a Q & A session and general discussion.
4. Facilitator sums up and thanks panelists for sharing their stories and everyone for their participation.



Around 4,000 domestic workers gather in Marina Beach, Chennai, India, demanding dignity, rights and minimum wages



Activity 1.4 Examining our attitudes

Aim	To examine how our attitudes and culture affect the value placed on domestic work in society, and to recognize the valuable contributions of domestic work to societies and households.
Duration	40 - 80 minutes



Handouts:

- Handout 1.4: The value of domestic work.



Tasks

Option 1: Plenary exercise (80 minutes)

1. Request all participants to move to one side of the room.
2. Read each statement (see suggestions below). Participants who **agree** with the statement move to the opposite wall and group on the **left-hand side**; those who **disagree** do the same on the **right-hand side**; those who are in-between position themselves according to the degree of their agreement/disagreement.
3. Ask participants to explain briefly why they position themselves thus, encouraging a frank debate. Then, read the next statement and follow the same procedure.
4. At the end of the exercise, ask participants to give their views on attitudes, perceptions, stereotyping, tradition and culture and how these impact on how domestic workers are seen in the family, community and society.

Option 2: Group work (40 minutes for group work, 40 minutes for reporting and summing up)

1. Divide the participants into groups. Ask each to appoint a facilitator and reporter.
2. Hand out to each group the same list of 5-6 statements (see suggestions below).
3. Group members consider each statement and decide whether they, as a group, agree or disagree with it.
4. In plenary, read the first statement. Each reporter gives his/her group's opinion and a brief explanation, if required. After each statement, summarize before continuing to the next statement.
5. At the end of the reporting, ask participants to give their views on attitudes, perceptions, stereotyping, tradition and culture and how these impact how domestic workers are seen in the family, community and society.



Respect, Dignity and Rights For Domestic Workers Now

ဆပ်.ယမ်သုခ်,လုံးနှိုင်းဂါခ် နှိုတ်းဂါခ်ခင်းရှေ့ခင်းဂိုခ်း
အိမ်ဖော် များ၏အခွင့်အရေးအသိအမှတ်ပြု အလေးထားမှုချက်ချင်းပြု
เคารพศักดิ์ศรี คุ้มครองสิทธิแรงงานทำงานบ้าน

Sample statements

Select the statements that are most suitable for your audience. You do not need to use all statements and can also prepare new statements. The number of statements discussed will depend on the available time:

1. Domestic work may be hard, but it does not demand skills, training or education.
2. If domestic workers are paid more, they won't find jobs.
3. Those who migrate should know what they're getting into and not expect protection from the authorities or others.
4. Domestic workers should be paid less than factory or office workers as their work does not require much skills or a high level of education/training.
5. Domestic workers, especially migrants, should be thankful that they can still find employment.
6. Domestic workers are difficult to organize.
7. Domestic workers are slow in understanding and following instructions.
8. Due to their lack of education, most domestic workers are ignorant, passive and resigned to their fate.
9. It is a myth that domestic workers are treated like family members.
10. Domestic workers do not need to be paid overtime as they have ample time to rest, in between chores, during the day.
11. Most employers are unaware that their domestic workers have rights under the law.
12. Domestic workers are paid to follow the orders of their employers and the family.
13. Women make the best domestic workers as they are 'natural' homebodies and carers.
14. Men take up domestic work when they find no other employment.
15. Domestic work is degrading.



Activity 1.5 The value of domestic work

Aim	To understand and recognize the value of domestic work
Duration	60 minutes



Material

- Flip charts.
- Markers.



Handouts

- Handout 1.4: The value of domestic work.
- Handout 1.5: Case studies: Changing mentalities and recognizing the value of domestic work.



Tasks

Step 1: Directions and group work (30 minutes)

1. Divide participants into small groups and ask each group to assign a facilitator and a reporter.
2. Ask the groups to discuss the contributions domestic workers make to:
 - a. their employers' families
 - b. their own families
 - c. the community and society
 - d. the economy and national development.
3. The reporter lists the contributions under a), b), c) and d).

Step 2: Discussions and summary (30 minutes)

4. Ask a few reporters to report on one of the contributions their group identified and give a brief explanation (five minutes maximum per reporter). Ask others to add points not raised earlier.
5. Summarize and fill gaps if necessary. It may be useful to cite examples, such as peace of mind and well-being of employer and his/her family, savings in medical care for elderly or remittances of migrant domestic workers. Recall key contributions from Handout 1.4.
6. Conclude with a statement on the value of domestic work and ask whether everyone agrees.



Activity 1.6 Promoting recognition and appreciation of the value of domestic work

Aim	To identify ways to promote recognition and appreciation of the value of domestic work
Duration	80 minutes



Materials

- A4 coloured papers – in three different colours – cut in half lengthwise.
- Masking tape.
- Prepare a flipchart with the reporting format, see Step 2.



Handouts

- Handout 1.4: The value of domestic work.
- Handout 1.5: Case studies: Changing mentalities and recognizing the value of domestic work.



Tasks

Option 1: Group work

Step 1: Directions and group work (45 minutes)

1. Divide participants into groups. Ask each group to appoint a facilitator and a reporter.
2. Distribute 12 half-sheets of each colour (e.g. four red, four blue and four yellow) to each group. Assign one colour to Priority/Issue 1 (e.g. red); a second colour to Priority/Issue 2 (e.g. blue), and the last, to Priority/Issue 3 (e.g. yellow).
3. Groups discuss and answer the following questions:
 - a. What are the three priorities/main issues to be addressed in promoting recognition, and appreciation of the value, of domestic work and decent work for domestic workers? Reporter writes one issue on the relevant coloured sheet (i.e. red for the first, blue for the second, and yellow for the third).
 - b. Suggest concrete, practical and realistic ways to meet these challenges (maximum three for each). Reporter writes one suggestion on each sheet, matching the colours of the suggestion and the issue (For example, both the issue and the suggestions for the first issue will be written on red sheets, etc.)

Step 2: Reporting and summary (35 minutes)

4. Each group reporter presents the sheets to plenary, giving an explanation, if required. Cluster the sheets on the board or wall according to themes/ideas.
5. Seek consensus on the three priorities/main issues to be addressed and on effective ways to tackle these issues.



Option 2: Group work

Step 1: Directions and group work (45 minutes)

1. Divide participants into groups. Group assigns facilitator and reporter.
2. Groups discuss and answer the following questions:
 - a. What are the three priorities/main issues to be addressed in promoting recognition, and appreciation of the value of domestic work and decent work for domestic workers?
 - b. Suggest **concrete, practical and realistic** ways to meet these challenges (maximum three for each).

Step 2: Reporting and summary (35 minutes)

3. Group reporter presents outcome of group discussion using following format::

Priorities/main issues:	What should be done:
1.	<ol style="list-style-type: none">1.2.3.
2.	<ol style="list-style-type: none">1.2.3.
3.	<ol style="list-style-type: none">1.2.3.

4. Sum-up: Seek consensus on the three priorities/main issues to be addressed and on effective ways to tackle these issues.



Tools



Tool 1.1 Sketching what we know about domestic workers: The national picture

	Yes	No	Don't know	Comments
1. Most domestic workers are women (give approximate percentage)				
2. There are no child domestic workers (below 15-16 years)				
3. Most domestic workers come from:				
· the provinces/rural areas				
· minorities				
· poor families				
· lower middle class families				
· middle class families				
· other countries				
4. Most domestic workers:				
· finished basic education				
· finished secondary education				
· have had some higher education				
5. Domestic workers live in the homes of their employers:				
National: · More than 50%				
· About 50%				
· Less than 50%				
Migrants: · More than 50%				
· About 50%				
· Less than 50%				
6. Domestic work is recognized as work like any other (e.g. factory work, office work, nursing, construction work, etc.)				
7. Domestic workers are covered by labour legislation				
8. Domestic workers have the right to organize / form or join associations and/or trade unions				
9. Most domestic workers are paid the minimum wage				
10. Most domestic workers have contracts:				
· written				
· verbal				
11. In general, domestic workers have:				
· reasonable working hours (8/day)				
· a day off per week				
· day offs during official holidays				
· an annual holiday				
12. Most domestic workers have:				
· health insurance				
· social security benefits				
· maternity protection				
13. Most migrant domestic workers in our country				
· have legal protection				
· have social security coverage				
· have same rights and benefits as national DWs				
14. Women from our country who emigrate work as domestic workers				
· the majority (of migrant women)				
· many				
· few				
15. Men from our country who emigrate work as domestic workers:				
· the majority (of migrant men)				
· many				
· few				



Tool 1.2 Sample survey questionnaire for domestic workers

Date:		Place:	
Trade union/Organization:			

I – Profile of domestic worker interviewed:										
Sex:	Female			Male						
Age:										
under 8	8-12	13-15	16-18	19-21	21-25	26-30	30-40	41-50	Over 60	
Residence (district and city):										
Place of Origin: Town/Province							Same as residence			
Duration of Employment:										
Under 1 year	1-2 years	3-5 years			6-8 years		Over 8 years			
Reason(s) for going into domestic work (check all that apply)										
In debt	Landless	Many dependents		Only job available		Friend/family found me a job		I like/wanted to do this work	Other	
Did you obtain your present job through an agency?									Yes	No
If yes, did you pay a fee?						How much?				
Did you receive any training?									Yes	No
If yes, by whom?		Agency	Government		Employer		Others (pls. specify)			

II – Working conditions									
What do you do?									
Cook	Shopping	Take care of children and/or elderly. How many?	Clean the house	Gardening	laundry	Drive the car	Bring children to /fetch them from school	Work in business of employers (pls. specify)	Others (pls. specify)
How many days a week do you work?									days
Do you have a room of your own?			Yes	No	Are your meals provided?		Yes	No	
Do you receive a wage?						Yes : go to a)		No : go to c	
a) If yes, how much?				Per day		Per week		Per month	
b) In addition, does your employer provide any of the following?					clothes/shoes Y/N		schooling (tuition, fees, transport) Y/N		
toiletries (soap, toothpaste, etc.) Y/N		payment for visits to doctor Y/N			hospitalization Y/N		others (pls. specify)		
c) If no, does your employer provide any of the following?					clothes/shoes Y/N		schooling (tuition, fees, transport) Y/N		
toiletries (soap, toothpaste, etc.) Y/N		payment for visits to doctor Y/N			hospitalization Y/N		others (pls. specify)		
How many hours a day do you work?		When do you start? Before 5 a.m. 5 to 6 a.m. after 7 a.m.				When do you finish? Before 6 p.m. 6 to 8 p.m. after 8 p.m.			
Do you get rest periods?		Yes	No	If yes, how long?		Less than 1 hour	2 hours	More	
Do you have a day off?		Yes	No	If yes, how often?		1 day a week	1 day every 2 weeks		
1 day every month		More (pls. specify)		Are you allowed to leave the house on your day off?					
Do you have any leave/holiday?			Yes	No	If yes, how many?				
Less than 15 days a year				More than 15 days a year					
Are you covered by the social security system (example: health insurance, pensions, maternity leave/pay, etc.)									
Do you have an agreement with your employer regarding your responsibilities and working conditions?					Yes	Verbal?		Written?	No

Did you receive any on-the-job training from your employer, for example, on the use of household appliances and cleaning products, cooking meals, child or elderly care?									
In general, do you feel you are treated well by your employer?								YES	NO
As a Domestic Worker, have you experienced any of the following?									
Verbal abuse	Y/N	Beating	Y/N	Late payment of wages	Y/N	Reduction / withdrawal of wages	Y/N	Sexual violence	Y/N
Forced to work when sick	Y/N	Not allowed to take day off/ holidays	Y/N	Work-related injuries/ diseases	Y/N	Not allowed to observe religious practice	Y/N		
If yes, did you discuss it with somebody?				Yes				No	
Are you a member of any association?				Yes		No		If Yes, which one:	

III – Information on employer’s household						
Is your employer a relative?				Yes	No	
Are you living with your employer?				Yes	No	
Are there other Domestic Workers in the household?			Yes	No	If yes, how many?	
Household Grade:			Very rich	Rich	Average	Poor

IV – Your future			
Do you wish to continue working as a domestic worker?		Yes	No
a – If yes, how long?	Reason:		
b – If no, What are you going to do after that?			

V – General	
What are the three problems/issues which concern you most?	
1.
2.
3.

Source:

Adapted from ILO survey questionnaire on the working and living conditions of domestic workers in Siem Reap Province, Cambodia, 2009.



HANDOUT 1.1 Domestic work: Work like any other, work like no other

Domestic work is work performed in or for a household or households: it can include cleaning, cooking, washing and ironing clothes, taking care of children, elderly, or persons with disabilities, driving, guarding the home or gardening.

Defining domestic work

Article 1 of ILO Domestic Workers Convention, 2011 (No.189) gives the following definitions:

“For the purpose of this Convention:

- a) the term **“domestic work”** means work performed in or for a household or households;
- b) the term **“domestic worker”** means any person engaged in domestic work within an employment relationship;
- c) a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.”

Source: ILO. 2011. Available at: <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C189> [1 Sep. 2011].

Invisible work

However, paid domestic work is often invisible. It is carried out in private homes which are not usually seen as workplaces, and it is carried out for the benefit of private citizens who are not used to being regarded as employers (although, in the case of domestic work, that is what they are). As a result, domestic workers often lack legal and social protections, either because there are no laws regarding domestic work, or because laws that do cover domestic work are not followed. Quite frequently, the law does not regard domestic workers as workers and, when they are referred to at all, it is to exclude them completely from the scope or grant them lower levels of protection than those accorded to other categories of workers.

Because paid domestic work occurs in private homes, they are often invisible in national data collection efforts and statistical reports on workers. As a result, we have very few facts and figures on the work of domestic workers.

Poor working and living conditions

On the basis of existing national studies, media reports, reports from domestic workers', migrants', trade union and other organizations, we do know that many domestic workers work in very poor working conditions. Most of them do not have employment contracts with their employers. Many work very long working hours with very low pay, no overtime compensation, late or underpayment of wages, unauthorized salary deductions, inadequate privacy, and the threat of sexual harassment, maltreatment and abuse.

There are cases where domestic work amounts to forced and indentured labour or slavery. When domestic workers are young, their employment may often involve exploitation, especially if they cannot go to school. Many children work in what is known as the worst forms of child labour and may be victims of human trafficking.

Domestic workers – whether employed in their own or another country – usually have limited bargaining power, are unable to access social services and often cannot complain about abusive conditions. Migrant domestic workers are doubly victimized, suffering not only from the poor conditions often associated with domestic work, but also from the irregularity of their work status and the unsympathetic attitudes of authorities and the public towards migrant workers.

Discrimination: a central feature

Domestic workers often suffer discrimination. Most domestic workers are women and suffer discrimination on the grounds of their sex and associated gender roles assigned to women in society. Domestic work is one of the most important employment opportunities for many women in many countries. In most societies, cleaning, cooking and taking care of the well-being of family members have long been seen as women's work. The skills involved are often seen as 'innate' or 'natural'. When paid, therefore, the work remains undervalued and poorly regulated. Discrimination based on sex also plays an important role in the exploitation and abuse suffered by many female domestic workers, who are expected to be available any time and to work long hours, as they are 'part of the family'. Moreover, traditional attitudes and prejudices about women as subordinates also contribute to widespread practices of coercion and violence.

Many domestic workers suffer discrimination on grounds such as race, religion, social and/or national origin. Many come from historically disadvantaged and despised communities such as minority ethnic groups, indigenous peoples, low-caste, low-income rural and urban groups, or are migrants. In Guatemala, for example, 70 per cent of domestic workers are indigenous. They report they are frequently insulted by their employers who refer to their ethnicity using terms like 'Indian mule', 'stupid', 'dirty Indian', etc. In India, caste is important in determining who is engaged and in what type of domestic work.

Discrimination and xenophobia against international migrants are also very serious concerns. In some countries the concept of a foreign domestic worker also carries with it a racial, gendered stigma, since women of certain nationalities predominate in domestic service - work that is frequently perceived by the host community as servile and degrading.

Finally, age and class discrimination also affect who is in domestic work and how they are treated. In many countries, thousands of children are doing domestic work in private homes. There are also many older women who face few opportunities for employment in other sectors. Poverty and class also matter: It is the poor who are most likely to leave their own homes to work in other people's houses.

The systematic discrimination of domestic workers

The industry of hiring domestic workers is fed by a system of discrimination. It is this system that is entrenched in the domestic workers' own culture and societies. Many domestic workers who initiate action against their employers give up because they do not receive the support from family members or from the community, who usually advise them to "know their place" - "their place" being determined by their race, religion, sex, caste and economic status.

Source: Committee of Asian Women (CAW). 2009. *Organizing for a better future - Manual for domestic workers* (Bangkok).

The many aspects of disadvantage and vulnerability are part and parcel of domestic work. Discrimination affects domestic work in multiple ways:

- Who tends to work in domestic work.
- How their work is valued and compensated.
- The power and capacity they have to exercise their rights and change and improve domestic work in their communities.

Abuse and Exploitation

Employees of private households are subjected to abuse and exploitation worldwide. Domestic workers may be subject to psychological abuse, in the form of harsh insults, threats and belittlement combined with excessive demands for work. They may be isolated; live-in domestic workers are particularly vulnerable to extreme restrictions on their freedom of movement. As national or international migrants, this problem is made worse by unfamiliarity with their new communities, language differences and lack of social networks. The identity papers of migrant domestic workers can be held by the employer as a guarantee against premature departure of the worker and can be used to justify restricting the worker's movement because without these papers, they risk arrest and deportation if found by the police. For migrant women, threats of deportation present the terrifying prospect of never being able to repay the debts they have incurred to migrate.

Domestic workers are probably the workers most exposed to sexual harassment and rape. The social stigma attached to these crimes and the financial pressure to remain in the job, no matter what, prevent domestic workers from filing complaints against members of the family. In fact, abuse and violence constitute the second most frequent cause of resignations (after inadequate remuneration). Furthermore, the domestic workers' tendency not to report physical and verbal abuse out of shame and fear perpetuates such practices. Anecdotal evidence seems to suggest that most incidents of verbal and physical abuse are not treated as violence which necessitates action, but only as an occupational hazard. To make matters worse, victims of abuse and violence who dare speak out are subjected to counter-accusations of theft, adultery or fornication.

The power to change...

However, change comes from power. Power comes from organization. And domestic workers can and are organizing. Examples abound of domestic workers taking control of their lives and getting together for mutual support and collective action (see Module 3). Over the last years, this shift from the vulnerability and victim approach to one which fully recognizes domestic work as work and claims respect and dignity for domestic workers

has proved effective in empowering them to move towards their goal of achieving decent work for domestic workers. This manual provides tools and information to assist domestic workers in advocating and claiming their rights.

Indonesia: A litany of abuse

The National Network for Domestic Workers Advocacy (Jala PRT) in Indonesia recorded 412 cases of domestic worker abuse between 2000 and 2007. Domestic workers protested in the streets when a child domestic worker died at the age of 14 from fatal abuse. In 2007, two maids from Lampung, working for a family in East Jakarta were beaten, scalded with hot water and locked in a cabinet for drinking the employer's milk. That year, an employer in Bengkulu abused a 13-year old domestic worker, by placing a hot iron on her skin. In 2008, a housewife with a history of mental illness allegedly beat her maid to death in West Jakarta.

Source: S. Grumiau. 2007. "The realities of domestic work – Abused, humiliated, exploited", in *Decent work for domestic workers*, Labour Education 2007/3-4, (Geneva, ILO Bureau for Workers' Activities (ACTRAV)).



Sources for further reading:

Godoy, O. 2002. *Trabajo infantil domestico: Una evaluacion rapida*, Investigating the worst forms of child labour, No. 29 (Geneva, ILO International Programme on the Elimination of Child Labour (IPEC)).

Human Rights Watch (HRW). 2009. *Swept under the rug: Abuses against domestic workers around the world* (New York).

International Labour Organization (ILO). 2011. *Domestic Workers Convention, 2011 (No. 189) and Recommendation (No. 210)*. (Geneva, ILO). Available at: <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C189> [1. Sep. 2011].

ILO. 2010. *Report IV (1): Decent work for domestic workers*, International Labour Conference, 99th Session, Geneva, 2010 (Geneva).

ILO. 2008. *Decent work for domestic workers* (Geneva, Bureau of Workers' Activities (ACTRAV)).

Mather, C. 2006. *Out of the shadows*, Report of the Conference on Organizing and Protecting Domestic Workers in Europe: The Role of Trade Unions, Brussels, April 2005 (Brussels, European Trade Union Confederation).

Mather, C. 2008. *Respect and rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, International Restructuring Education Network Europe (IRENE) and International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)).



HANDOUT 1.2 Domestic workers: A brief overview

Estimating the numbers

It is hard to know exactly how many domestic workers there are around the world. There is a lack of accurate and comparable data because domestic work is often undeclared or under-reported, and because there are different definitions of domestic work in statistical surveys and/or domestic workers are not counted as a distinct category but are registered under headings such as “community, social and personal service activities”.

However, recent numbers based on national surveys and censuses in 117 countries estimate there are at least 52.6 million domestic workers around the world. This number represents a significant share of global wage employment--about 3.6 per cent. However, because this kind of work is often hidden and unregistered, the ILO considers that the total number of domestic workers may be as high as 100 million. Around 83 per cent of these workers are women or girls, and many are migrant workers.

Domestic workers around the world: Some facts and figures

Domestic work is an important source of wage employment for women, accounting for 7.5 per cent of women employees worldwide. The two regions with the largest number of domestic workers are Asia and Latin America/the Caribbean.

Asia: At least 21.5 million domestic workers:

- 41 Per cent of domestic workers worldwide.
- 9.4 Million in China (tentative estimate).
- 2.6 Million in Indonesia working in around 2.5 million households.
- 11 Per cent of the female labour force in the Philippines.

Latin America and the Caribbean: Around 19.6 million:

- 37.3 Per cent of domestic workers worldwide.
- Domestic work accounts for more than a quarter (26.6 per cent) of female wage employment in this region.

Africa: Around 5.2 million:

- 16 Per cent of female labour force in South Africa.
- 11 Per cent of the female labour force in Botswana.
- 12 Per cent of the female labour force in Namibia.

Developed countries: Around 3.6 million:

- In France, more than 50 per cent of migrant women are employed in domestic work.
- In Italy, some 600,000 people are registered as domestic workers; most are women non-EU nationals. About 600,000 more are undocumented, for an estimated total of 1.2 million domestic workers.

The Middle East: Around 2.1 million:

- Domestic workers are almost one-third of female wage workers in this region.
- Approximately 1.5 million in Saudi Arabia (primarily migrant women). Eastern Europe and the CIS countries: 595,000 domestic workers.

Sources:

ILO. 2010. *Domestic work policy brief 4: Global and regional estimates on domestic workers* (Geneva).

ILO. LABORSTA, *Database of labour statistics*. Available at: http://laborsta.ilo.org/data_topic_E.html [4 Jan. 2011].

ILO. 2010. *Recognizing domestic work as work*, ILO Jakarta Newsletter, Special edition on domestic workers (Jakarta).

WIEGO. *Factsheet domestic workers*. Available at: http://www.wiego.org/publications/FactSheets/WIEGO_Domestic_Workers.pdf [4 Jan. 2011].

Asia In Asia and the Pacific, it is believed that domestic workers account for as much as 2.5 per cent of total employment in developed countries, and as much as 10 per cent in some developing countries. In China the number of domestic workers is estimated to be around 9.4 million. A recent study by the Chinese Ministry of Labour and Social Security in four cities found that the need to use the services of domestic workers has increased by 40 per cent. In India, a national study put the number of domestic workers in 2004–05 at more than 4.7 million. The Philippine Bureau of Labour and Employment Statistics reported in 2011 that there were 1.9 million workers, aged 15 and over, employed in private households, of whom 85 per cent are women and about 30 per cent are live-ins. There are reportedly 700,000 domestic workers in Thailand. In Indonesia, the National Economic Census in 2002 estimated there were 2.6 million domestic workers, but the number has risen since.

Europe According to the European Trade Union Confederation (ETUC), there is a growing demand for domestic workers. 80 million of Europe's 450 million people are elderly, with almost 50 million of them unable to take care of themselves and retirement homes unable to provide enough places. The number of places in crèches and health care centers for children is insufficient, and many workers have to hire somebody to take care of their children between the end of the school day and the end of the working day. At the same time, less family support is available, as divorce and separation rates increase (which mean more single people and one-parent families) and households containing several generations decrease. Other regions in the world have similar patterns, notably in the emerging economies.

A study by the Dutch trade union confederation CNV estimates that some 240,000 domestic workers are illegally employed in the Netherlands. In France, the CFDT labour confederation reported that in 2006, 1.5 million people were working in what France calls the "sector of services to the person", which groups three types of work: services to families (child-minding, help with school work etc.), services for everyday life (gardening, house cleaning etc.) and services to senior citizens and people with disabilities. In Switzerland, at the end of 2007, the UNIA trade union put the number of full-time jobs in the sector at about 125,000; more than 90 per cent

of these are held by women, mostly migrants.

Latin America Domestic work is the job most frequently performed by women in Latin America and 12 million of them are involved. A 2009 study by UNIFEM's Women's Economic Agenda (AGEM) Program estimated that 850,000 women in Central America were employed as domestic workers and that their income contributed to the support of more than three million people. It has been estimated that 20 per cent of Central American households employ domestic workers. In Peru, there are 454,626 known domestic workers, of whom 94.4 per cent are women. In the USA, 58 per cent of workers in personal and related services (including domestic) in 2000 were immigrants from Latin America.

North America According to Domestic Workers United (DWU), there are 200,000 domestic workers in New York City and an estimated 600,000 in New York State.

Africa There are roughly 5.2 million domestic workers in Africa, with about 1 million domestic workers in South Africa alone where domestic workers comprise about 16 per cent of the female labour force. Domestic workers make up 11 per cent of the female labour force in Botswana and 12 per cent of the female labour force in Namibia.

Child domestic workers

The term "child domestic work" refers to domestic tasks performed by children (persons below 18 years) in the home of a third party or employer. Throughout the world, thousands of children are working as domestic helpers, performing tasks such as cleaning, ironing, cooking, minding children and gardening. In many countries, child domestic work is socially and culturally accepted, and can even be regarded positively as a protected and non-stigmatized type of work that is preferred to other forms of work, especially for girls.

Given its hidden nature, it is impossible to have reliable figures that show the extent of child domestic work. However, the latest data by the ILO's Statistical Information and Monitoring Programme on Child Labour (SIMPOC) show that at least 15.5 million children (age 5 to 17) were working as domestic workers worldwide in 2008. This represents almost five per cent of all

economically active children in this age group. A little more than half of them fall within the age group 15-17 years, while the rest, or 7.4 million, are 5-14 years old. The number of girls in domestic work far outnumbers that of boys. Asia, Africa and Latin America are the regions most affected by this problem.

Child domestic workers face a number of hazards, which is why child domestic labour is be considered to be one of the worst forms of child labour. Some of the most common risks children face in domestic service include long and tiring working days; use of toxic chemicals; carrying heavy loads; handling dangerous items, such as knives, axes and hot pans; insufficient or inadequate food and accommodation, and humiliating or degrading treatment, including physical and verbal violence, and sexual abuse.

Children in this work also lack fundamental rights such as access to education and health care, the right to rest, leisure, play and recreation and the right to be cared for and to have regular contact with their parents and peers. These factors can have an irreversible physical, psychological and moral impact on the development, health and well-being of the child.¹

Migrant domestic workers

Many domestic workers migrate for work. This migration takes two main forms: rural to urban, and from their home countries to a receiving foreign country. Whether domestic workers migrate within their own country, or travel abroad, migrant domestic workers find themselves in a foreign environment, away from their families and adjusting to new languages, food and cultures. Migrants are often live-in domestic workers and are thus most vulnerable to physical and sexual abuse, excessively long working hours, and deprivation. Despite these problems, poor women continue to migrate to cities and foreign countries as a way to supplement their families' meager incomes.

One of the most striking changes in domestic work in the past 30 years has been the growth of international migration of domestic workers. In several regions, including Europe, the Gulf countries and the Middle East, the majority of domestic workers today are migrant women from other countries. It is difficult to estimate the number of migrant domestic workers worldwide because many countries lack

Migrant domestic workers in India

"Migration from rural areas to big cities typically occurs due to debt bondage, poverty, sudden death in the family, rural and male unemployment. The glamour of city life acts as a further "pull" factor inducing young girls and women to migrate. Working in cities is seen as a solution to poverty and villagers are unaware of the difficult working conditions and poor remuneration of domestic workers.

Additionally, a large number of domestic workers come from areas which have been subjected to natural disasters and man-made crisis situations (such as insurgency) and as such are from displaced communities".

Source: "National Domestic Workers' Movement, India", in Committee for Asian Women (CAW). 2009. *Manual for domestic workers: Organizing for a better future* (Bangkok).

any national statistics in this field, and because of the clandestine nature of part of this sector. Currently, women make up half of the approximately 200 million migrants worldwide; of these many are domestic workers. Several countries across the Middle East and Asia host significant numbers of migrant domestic workers, ranging from 300,000 in Malaysia (mostly from Indonesia), 196,000 in Singapore (where one in seven households employs a live-in migrant domestic worker), 200,000 in Lebanon, approximately 660,000 in Kuwait, and 1.5 million in Saudi Arabia.

Migrant domestic work is an important source of employment for women from Indonesia, Sri Lanka, the Philippines, Nepal, India, and Ethiopia. Migrant domestic workers' earnings constitute a significant proportion of the billions of dollars of remittances sent to these countries each year.

The plight of international migrant domestic workers

Kuwait. In 2009, embassies in Kuwait received more than 10,000 complaints from domestic workers about unpaid wages, long working hours and physical, sexual and psychological abuse. The problems in Kuwait, including a lack of legal protection, are hardly unusual or even regional. But human rights groups say the potential for mistreatment is acute in several countries in the Middle East, especially those with large numbers of migrant workers who rely on a sponsorship system that makes employers responsible for the welfare of their workers. Lawmakers have been discussing new provisions to protect the workers, including building a large shelter and passing a law that would require employers to deposit salaries directly in bank accounts, but they have yet to act.

The United States. The situations of many domestic workers amount to human trafficking. These individuals are brought to work for their employers under false promises of high pay and pleasant working conditions. When the employers fail to honor their agreements, fear or coercion can enslave domestic workers in abusive jobs. Even when workers are not restrained from leaving, leaving abusive situations may be difficult for migrant workers who are unfamiliar with U.S. laws, culture and sometimes language, and who lack local support networks. Without information about available resources, the workers are trapped.

Sources:

Kuwait: Fahim, K. 2010. "Immigrant maids flee lives of abuse in Kuwait", in *New York Times*, 2 August 2010. Available at: <http://www.nytimes.com> [7 July 2011].

United States: "Domestic workers' rights in the United States", A report prepared for the UN Human Rights Committee in response to the Second and Third Periodic Report of the United States, submitted by various organizations and individuals, 2006. Available at: <http://www.law.unc.edu/documents/clinicalprograms/domesticworkersreport.pdf> [8 Sep. 2011].

How to get more information about domestic workers and their work

National advocacy and campaign work on domestic workers requires accurate information about the extent and reality of domestic work in the country. Calling for urgent changes in labour legislation to recognize domestic work as work and for fair and equal treatment of domestic workers requires facts and figures that will convince legislators, authorities, employers and the general public to act. It is not enough to say that there are "thousands of domestic workers" or that "domestic workers are underpaid, undervalued and exploited".

Unfortunately, facts and figures on domestic work and domestic workers are hard to come by in most countries. Some research has been undertaken during the last years – due to the standard-setting discussions at the International Labour Organization (ILO) – but much still needs to be done to collect information at the national level.

Domestic workers' organizations, trade unions and civil society organizations can address the lack of data and information by seeking support and assistance from government agencies, such as national ministries of labour, statistics bureaus, local authorities, research institutes and academia.

They can also undertake their own surveys and collect information from their contacts in the community. An example is the survey questionnaire developed by the ILO and the trade unions in Cambodia (see Tool 1.2 and the box on the next page).



Taking action: Finding out from domestic workers in Cambodia

The trade union movement and non-governmental organizations in Cambodia conducted a research study in 2009 together with the ILO on the working and living conditions of domestic workers in the three main urban areas of the country. The study collected information on domestic workers' characteristics, living and working conditions in order to raise awareness about domestic work and promote decent work for domestic workers.

Survey teams in two of the urban areas used the questionnaires (see Tool 1.2), trained enumerators, and collected data on 500 domestic workers. The third survey used a qualitative approach to collect information from five community informants and 50 domestic workers on their working and living conditions.

Source: ILO. 2010. *Study on working and living conditions of domestic workers in Cambodia* (Phnom Penh and Bangkok).



Sources for further reading:

Bureau of Labour and Employment, Philippines. 2011. *Profile of persons employed in private households*, Labstat Updates (Manila). Available at: http://www.bles.dole.gov.ph/ARCHIVES/LABSTAT%20UPDATES/issues%5Cvol15_27.pdf [19 Feb.2012].

Grumiau, S. 2007. "How many of them are there?" in *Decent work for domestic workers*, Labour Education 2007/3-4, No.148-149 (Geneva, ILO Bureau for Workers' Activities (ACTRAV)).

Human Rights Watch. 2010. *Slow reform: Protection of migrant domestic workers in Asia and the Middle East* (New York).

International Labour Organization (ILO). 2010. *Domestic work policy brief 3: Measuring the economic and social value of domestic work* (Geneva, ILO Conditions of Work and Employment Program). Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_156071.pdf [19 Feb.2012].

ILO. 2010. *Domestic work policy brief 4: Global and regional estimates on domestic workers* (Geneva, ILO Conditions of Work and Employment Program). Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_155951.pdf [19 Feb.2012].

ILO. 2010. *Domestic work policy brief 5: Coverage of domestic workers by key working conditions law* (Geneva, ILO Conditions of Work and Employment Program). Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_157509.pdf [19 Feb.2012].

Mather, C. 2006. *Out of the shadows*, Report of the Conference on Organizing and Protecting Domestic Workers in Europe: The Role of Trade Unions, Brussels, April 2005 (Brussels, European Trade Union Confederation (ETUC)).

Mather, C. 2008. *Respect and rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF).

Panam, A.; Khaing Mar Kyaw Zaw; Caouette, T.; Punpuing, S. 2004. *Migrant domestic workers: From Burma to Thailand* (Thailand, Institute for Population and Social Research (Mahidol University)).

United Nations Fund for Women (UNIFEM). 2006. *Cambodian women migrant workers: Findings from a migration mapping study* (Phnom Penh).

Women in Informal Employment: Globalizing and Organizing (WIEGO). *Informal workers in focus: Domestic Workers*. Available at: http://wiego.org/sites/wiego.org/files/resources/files/WIEGO_Domestic_Workers_0.pdf [19 Feb.2012].



When will we be seen and heard? “My name is Judiben Sahyabhai Solanki. I am 65 years old. How I became a domestic worker is a long story. My life has been full of struggle since the beginning.

My father worked in the textile mills in Ahmedabad; he earned Rs. 9 per day. There were five of us: my parents, a brother, a sister and myself. We could not survive in the city, so we went to live in the village. My mother used to work in the farm and received as payment rice and wheat. When I was six years old, she died. I studied until 6th grade and got married when I was 14. My husband was a postman, earning Rs. 60 (US\$ 1.30) per month. I worked in the textile mill, earning Rs. 5 (US\$0.11) per day. When the mills closed, I lost my job. I received no retrenchment pay. I had no other skills, so I became a domestic worker, and continue to be one.

My husband died at 48 years old, leaving me with one daughter and two sons to support. I started to work in five houses. At present, I am getting Rs. 200 (US\$4.25) per month per house and can earn up to Rs. 1,500 (US\$ 32) per month, depending on the number of houses I cover. I walk to the different houses and work, on average, six hours per day. I clean, wash clothes and utensils, etc. I am so old I get chronic back ache, pain in the hands and legs. I pay for my medical expenses.

Today, at my age, I continue to work. If I don't, how can I survive? I will not get a pension, so I can sit and relax. But who is there to listen to my woes? When will workers like me be seen and heard?”²

It isn't true that we are part of the family. “After finishing my primary school studies at 14, I had to make a living. I had no alternative but to leave for Mexico City, an eight-hour journey by road from my home. I dreamt of being able to study, but my only alternative to living on the streets was to work as a live-in domestic in a family home. I had to look after the children and do the housework. I worked every day from six in the morning until nine at night, with one day off every two weeks. As is often the case with domestic work, the list of tasks was endless! It's very hard to take on such responsibilities at that age; you have to put your own childhood to one side. It was when trying to find out how I could study, in spite of my situation, that I came into contact with a group of women activists and became involved in the cause.

Today, I fight for women who find themselves in the same situation as I did when I first reached Mexico City. The fact that I really understand their predicament helps me to advise them at the psychological and legal level, and about the training options available to them. The employers tell us we are part of the family, but it isn't true. We usually have to live in a storeroom, a room where all the members of the household come and go as they please. We have access to the whole house, but it is not ours. We can go into the living room to clean it, but not to sit in it....”³

Domestic workers dare not speak out. “I became a domestic worker at the age of 14; I am now 59. It's a hard job, especially when you have no experience. Some employers flood you with work, without thinking. We wonder if they are trying to kill us! You're employed in a big house, for instance, and you know by experience that two domestic workers are needed to look after it, but the employer refuses to take on another person. Then there's the contemptuous attitude towards the worker. In South Africa, employers give you nothing and do nothing for themselves....they don't wash anything, they always depend on the domestic worker and if you complain they reply that they are paying you so you have to do as they say. It's really too much sometimes. I, personally, am allowed to plan my week myself, but not all domestic workers have the right to do this. It is sad to hear about the situations others have to cope with, especially when they are not aware of their rights. Employers do not call women they employ “domestic workers”; they still call them “maids”, or something else, and some of them work like slaves.



A domestic worker at a news conference in support of Janet Gonzalez who filed a lawsuit against her employers in Maryland (USA) for non-payment of wages.

Many domestic workers dare not speak out. On May Day, no one in South Africa has to work, but many domestic workers are not given leave. Sometimes I ask myself when will they finally find the courage to “educate” their employers, to give them a tap on the shoulder for instance, and tell them: “Today is a holiday”. I tell our members that no one will help them if they don’t make an effort themselves, that their employers will never know they have a problem if they don’t tell them about it.”⁴

I’d have liked to become a teacher. “When I was 12, I left school to take up domestic work – seven days a week, from 7 a.m. to 10 p.m., without any breaks. I was earning 15,000 shillings (US\$11) a month. I slept on a mattress in my employer’s living room. I wasn’t allowed to eat the same food as the family. They were a couple with three children. The wife was always hitting me and insulting me. The worst jobs were washing the clothes, fetching water and cleaning the toilets. When the people from CHODAWU (Conservation, Hotels, Domestic and Allied Workers’ Union) met me in 2008, I hadn’t been paid for three months. I took courses in sewing at one of the CHODAWU centers until December 2009. Since then I’ve been doing odd jobs at the house of a neighbor who’s got a sewing machine – that way I can keep my hand in. If I can’t find a proper job in this field, I’ll go back to domestic work – I’ve no choice, I’m the eldest of four brothers and sisters and my mother’s on her own. If I’d been able to carry on my studies, I’d have liked to become a teacher.”⁵

I do all the housework and have never received a wage. “I started working as a domestic at the age of seven, in the district of Jhapa, to replace my mother after she had to go back to our village to take care of my five brothers and sisters when my father died. I received no pay. I was working to pay back the money the employer had lent for my father’s funeral. It was a very hard job for someone of my age: I had to do the cooking, the washing, collect the wood, etc. On top of that, I was often beaten by my employer. I ended up running away and going back home.

Shortly after my return, my mother heard about a woman from our village that had married someone in Kathmandu and was looking for a domestic worker. She placed me with the woman, who I went to work for at the age of nine. I am still with her now. During the first few months, I slept in the kitchen; then I was allowed to share the room with my employer’s daughter. I do all the housework and have never received a wage. No pay had been agreed on before my departure. On occasions, when I visit my family, my employer pays the bus fare. I have only received money on four or five occasions since I’ve been working there, sums of between 1,000 to 5,000 rupees (14 to 70 USD) to buy sandals or a few other items. I also occasionally receive clothes that used to belong to my employer’s daughter, who is more or less the same age as me.

She says that because I receive board and lodging, I have no right to anything else.

After working for two years in Kathmandu, I met up with members of CWISH, a non-governmental organization. I told them that I would like to go to school and they convinced my employer to let me attend informal bridging classes. Nine months later, I was able to enroll in the fourth year of primary school. CWISH gave me the school materials. I would get up at 5 a.m. and work for an hour, and then I would go to school until 10.30 and would then work for my employer until 10 or 11 at night. I was able to keep up with my schooling in this way until the end of secondary education.”⁶

I would like to have the same rights as other workers. “My name is Po Bo. I am 25 years old and I am from Burma. When I was 17, I left for Thailand, to look for a job to support my parents. At that time, I was studying at the university first year majoring in Geography. I started working as a domestic worker as soon as I arrived in Thailand and I had many expectations: opportunity to learn Thai and English, fair income and safe social environment, which I think is really important for young girl like me. When I started, my salary was 3,000 baht (US\$ 93) per month. I worked for Thai families and foreign families as well. Usually I live with my employer’s family.

Domestic work is hard work and requires a lot of capacities: my day-to-day duties include cleaning house, washing dishes, cooking, doing laundry, ironing, and baby-sitting. Baby-sitting is quite a challenging job for me. At the beginning I had to face many difficulties: homesickness, language barrier, lack of required job skills. We are also exposed to unsafe working conditions. I will never forget the time when I was requested to stand on the very narrow veranda of a 17-story building to clean the outside window without any protection: this was a really dangerous and scary experience for me. I am not the only one in such a difficult situation. My friends also had more or less similar experiences. On one occasion my niece’s employer attempted to rape her; fortunately, she managed to protect herself.

My working hours are from 10 am until 11 pm, totaling about 13 hours. Quite often, I have to work even more than 13 hours. Those extended working hours were never counted for extra pay. I do not have any holiday and I do not have a written contract: there is just a verbal agreement between me and my employer. Once, when I tried to quit the job, my employer accused me of stealing their belongings. He said he would call the police to arrest me or call the lawyer to sue me.

My present employer kindly allows me Sunday off for study. Now I am earning 12,000 baht (US\$ 373) per month but I have to cover other expenses such as medications and employment registration fees. Many people think domestic workers do not have any right to ask for benefits such as day-off, holidays, health care. I would like to have the same rights as other categories of workers and I think domestic workers rights should be protected by the law.”⁷



HANDOUT 1.4 The value of domestic work

Domestic work provides enormous economic and social value ...

Domestic work makes huge contributions to our society. The demand for care work has increased all over the world. Families everywhere are facing challenges meeting the basic needs of their members. Women, who used to take on the bulk of care work in the home, have joined the formal labour market in larger numbers; migration has split families from their networks of support, multi-generational families are on the decline, and single-parent headed households are on the rise. Ageing and health epidemics like HIV/AIDS have increased the care demands on families. These, and many other factors, are making it more difficult for households to meet the basic needs of their families. At the same time, most countries have not adopted the work-family policy measures that can assist families - measures such as leave and family friendly hours, or public services such as childcare, elder services and health services.

As a result, families have increasingly turned to domestic workers to help them meet basic household needs. Today, domestic workers make up a large portion of the workforce, especially in developing countries, and their number has been increasing everywhere.

Domestic work provides economic and social value to individual households and society alike:

- It plays an essential role in securing the maintenance and functioning of households and the well-being of its members.
- It enables household members to enter and remain in the labour market.
- It stimulates consumption and consequently contributes to economic growth by generating income for the domestic worker and her or his family.

...but is held in low esteem

Despite the great value of domestic work, it is generally held in low esteem and is badly paid, even when it is not seen as downright degrading. How did such physically hard and socially useful work acquire this bad image?

One explanation may be that it is associated in people's minds with the unpaid work performed by mothers and "housewives" – work that they perform throughout the day in their own homes in the form of housework and caring for other household members.

The value of domestic work

"Recognizing the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability, and substantial income transfers within and between countries..."
(ILO Convention No. 189: Preamble)

"Your loving nanny, your hardworking housekeeper, your elderly father's caregiver, the women you see every week in the grocery store and at the playground: these people make it possible for you to go to work and support your own family, or just to cope with the crush of family responsibilities. They deserve the right and the ability to provide for themselves and their loved ones."

Source: Williams, T. 2009. "In 2010, let's treat our domestic workers better," in *Common dreams* (USA, 21 Dec.2009). Available at: www.commondreams.org/view/2009/12/21-5 [16 July 2010].

Servants and masters

The Malaysian Employment Act of 1955 is the key labour law in the country for all workers. Domestic Workers are referred to as “Domestic servant” in the Act which excludes them from enjoying rights guaranteed to all other workers. This concept of servant and its continued acceptance comes from how housework has been defined, understood and unrecognized. ...Maintaining the word “servant” creates a relationship of servant and master who has full control over the domestic worker and not one of employer and employee.

Source: Coordination of Action Research on AIDS and Mobility (CARAM)/ASIA. 2011. *Reality check! Rights and legislation for migrant domestic workers across Asia* (Kuala Lumpur).

Gender-based discrimination and traditional views such as “Women are the ones who do the housework and since it’s “simple” work there is no need to ask for higher pay” are so deeply entrenched in most societies that it would be difficult to sweep them away (see section on ‘Discrimination’ in Handout 1.1). Public awareness-raising campaigns on the invaluable contributions of domestic workers to families and society, and programs that give them confidence and empower them to have control over their own lives are necessary to bring about change.

The low regard for domestic work is also related in part to the fact that domestic workers often come from historically disadvantaged and despised communities such as minority ethnic groups, indigenous peoples, low-caste, low-income rural and urban groups. In fact, domestic work is often one of the few employment opportunities open to women from these communities. Many are also migrants, either within their own countries or internationally, and are thus subject to prejudices that turn them into “second-class citizens” or, even worse, deny them any citizenship at all (see ‘Discrimination’ in Handout 1.1).

And because more privileged groups in society benefit from the low value placed on domestic work, they may resist trying to promote the rights and dignity of domestic workers. As Alfred Angula, a leader of the Namibia Domestic and Allied Workers’ Union (NDAWU), explains: “Domestic workers perform huge, remarkable tasks but they’re not recognized for their true value due to general selfishness. Children’s upbringing is a case in point. The children were so well looked after that they later became the ministers, teachers and other intellectuals of today. If you ask these intellectuals who raised them when they were little, they’ll tell you it was the domestic workers. Same for the legislators. Who looks after their homes when they’re drawing up laws? The domestic workers. But what laws do they come up with to protect these workers? There may be a conflict of interests here. If I’m a legislator and I’ve got somebody working back at my home, am I going to make a law to protect that person?”

“There is much that we in the trade unions can do to raise awareness, not least among our own members. After all, many trade unionists are also employers of domestic workers. We should get across the argument that “what you ask from your employer, you should give to your employee.”

Source: “P. Kamalam, Equality Director (ITUC)” in Mather, C. 2008. *Respect and rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF).

When domestic workers themselves organize, they can be powerful advocates for raising awareness of the contributions of domestic work and promoting decent work for domestic workers. Module 3 provides tools for doing just this.



Sources for further reading:

Committee for Asian Women (CAW). 2009. *Manual for domestic workers: Organizing for a better future* (Bangkok).

International Labour Organization (ILO). 2011. *Domestic work policy brief 1: Remuneration in domestic work* (Geneva, ILO Conditions of Work and Employment Program). Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_155654.pdf [5 Sep. 2011].

ILO. 2007. *Decent work for domestic workers*, Labour Education 2007/3-4. No. 148-140 (Geneva, Bureau for Workers’ Activities (ACTRAV)).



HANDOUT 1.5

Case studies: Changing mentalities and recognizing the value of domestic work

Domestic work is generally undervalued and often even viewed with disdain. Trade unions can work towards changing society's image of domestic workers and give them renewed dignity and confidence. "It is important to involve domestic workers in campaigns to raise public awareness, to make their work visible to all, to give them a sense of purpose in defending their rights," says Marcelina Bautista, General Secretary of CONLACHTRAHO, Latin American network of domestic workers' organizations.

Senegal. The National Confederation of Senegalese Workers (CNTS) began organizing domestic workers as part of its campaign to organize women in the informal economy. Changing mentalities within unions themselves is also a key objective, as many members are also potential employers of domestic workers. Greater respect can be developed for domestic workers by involving them in as many trade union activities as possible.

"After having marched alongside female domestic workers on 1 May and 7 October, women from the formal sector say that they will change their attitudes. On the way home from the march, one woman said to me, 'My maid will no longer sleep on the floor in the kitchen, I will give her a mattress in the living room.' Men from the union also say, 'That's enough of treating the maid like that!' There is a genuine awareness that they deserve more respect," explains Fatou Bintou Yaffa.⁸

Great Britain. At the podium of various trade union and political conferences, "the sheer strength of the women talking about their experiences highlighted the importance of the campaign and from then on nobody asked if it was a priority," Diana Holland (TUC-Great Britain).⁹

Indonesia. Domestic workers, trade unions and women's organizations have collaborated at the local level in Yogyakarta, Indonesia to establish the Yogyakarta Local Network for Domestic Workers' Rights Protection (JP-PRT DIY). The network established a Domestic Workers Action Committee (KAPRT) to advocate for Convention No. 189 and undertook extensive advocacy efforts to recognize domestic work as work; to recognize domestic workers' issues as a common labour issue among trade unions, and to promote awareness of the value of domestic work to society. Raising the awareness and gaining the support of local trade unions allied domestic workers and trade unions to fully support the campaign for Convention No. 183.¹⁰

The Philippines. In 2005, a Social Compact was signed by a multi-sectoral constituency of domestic workers, government authorities, trade unions, NGOs, the private sector and faith-based groups. Through the compact, the partners recognized the importance and value of domestic work; that it must be decent and that it should be given respect. Domestic workers are mostly young, unschooled and uninformed women who are driven away from their families due to poverty and the desire to earn a living, often vulnerable to trafficking, abuse and loss of access to education.¹¹

Hong Kong, China. Recently the Hong Kong High Court ruled that the Hong Kong Immigration Ordinance Section 2 was unconstitutional. The ordinance had banned migrant domestic workers from obtaining permanent residency similar to other workers after working seven years in Hong Kong. The case was brought to the High Court by three domestic workers who had been working in Hong Kong for over 20 years. One complainant, Evangeline Banao Vallejos, a Filipina domestic worker who had been working in Hong Kong since 1986, said the law discriminated because, "bankers and cooks could apply for permanent residency status and not her."

The ruling has worried some Hong Kong nationals who fear "that migrants and their families will come to Hong Kong and bring harm to employment and benefits of local Hong Kong people." The Hong Kong Confederation of Trade Unions (HKCTU) has opposed them, stating that, "...the Immigration Ordinance is not taking into consideration the working years of the foreign domestic workers as "ordinarily residing" as required for permanent residency. This different treatment when compared with the other foreign workers...[who]...can apply for the Right of Abode after staying in HK for 7 years in a row. The concerned ordinance is overtly discriminating and causing injustice to the foreign domestic workers." The HKCTU further reiterated that they were opposed to all forms of discrimination on the basis of gender, age, and nationality.¹²



NOTES

Smita (not her real name) worked as child domestic worker for several years in Mumbai, India. She was rescued by the National Domestic Workers' Movement. Her smile is back, she is free and going to school.



[Endnotes]

- 1 For more information on child domestic labour, see the website of the ILO's International Programme for the Elimination of Child Labour. Available at: <http://www.ilo.org/ipecc/areas/Childdomesticlabour/lang--en/index.htm> [5 Jan. 2012].
- 2 Self-Employed Women's Association (SEWA): *Testimony* (India, nd).
- 3 International Trade Union Confederation (ITUC): "Interview with Marcelina Bautista of Mexico, General Secretary of the Confederation of Domestic Workers of Latin America and the Caribbean", in *ITUC OnLine*, (Brussels, 2010).
- 4 ITUC: "Interview with Ester Stevens, President of the South African Domestic Service and Allied Workers' Union (SADSAWU)", in *ITUC OnLine* (Brussels, 2010).
- 5 ILO: "Interview with Neema Jackson, aged 16, Tanzania", in *World of Work*, No. 68 (Geneva, April 2010).
- 6 "Interview with S. Danuwar, President of the Nepal Independent Domestic Workers Union (NIDWU)" in ITUC: *Decent work and decent life for domestic workers, ITUC Action guide* (Brussels, 2010).
- 7 ILO: Testimony at: "Women speak up: Voices of the informal sector", Panel during the UN Special Session to commemorate International Women's Day (Bangkok, 25 March 2010).
- 8 ITUC: "Domestic work: Mobilising for an ILO Convention", in *Union View*, No. 19 (Brussels, 2010).
- 9 Idem.
- 10 "Interview with L. Anggraini of Jala-PRT Indonesia", by author (Hong Kong, China, 2012).
- 11 "Decent work for domestic workers, National Conference in the Philippines", in *Straits Times* (Singapore, 27 August 2009).
- 12 Building Workers International (BWI): *BWI Connect* (21 November 2011). Available at: <http://connect.bwint.org/?p=368> [22 Nov. 2011].

MODULE 2

Decent work for domestic workers: What is it and how do we get there?

GUIDE



Aims

On completion of this module, participants will be able to:

- Understand what decent work for domestic workers means.
- Discuss the rights of domestic workers at work, as set out by ILO Convention No. 189 and Recommendation No. 201.
- Draw up proposals to promote decent work for domestic workers by:
 - Developing measures to improve domestic workers' rights in law and practice.
 - Campaigning for the ratification of Convention No. 189.



Contents at a glance



Activities

Activity 2.1	A day in the life of a domestic worker (<i>Plenary exercise</i>)
Activity 2.2	Decent work for domestic workers: The gaps (<i>Plenary exercise</i>)
Activity 2.3	Stopping abuse and exploitation of domestic workers (<i>Group work</i>)
Activity 2.4	What do our laws say? Domestic work in national legislation (<i>Group work</i>)
Activity 2.5	Where do we go from here? Priorities for improving domestic workers' rights in practice (<i>Group work</i>)
Activity 2.6	Where do we go from here? Priorities for improving domestic workers' rights in law (<i>Group work</i>)
Activity 2.7	Campaigning for ratification of ILO Convention No. 189 (<i>Group work</i>)



Tools

Tool 2.1	Domestic workers' rights: Comparing our laws and practice to Convention No. 189
----------	---



Handouts

Handout 2.1	What is decent work: What does it mean for domestic workers?
Handout 2.2	Respect and dignity
Handout 2.3	Decent working and living conditions
Handout 2.4	Protection for particular groups of domestic workers
Handout 2.5	Case studies: Practical and legal measures to promote decent work for domestic workers
Handout 2.6	Ratification and implementation of ILO Convention No. 189



Trainers' notes

- Read the activities, tools and handouts and select the ones you want to use in your training. Consult the ILO website for other available materials at www.ilo.org/travail/areasofwork/domestic-workers.
- Prepare yourself for every session and activity. Make sure that you have the information your participants need in order to think about their situation, decide what they may want to change and how they want to go about doing it.
- You may need to do some research. For example, you may want to compile information on the laws regarding domestic workers in your country (nationals and, where applicable, migrants). If possible, prepare your own handout on the rights domestic workers in your country. A trainer does not need to know everything; if you find you do not know enough about a subject like the laws, social security system or occupational safety and health for domestic workers in your country, invite a resource person – from the trade unions, government, university and research institutes, or civil society organizations (CSOs) – to give a short presentation and have a question and answer session with participants. Ask resource persons to share their main points on paper or in another form so that participants can remember.
- Make sure no trainer or resource person talks for longer than 15 minutes in a row. Too much talk is boring, participants will fall asleep and decide they will not come another time.
- ALWAYS prepare the material and check the equipment BEFORE a session starts.

Field testing this manual with FADWU (Federation of Asian Domestic Workers' Unions from Hong Kong, Indonesia, Nepal, the Philippines and Thailand).





Suggested lesson plan

Session 1 What does decent work for domestic workers mean?

Duration	2 hours (Add time for introduction of participants and trainers)
Time (minutes)	Handout 2.1
5	Welcome and purpose of the session by trainer
50	Introduction by trainer or resource person, general discussion
50	Activity 2.1 A day in the life of a domestic worker (Plenary exercise)
15	Sum-up by trainer and/or resource person and feedback

Session 2 Rights and dignity for domestic workers

Duration	3 hours & 50 minutes (Add time for introductions and breaks)
Time (minutes)	Handouts 1.1, 1.3., 2.1, 2.2 and 2.5
10	Welcome and purpose of the session by trainer
60	Presentations/panel on global and national situation by trainer, resource persons, panelists, followed by general discussion
50	Activity 2.2 Decent work for domestic workers: The gaps (Plenary exercise)
90	Activity 2.3 Stopping abuse and exploitation of domestic workers (Group work)
20	Sum-up and feedback

Session 3 Decent working and living conditions for domestic workers

Duration	5 hours (Add time for introductions and breaks as needed)
Time (minutes)	Handouts 2.1, 2.3 and 2.4
10	Welcome and purpose of the session by trainer
20	Introduction by trainer and/or resource person
90	Panel on national situation: Two to three domestic workers and facilitator (trainer or resource person). Assign each panelist to speak for five minutes on an issue based on her/his personal experience, e.g.: a) remuneration, working hours, days off and holidays; b) occupational health and safety; c) social security (e.g., access to health, plans for retirement) d) being a migrant worker, live-in or child domestic worker. Facilitator opens floor for Q&A, sums up.
90	Activity 2.4 What do our laws say? Domestic work in national legislation (Group work)
30	Sum-up

Session 4 Where do we go from here? Improving domestic workers' rights in law and practice

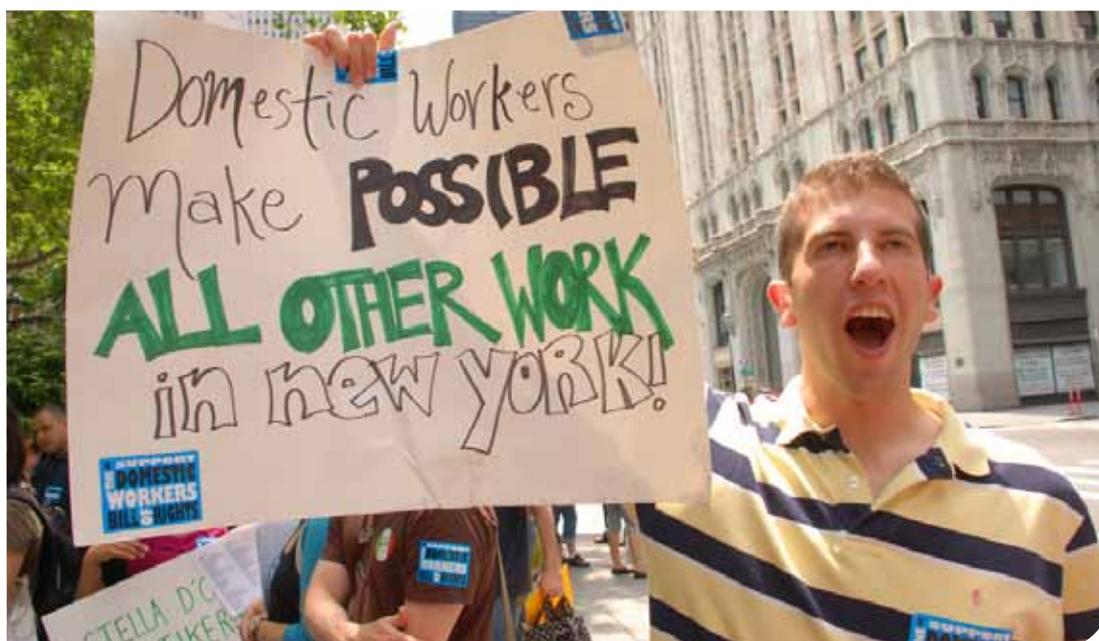
Duration	3 hour & 30 minutes (Add time for introductions and breaks as needed)
Time (minutes)	Handouts 2.1, 2.3, and 2.4. Handout 2.6 as needed.
10	Welcome and purpose of the session by trainer
90	Activity 2.5 Where do we go from here? Priorities for improving domestic workers' rights in practice (Group work)
90	Activity 2.6 Where do we go from here? Priorities for improving domestic workers' rights in law (Group work) OR Activity 2.7 Campaigning for ratification of Convention No. 189 (Group work)
20	Sum-up



Material and equipment

- If using Activity B of the Introduction of participants collect newspaper/magazine cut-outs and postcards with various images (see Other Resources at the end of this manual).
- Photocopies of Handouts for distribution to participants.
- Board or flipchart and markers.
- Coloured papers (A4 cards cut in half).
- If available, computer for slide presentation (e.g powerpoint).

Domestic Workers United! Josh at the rally.



Activities



Activity 2.1 A day in the life of a domestic worker



Aim	To have a better understanding of: <ul style="list-style-type: none">● The kind of work which domestic workers perform.● The extended daily working hours of domestic workers, including 'stand-by' time when they may not be performing any duties, but are expected to be on call for any task.
Duration	1 hour

Note

This exercise is essentially for domestic workers. However, in a mixed group, it can be useful to compare their working conditions with those of other workers.



Materials and preparation

- A 24-hour clock made of paper: The top should read 24:00 (midnight); the bottom should read, 12:00 (noon). One clock per participant.
- Blue pens and red pens.
- Table on black/white board or flipchart:
 - First column – Hours running down the column (starting with 1 a.m. and ending with 24hr – midnight).
 - Second column – A header for Activities; the space will be filled Red if the time slot is a work activity, or Blue if it is a rest period. (You can add (an) additional column(s) if you have participants with jobs other than domestic work).
 - Third column: A header for Comments, spaces to be filled in with comments about types of activities; physical effort; mental and emotional impact, etc.



Tasks

Step 1: Directions (10 minutes)

1. Distribute a 24-hour paper clock, a blue pen and a red pen to each participant and explain the task to be done by the participants.

Step 2: Individual exercise (10 minutes)

For domestic workers:

1. List each task and the hour you perform it, from the time you wake up to the time you go to bed.
2. On the paper clock, colour in red the hours you are working, and in blue the hours you are resting.
3. Present your clock to the group, describing your daily activities.

For other participants:

1. On the paper clock, colour in red the hours you are at your workplace or 'on-the-job'.
2. Present your clock to the group, describing your daily activities.

Step 3: Presentation and summary (40 minutes)

1. As the participants present their clocks, fill in the table: against the hours in the first column, indicate whether the time period is a typical work period (in red) or rest period (in blue). Significant comments should be written down in the third column.
2. Discussion should revolve around understanding what a typical work day looks like for domestic workers (and other workers, depending on the participants), including the hours they work, the types of tasks they do, what hours are suitable for workers (the universal norm is eight hours a day); occupational health and safety issues (heavy lifting; strenuous and dangerous work); overtime. A few participants may have experiences to share.
3. Summarize the discussion.



Activity 2.2 Decent work for domestic workers: The gaps

Aim To have a better understanding of the decent work gaps in domestic work.

Duration 50 minutes



Materials and preparation

- 3 pieces of cardboard.
- Black/white board or flipchart.
- Markers.

Choose a maximum of 10 of the 20 statements that are most relevant for your audience for the exercise (see below).

Prepare three cardboards: one marked "Domestic worker"; the second, "Public Sector worker", and the third: "Factory worker-private sector".



Handout:

- Handout 2.1: What is decent work? What does it mean for domestic workers?



Tasks

1. Draw a starting line and a finish line, about three metres apart, depending on space available; count the steps between the two lines to determine how many statements to give.
2. Divide participants into three groups; give each group a cardboard which only its members can see.
3. Read the directions (below) and follow the exercise (60 minutes).
4. At the end of the "Walk", when the "Walkers" still remain in their positions, ask if all agree to the three walkers' positions. Why? What can participants conclude from the exercise? In summing-up, recall the elements of decent work discussed previously in plenary, and relate them to domestic work, as demonstrated in the exercise.
5. Assign one trainer or participant to record the key points of discussion on the board or flipchart.

Directions to participants:

1. Each group must assign one member to be its 'Walker'.
2. The 3 walkers stand on starting line. Each holds their group's cardboard face down (may be hung around the neck or held).
3. Please listen to the following statement (Read one of the statements from the list below). If the statement applies to the worker on your cardboard, each of the three walkers should take one step towards the finishing line. The walker can consult with her/his group if in doubt. The groups must agree with its walker's response to each statement.
4. When one of the walkers reaches the finishing line, the other two walkers should remain where they are and turn their cardboards over.

Statements (may be adapted and changed to suit your audience):

1. My working hours do not exceed 8 hours a day.
2. I get overtime pay.
3. I have health insurance.
4. When I retire, I shall have a pension.
5. I get at least one day off every week.
6. I can be a member of a trade union.
7. I can be a member of a network or association.
8. I am entitled to take leave on public holidays.
9. If I have a grievance, I can seek redress.
10. Health and safety conditions in my workplace are good.
11. I have maternity protection.
12. A minimum wage applies to my profession.
13. Sexual harassment is not allowed in my workplace.
14. Children are not allowed to work in my profession.
15. I have a work contract.
16. I am covered by labour legislation.
17. I am entitled to social security benefits.
18. I have no problem taking personal leave.
19. I cannot be fired without justification.
20. My employer treats me with respect and fairness.



Activity 2.3 Stopping abuse and exploitation of domestic workers

Aim	To propose effective ways to stop abuse and exploitation, and safeguard respect and dignity of domestic workers.
Duration	90 minutes



Materials and preparations:

- Pull out the key points from Handouts 1.1, 1.3, 2.2 and 2.5 to facilitate the discussion.
- Flipcharts and markers.



Handouts:

- Handout 1.1: Domestic work: Work like any other, work like no other.
- Handout 1.3: Domestic workers tell their stories.
- Handout 2.1: What is decent work: What does it mean for domestic workers?
- Handout 2.2: Respect and dignity.
- Handout 2.5: Case Studies: Practical and legal measures to promote decent work for domestic workers.



Tasks:

Step 1: Directions and group work (60 minutes)

1. Explain the aim of the Activity and the tasks for participants.
2. Divide participants into groups. Each group selects a facilitator and reporter.
3. Distribute the handouts and introduce some of the key points (see 'materials and preparations' above).
4. Referring to cases of abuse and exploitation in Handouts 1.1 and 1.3, ask the groups to discuss:
 - a. Is there a general tendency for employers to exploit and abuse their domestic workers? Justify your response.
 - b. What should be done and by whom to stop abuse and exploitation of domestic workers? Discuss realistic, concrete and practical measures by:
 - Domestic workers.
 - Their employers.
 - Domestic workers' organizations, trade unions, civil society organizations.
 - Government agencies.
 - Employment and recruitment agencies.

Step 2: Discussion and summary (30 minutes)

5. Each group reports back. Facilitate discussion on questions a) and b). Discuss the suggestions by participants and mention some of the practical measures from Handouts 2.2 and 2.5.
6. Summarize and try to reach consensus among the participants.



Activity 2.4 What do our laws say? Domestic work in national legislation

Aim	To compare national legislation to Convention No. 189, to understand the rights of domestic workers in national or local laws and regulations, and to identify major gaps.
Duration	90 minutes



Materials and preparations:

- Consider inviting a resource person who knows the laws and regulations on domestic work in your country.
- Modify Tool 2.1 to fit the needs and goals of your participants. You can, for example:
 - Focus on practical rather than legal measures by simplifying Tool 2.1 or emphasize domestic workers' experiences rather than national laws and regulations (see also Activity 1.2 and Tool 1.1).
 - Focus only on legal provisions and delete the column on practical measures in Tool 2.1.
 - Select only certain sections of Tool 2.1, e.g. labour contracts, working and rest hours, or remuneration.
- Prepare large photocopies of Tool 2.1 or copy it on flipcharts (one for each group). Provide all groups with a copy of the tool and markers, and keep one copy to fill in during the plenary discussion at the end.



Handouts:

- Handout 2.1: What is decent work: What does it mean for domestic workers?
- Handout 2.2: Respect and dignity.
- Handout 2.3: Decent working and living conditions.
- Handout 2.4: Protection for particular groups of domestic workers.
- Tool 2.1: Domestic workers' rights – Comparing our laws and practices to Convention No. 189.



Tasks:

1. Divide participants into groups of four to six persons. Ask each group to designate a facilitator and reporter.
2. Explain the aim of the activity. Recall the main points of the earlier discussion on legal and social protection of domestic workers, if any.
3. Assign each group up to three points from the different sections of Tool 2.1.
4. Ask each group to discuss the sections assigned to them, and compare these to the content of current national or local laws or regulations. Ask the groups to mention the section or part of the existing laws, regulations or rules, if they know it. Tell them that it is possible that there is no national or local legislation on the issues raised in Convention No. 189.
5. For each row, ask the groups to report any discussions and measures. The trainer and/or the resource person help to complete the table in Tool 2.1 highlighting the legal provisions that exist at the local or national level.
6. Facilitate discussion in plenary and try to identify clearly how domestic workers are covered or not covered under national laws and regulations, and what major gaps exist in law or in practice. If there is no consensus, check the relevant legal provisions for participants and discuss these during the next session.
7. Keep the filled-in summary table for use in the next sessions.



Activity 2.5 Where do we go from here? Priorities for improving domestic workers' rights in practice

Aim	Identify practical measures to improve the terms of employment and working conditions for domestic workers.
Duration	90 minutes



Materials and preparations:

- Filled-in table from Activity 2.4.
- Flipcharts and markers.
- Come prepared with practical ideas for improving employment and working conditions for domestic workers, e.g. outreach, hotlines, training, placement services, assistance with contracts, legal aid, etc. (see the case studies in the Handouts).



Handouts:

- Handout 2.1: What is decent work? What does it mean for domestic workers?
- Handout 2.2: Respect and dignity.
- Handout 2.3: Decent working and living conditions.
- Handout 2.4: Protection for particular groups of domestic workers.
- Handout 2.5: Case Studies: Practical and legal measures to promote decent work for domestic workers.
- Results from Activity 2.4: What do our laws say?



Tasks:

Step 1. Directions and group work (50 minutes)

1. Explain the aim of the activity. Give a summary of the outcome of Activity 2.4.
2. Divide participants into groups, and assign each group one topic:
 - a. Respect and dignity (Handout 2.2).
 - b. Complaints and enforcement mechanisms (Handout 2.2).
 - c. Remuneration (Handout 2.3).
 - d. Working hours, days off and holidays (Handout 2.3).
 - e. Occupational safety and health (Handout 2.3).
 - f. Social security (Handout 2.3).
 - g. Rights of child domestic workers, migrants, live-ins (Handout 2.4).
3. Ask each group to designate a facilitator and reporter, and to discuss:
 - i. What are two to three priorities for action regarding the topic selected for each group.
 - ii. For each priority issue, propose ways to improve the working conditions of domestic workers. Be realistic, concrete and practical. Identify what groups/organizations would need to lead or provide support to the action.
4. The reporter of each group lists the key points on a flipchart.

Step 2: Reporting and summing-up (40 minutes)

5. While reporters make their presentations, the trainer jots down some of the key points for each priority issue on the white/black board.
6. Ask if participants agree with the identified priorities and the proposed ways to improve the working conditions of domestic workers.
7. Sum-up the highlights of the discussion.



Activity 2.6 Where do we go from here? Priorities for improving domestic workers' rights in law

Aim	To identify priorities and discuss effective ways to achieve legislative reform for decent work for domestic workers.
Duration	90 minutes



Materials:

- Filled-in table from Activity 2.4.
- Flipcharts and markers.



Handouts:

- Handout 2.1: What is decent work? What does it mean for domestic workers?
- Handout 2.2: Respect and dignity.
- Handout 2.3: Decent working and living conditions.
- Handout 2.4: Protection for particular groups of domestic workers.



Tasks:

Step 1: Directions and brainstorming (50 minutes)

1. Explain the aim of the activity.
2. Recall the main outcome of Activity (2.4) with the table completed during the plenary discussion
3. Divide participants into groups. Each group selects a facilitator and reporter.
4. Ask the groups to brainstorm:
 - a. What are the most important issues to focus on for improving domestic workers' rights?
 - b. What provisions need to be added or changed in national or local laws and regulations?
5. The reporters of the groups list key points on a flipchart.

Step 2: Reporting and summing-up (30 minutes)

6. While the reporters make their presentations, the trainer jots down key points for each topic on a flipchart or board.
7. Ask if participants agree with the identified priorities and ways to reform legislation.
8. Sum-up the highlights of the discussion.





Activity 2.7 Campaigning for ratification of ILO Convention No. 189

Aim	To draw up a plan of action to promote the ratification or application of ILO Convention No. 189.
Duration	90 minutes



Materials and preparation:

- Filled-in Table from Activity 2.4.
- Flipcharts and markers.
- Prepare a Plan of Action sheet (see the format below). Determine the focus of the activity (ratification or implementation)? Decide to cover all aspects or to focus on a few key issues.



Handouts:

- Handout 2.1: What is decent work? What does it mean for domestic workers?
- Handout 2.6: Ratification and implementation of ILO Convention No. 189.



Tasks:

Step 1: Directions (15 minutes)

1. Explain the aim of the session. Recall the key points from the earlier sessions. Introduce the contents of Handout 2.6.
2. Distribute the Plan of Action sheets. Divide participants according to their organizations/trade unions/networks. If participants come from the same organization or trade union or network, divide them according to regions, provinces, districts, sectors etc.

Step 2: Group work (45 minutes)

3. The groups designate facilitators and reporters.
4. The groups identify three priority issues for its organization/group to take up to promote the ratification or implementation of Convention No. 189 by the government. For each of the issues, draw up a Plan of Action using the format below. Ask the groups to be realistic and concrete), and prepare to present their Plan of Action using the flipcharts.

Action required? (what)	Strategy? (how)	Actors? (who)	Time-line? (when)	Resources? (from where)

Step 3: Reporting and summary (30 minutes)

5. Ask the groups of domestic workers to present first and continue until all group reporters have presented the Plans of Action of their group. If there are many groups, it is better to continue working in small groups by asking participants to go around and have a look at the outcomes of other groups. The trainer should note down good ideas and suggestions of each group for the round-up.
6. In plenary, sum up the main outcome of the working groups. Solicit participants' reactions and views, citing case studies and good practices, as appropriate. Stress the need to be realistic and concrete. Ensure that all stakeholders, in particular domestic workers themselves, are able to give their views and opinions.



Tools



Tool 2.1 Domestic workers' rights — Comparing our laws and practice to ILO Convention No. 189

	Convention No. 189	Current laws, rules and regulations	In practice	Key gaps
Who are domestic workers	<p>Any person engaged in domestic work within an employment relationship (Art. 1)</p> <ul style="list-style-type: none"> Part-time, full-time, day labourer Live-in, live-out Nationals and non-nationals - migrant workers 			
What is domestic work	Work performed in or for a household or households			
Exclusion	<ul style="list-style-type: none"> A person who performs domestic work only occasionally or sporadically and not on an occupational basis (Art. 1) Determined by consensus of workers and employers organization 			
Basic rights	<ul style="list-style-type: none"> Human rights (Art. 3) Fundamental principles and rights at work (Art. 3) Freedom of Association and Right to collective bargaining Child Labour Forced Labour Discrimination Effective protection against all forms of abuse, harassment and violence (Art. 5) Fair terms of employment as well as decent working conditions and (if live-in) decent living conditions that respect their privacy.(Art.6) 			
Information on terms and conditions of employment	<ul style="list-style-type: none"> Must be informed of their terms and conditions of employment in an easily understandable manner, preferably through written contract 			
Hours of work	<ul style="list-style-type: none"> Equal treatment between domestic workers and workers generally (normal hours of work, overtime, compensation, periods of daily and weekly rest, annual paid leave) Weekly rest period of at least 24 consecutive hours of work Regulation of stand-by hours –periods be regarded as hours of work. (Art. 10) 			
Remuneration	<ul style="list-style-type: none"> Minimum wage (MW) protection in countries with MW-setting without sex discrimination (Art. 11) Payment of wages must be paid in cash, directly to the worker, and at regular interval of no longer than one month. (Art. 12) Fees charged by private employment agencies not to be deducted from the remuneration (Art. 15). In-kind payment is allowed under the following conditions: <ul style="list-style-type: none"> only a limited proportion of total remuneration monetary value is fair and reasonable in-kind payment with fair and reasonable monetary value for personal use and benefit to the workers. uniforms or protective equipment are not payment in kind, but tools to perform duties (Art. 12). 			

	Convention No. 189	Current laws, rules and regulations	In practice	Key gaps
Occupational safety and health	<ul style="list-style-type: none"> Right to safe and healthy working environment (Art. 13) Measures are put in place to ensure workers' occupational safety and health progressively (Art. 13). 			
Social security	<ul style="list-style-type: none"> Social security protection, including maternity benefits (Art. 14) Conditions that are not less favourable than those applicable to workers generally (Art. 14). 			
Standards on child domestic work	<ul style="list-style-type: none"> Requirement to set a minimum age for entry into domestic work (Art. 4) For domestic workers aged 15 - 18 years old: work not to deprive them of compulsory education, or interfere with their opportunities for further education or vocational training (Art. 4). 			
Standards on live-in domestic work	<ul style="list-style-type: none"> Decent living conditions that respect workers' privacy (Art. 6) Freedom to reach agreement with their employers or potential employers on whether or not to reside in the household (Art. 9) No obligation to remain in the household or with its members during their periods of rest or leave (Art. 9) Right to keep their identity and travel documents in their possession (Art. 9) Regulation of stand-by hours (Art. 10). 			
Standards on migrant domestic work	<ul style="list-style-type: none"> A written contract that is enforceable in the country of employment, or a written job offer, prior to traveling to the country of employment (Art. 8) Clear conditions under which domestic workers are entitled to repatriation at the end of their employment (Art. 8) Protection of domestic workers from abusive practices by private employment agencies (Art. 15) Cooperation among sending and receiving countries to ensure the effective application of the provisions of the Convention to migrant domestic workers (Art. 8). 			
Private employment agencies	<ul style="list-style-type: none"> Regulate the operation of private employment agencies Ensure adequate machinery for the investigation of complaints by domestic workers Provide adequate protection of domestic workers and prevention of abuses, in collaboration with other Members where appropriate Consider concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices 			
Dispute settlement, complaints, enforcement	<ul style="list-style-type: none"> Effective access to the court, tribunals or other dispute settlement mechanisms, including accessible complaint mechanisms (Art. 17) Measures to be put in place to ensure compliance with national laws for the protection of domestic workers, including labour inspection. The Convention recognizes the need to balance domestic workers' right to protection and the right to privacy of the households' members (Art. 17). 			

Typical Sunday at Victoria Park, Hong Kong, China, with Indonesian domestic workers 'occupying' the greens.





HANDOUTS



HANDOUT 2.1 What is decent work? What does it mean for domestic workers?

The expression 'decent work' was coined by the International Labour Organization (ILO) in 1999. Decent work sums up the aspirations of people in their working life. Decent work is productive work performed in conditions of freedom, equity, security and human dignity, to which women and men have access on equal terms. Decent work is about:

- Respect for the rights at work laid down in international labour standards.
- Access to employment with fair income and working conditions.
- Access to social protection: safe work and social security.
- Representation in decision-making through social dialogue & organizing.
- 'Voice' for both women and men to address their needs and priorities.

The ILO and decent work

Founded in 1919, the ILO is the United Nations agency devoted to promote social justice and harmonious economic and social progress. For almost a century, the ILO has been bringing government, employers' and workers' representatives together to develop measures for improving the conditions of work and the welfare of working people all over the world. The ILO is the only "tripartite" United Nations agency in that it brings together the three parties – government, employers' and workers' organizations - to jointly shape policies and programmes in the world of work. The ILO is the global body responsible for drawing up and overseeing international labour standards. Working with its 183 member States, the ILO seeks to ensure that labour standards are respected in law and in practice.

Many domestic workers lack decent work (see Module 1). Domestic workers – be they nationals or migrants, children, women or men – make up one of the most vulnerable groups of workers. In many countries, domestic work is excluded from labour legislation and domestic workers have little or no access to social protection. This means that the rule of law does not apply to them and there are no offices and inspectors to enforce any rules. Even if domestic workers are protected by some laws and regulations, they are generally unaware of this and/or have difficulty in accessing benefits and redress mechanisms to which they are entitled, even when their human and fundamental labour rights are violated.

Domestic workers, particularly those who live in the homes of their employers ('live-in' workers), often work long or even excessive hours (like 15–16 hours per day), without rest days or compensation for overtime. They generally receive low wages, have inadequate health insurance coverage, and are at special risk of physical and sexual harassment, violence and abuse. In some cases, they are physically restrained from leaving their employers' homes by means of threats or actual violence, or by the withholding of pay or identity documents.

Decent work for domestic workers: Setting the standards

The situation of domestic workers has been a long-standing concern of the ILO. On June 16, 2011, the government, employer and worker delegates at the ILO International Labour Conference adopted a historic set of international labour standards aimed at improving the working conditions of tens of millions of domestic workers worldwide.

The standards are ILO Convention No. 189 and its accompanying Recommendation No. 201 on decent work for domestic workers. These standards set out the international agreement on the rights of domestic workers around the world: Domestic work is work, and domestic workers are, like other workers, entitled to decent work. The following questions and answers¹³ highlight the main principles and provisions:



Solidar event at the European Union Parliament

Q. What is Convention No.189?

What is a Convention of the ILO?

A treaty adopted by the ILO Conference which is made up of government, worker and employer delegates of the 183 Member States of the ILO.

What is Convention No. 189 about?

Convention No. 189 offers specific protection to domestic workers. It lays down basic rights and principles, and requires States to take a series of measures with a view to making decent work a reality for domestic workers.

What does it mean to ratify a Convention?

When a country ratifies a Convention, its government formally makes a commitment to implement all the obligations provided in the Convention, and to report periodically to the ILO on the measures taken in this regard.

Recommendation No. 201 – how is it related to the Convention?

Domestic Workers Recommendation No. 201, also adopted by the International Labour Conference of 2011, supplements Convention No. 189. Unlike the Convention, Recommendation No. 201 is not open for ratification. The Recommendation provides practical guidance on possible legal and other measures to implement the rights and principles stated in the Convention.

How is the Convention to be implemented?

The Convention may be implemented by extending or adapting existing laws and regulations or other measures, or by developing new and specific measures for domestic workers. Some of the measures required under the Convention may be taken progressively.

Q: Who is covered by Convention No. 189?

What is domestic work?

Convention No. 189 defines domestic work as “work performed in or for a household or households”.

This work may include tasks such as cleaning the house, cooking, washing and ironing clothes, taking care of children, or elderly or sick members of a family, gardening, guarding the house, driving for the family, even taking care of household pets.

Who is a domestic worker?

Under the Convention, a domestic worker is “any person engaged in domestic work within an employment relationship”.

A domestic worker may work on a full-time or part-time basis; may be employed by a single household or by multiple employers; may be residing in the household of the employer (live-in worker) or may be living in his or her own residence (live-out). A domestic worker may be working in a country of which she/he is not a national.

All domestic workers are covered by Convention No. 189, although countries may decide to exclude some categories, under very strict conditions.

Who is the employer of a domestic worker?

The employer of a domestic worker may be a member of the household for which the work is performed or an agency or enterprise that employs domestic workers and makes them available to households.

In implementing the Convention, will workers and employers be consulted?

The provisions of the Convention are to be implemented in consultation with the most representative workers’ and employers’ organizations (Art.18).

In addition, the Convention requires Governments to consult with the most representative organizations of employers and workers and, where they exist, with organizations that represent domestic workers and organizations that represent employers of domestic workers on four particular matters: (i) identifying categories of workers who would be excluded from the scope of the Convention; (ii) measures on occupational safety and health; (iii) meas-

ures on social security; and (iv) measures to protect workers from abusive practices by private employment agencies (Articles 2, 13 & 15).

What can domestic workers do to enjoy the protections offered by Convention No. 189?

Convention No. 189 affirms the fundamental rights of domestic workers. It sets minimum labour standards for domestic workers. Domestic workers can:

- Organize & mobilize support for the ratification and implementation of the Convention by their Governments
- Use the provisions of the Convention and the Recommendation to influence changes in laws and improve the working and living conditions of domestic workers, regardless of whether or not the country in which they work has ratified Convention No.189.

Q. What are the minimum standards set by Convention No. 189 for domestic workers?

Basic rights of domestic workers

- Promotion and protection of the human rights of all domestic workers (Preamble; Art. 3.)
- Respect and protection of fundamental principles and rights at work: (a) freedom of association and the effective recognition of the right to collective bargaining; (b) elimination of all forms of forced or compulsory labour; (c) abolition of child labour; and (d) elimination of discrimination in respect of employment and occupation (Articles 3, 4, 11).
- Effective protection against all forms of abuse, harassment and violence (Art. 5).
- Fair terms of employment and decent living conditions (Art.6).

Information on terms and conditions of employment

- Domestic workers must be informed of their terms and conditions of employment in an easily understandable manner, preferably through written contracts. (Art.7).

Hours of work

- Measures aimed at ensuring equal treatment between domestic workers and workers generally with respect to normal hours of work, overtime compensation, periods of daily and weekly rest, and annual paid leave (Art.10).
- Weekly rest period of at least 24 consecutive hours of work (Art.10).
- Regulation of stand-by hours (periods during which domestic workers are not free to dispose of their time as they please and are required to remain at the disposal of the household in order to respond to possible calls) (Art.10).

Remuneration

- Minimum wage if a minimum wage exists for other workers (Art.11).
- Payment of wages must be paid in cash, directly to the worker, and at regular intervals of no longer than one month. Payment by cheque or bank transfer – when allowed by law or collective agreements, or with worker's consent (Art.12).
- In-kind payment is allowed under certain conditions: only a limited proportion of total remuneration; the worker is in agreement; the monetary value is fair and reasonable; the items or services given as in-kind payment are for personal use and benefit of the worker. This means that uniforms or protective equipment are not to be regarded as payment in kind, but as tools that the employer must provide to the workers at no cost to them for the performance of their duties. (Art.12)
- Fees charged by private employment agencies are not to be deducted from the remuneration (Art.15).

Occupational safety and health

- Right to a safe and healthy working environment (Art.13).
- Measures are put in place to ensure workers' occupational safety and health (Art.13).

Social security

- Social security protection, including maternity benefits (Art.14).
- Conditions that are not less favourable than those applicable to workers generally (Art.14).

Standards concerning child domestic workers

- Requirement to set a minimum age for entry into domestic work (Art.4).
- Domestic workers aged 15 years old but less than 18 years old – their work should not deprive them of compulsory education, or interfere with their opportunities for further education or vocational training. (Art.4).

Standards concerning live-in workers

- Decent living conditions that respect the workers' privacy (Art.6).
- Freedom to reach agreement with their employers or potential employers on whether or not to reside in the household (Art.9).
- No obligation to remain in the household or with its members during their periods of rest or leave (Art.9).
- Right to keep their identity and travel documents in their possession (Art.9).
- Regulation of stand-by hours (Art.10).

Standards concerning domestic workers who have migrated for work to another country (international migrants)

- A written contract that is enforceable in the country of employment, or a written job offer, prior to traveling to the country of employment (Art.8).
- Clear conditions under which domestic workers are entitled to repatriation at the end of their employment (Art.8).
- Protection of domestic workers from abusive practices by private employment agencies (Art.15).

- Cooperation among sending and receiving countries to ensure the effective application of the provisions of the Convention to migrant domestic workers (Art.8).

Private employment agencies

- Measures to be put in place (Art.15):
 - Regulate the operation of private employment agencies.
 - Ensure adequate machinery for the investigation of complaints by domestic workers.
 - Provide adequate protection of domestic workers and prevention of abuses, in collaboration with other Members where appropriate.
 - Consider concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices.

Dispute settlement, complaints, enforcement

- Effective access to the court, tribunals or other dispute settlement mechanisms, including accessible complaint mechanisms (Art.17).
- Measures to be put in place to ensure compliance with national laws for the protection of domestic workers, including labour inspection measures. In this regard, the Convention recognizes the need to balance domestic workers' right to protection and the right to privacy of the households' members. (Art.17).



Sources for further reading:

International Labour Organization (ILO). 2011. "Special issue on the 100th Session of the International Labour Conference" in *ACTRAV Info no. 5* (Geneva, Bureau for Workers' Activities (ACTRAV)). Available at: www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_159729.pdf [19 Feb.2012].

ILO. 2011. *Convention No. 189 Decent work for domestic workers* (Geneva, Conditions of Work and Employment Programme (TRAVAIL)). Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_161104.pdf [5 Nov. 2011].

ILO. 2010. *Report IV (1): Decent work for domestic workers*, International Labour Conference, 99th Session, Geneva, 2010 (Geneva).

ILO. 2007. *Decent work for domestic workers*, Labour Education 2007/3-4. No. 148-140 (Geneva, Bureau for Workers' Activities (ACTRAV)).



HANDOUT 2.2 Respect and dignity

“No matter what type of work you do, you are entitled to the respect for, and protection of, your human rights, to live and work in a decent and dignified way, free from harassment and exploitation”.

ILO. 2009. Domestic work - *Decent work: A smart guide for domestic workers in Thailand*, (Bangkok).

Promoting respect and dignity at work

Human rights and fundamental principles and rights at work

Domestic workers are, like other workers, entitled to the respect for, and protection of, their human rights and of the fundamental principles and rights at work. Fundamental principles and rights at work are set out by the 1998 ILO Declaration on Fundamental Principles and Rights at Work, and Convention No. 189 (Art.3) echoes the obligations that every member State has to promote and realize these principles and rights:

- a) Freedom of association and the effective recognition of the right to collective bargaining.
- b) The elimination of all forms of forced or compulsory labour.
- c) The effective abolition of child labour.
- d) The elimination of discrimination in employment and occupation.

Countries are provided specific guidance for promoting and protecting the rights of domestic workers, and are called upon to:

- Ensure the right of domestic workers and employers of domestic workers to establish and...to join organizations, federations and confederations of their own choosing (Art. 3(3)).
- Establish a minimum age for domestic workers consistent with the provisions of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and not lower than that established by national laws and regulations for workers generally (Art. 4(1)).
- Ensure that remuneration is established without discrimination based on sex (Art.11).

Protection from abuse, harassment and violence

Domestic workers, a large majority of whom are women and migrants, are particularly vulnerable to physical, sexual, psychological or other forms of abuse, harassment and violence because their workplace is shielded from the public and they generally lack co-workers. Live-in work-

ers can be at particular risk. Measures are required to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence.

Fair terms of employment and decent living conditions

Domestic workers have the right to enjoy fair terms of employment as well as decent working conditions and, if they reside in the household, decent living conditions that respect their privacy. The Convention sets out comprehensive guidance for establishing fair terms of employment, with respect to remuneration, hours of work, safe and decent working and living conditions, and access to social security (see Handout 2.3). The Convention also addresses rights and concerns that are particular to migrant workers, child domestic workers, and live-in domestic workers (See Handout 2.4).

Implementing and realizing the rights of all domestic workers

Compliance and Enforcement

Domestic workers need to be able to seek justice when they face violations of their rights. They must have access to courts and other dispute settlement procedures. Indeed, there are many measures that can be taken to ensure compliance with the national laws and regulations, and there are many appropriate mechanisms for resolving disputes and redressing complaints. It is critical to make sure these measures and mechanisms are in place and that domestic workers know about them and are empowered to use them. To that end, the Convention calls on States to:

- Take measures to ensure that domestic workers have effective access to the court, tribunals or other dispute settlement mechanisms (Art.16).
- Establish effective and accessible complaint mechanisms and means of compliance with national laws and regulation for the protection of domestic workers (Art.17(1)).
- Develop and implement measures for labour inspection, enforcement and penalties, with due regard for the special characteristics of domestic work (Art.17(2)).

In order to implement labour inspection measures, such measures need to specify the conditions for access to household premises (Art. 17(2)). This is important to balance the protection of domestic workers' rights and the privacy of the household in which they work.

Regulating private employment agencies

Private employment agencies play an important role in recruitment for domestic work. These agencies, in a national or international context, may assist households to identify candidates for employment, while assisting domestic workers to identify job offers. Some agencies may employ domestic workers themselves with a view to making them available to households. To protect domestic workers from abusive practices, the Convention (Art. 15) calls on countries to:

- Determine the conditions governing the operation of private employment agencies.

- Ensure adequate machinery for the investigation of complaints by domestic workers.
- Adopt measures to adequately protect domestic workers and prevent abuses, in collaboration with other countries where appropriate; these measures must include laws or regulations stating the respective responsibilities of the agency and the household and providing for penalties, including prohibition of agencies that engage in fraudulent practices or abuses.
- Where workers are recruited in one country to work in another, consider bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices.
- Take measures to ensure that fees charged by agencies are not deducted from the remuneration of domestic workers.

These provisions need to be established in consultation with employers and workers' organizations (Art. 15(2)).

Private employment agencies and the need for regulation

According to a Human Rights Watch report in October 2011, the Cambodian and Malaysian governments' failure to regulate recruiters and employers leaves Cambodian migrant domestic workers exposed to a wide range of abuses. Since 2008, forty to fifty thousand Cambodian women and girls have migrated to Malaysia as domestic workers. Some recruitment agents in Cambodia forge fraudulent identity documents to recruit children, offer cash and food incentives that leave migrants and their families heavily indebted, mislead them about their job responsibilities in Malaysia, and charge excessive recruitment fees. Domestic workers told Human Rights Watch that agents forcibly confine recruits for three months or longer in training centers without adequate food, water, and medical care. Some labour agents coerce women and girls to migrate even if they no longer wish to work abroad. Workers who escape from the training centers face retaliation for escaping or for failing to pay debts related to the recruitment process.

Source: Poudyal, J. 2011. *Cambodia/Malaysia: Domestic workers face abuse* (Human Rights Watch, New York). Available at: <http://www.hrw.org/news/2011/10/31/cambodia-malaysia-domestic-workers-face-abuse> [7 Nov. 2011].



Sources for further reading:

Human Rights Watch (HRW). 2006. *Swept under the rug: Abuses against domestic workers around the world* (New York).

HRW. 2010. *Slow reform: Protection of migrant domestic workers in Asia and the Middle East* (New York).

International Labour Organization (ILO). 2011. *Decent work for domestic workers: Convention 189 & Recommendation 201 at a glance* (Geneva).

ILO. 2010. Report IV (1): *Decent work for domestic workers*, International Labour Conference, 99th Session, Geneva, 2010 (Geneva).

ILO. 2007. *Decent work for domestic workers*, Labour Education 2007/3-4. No. 148-140 (Geneva, Bureau for Workers' Activities (ACTRAV)).



HANDOUT 2.3 Decent working and living conditions

“Domestic workers’ conditions do not improve unless there is concerted action to improve the legislative framework ... Studies confirm that well-crafted regulatory mechanisms with a suitable enforcement machinery make an important difference in the everyday lives of domestic workers – and they convey the message that domestic workers are indeed workers who deserve both rights and respect.”

ILO. 2010. Report IV (1): Decent work for domestic workers, International Labour Conference, 99th Session, Geneva, 2010 (Geneva).

Domestic workers have the right to enjoy fair terms of employment as well as decent working conditions and, if they reside in the household, decent living conditions that respect their privacy. This handout reviews what constitutes decent working and living conditions, as set out by Convention No. 189 and Recommendation No. 201.

Information on terms and conditions of employment—employment contracts

Domestic workers have the right to be informed of their terms and conditions of employment in an easily understandable manner, preferably through **written contracts** (Art. 7). This should include:

- a) The name and address of the employer and of the worker.
- b) The address of the usual workplace or workplaces.
- c) The starting date and, where the contract is for a specified period of time, its duration.
- d) The type of work to be performed.
- e) The remuneration, method of calculation and periodicity of payments.
- f) The normal hours of work.
- g) Paid annual leave, and daily and weekly rest periods.
- h) The provision of food and accommodation, if applicable.
- i) The period of probation or trial period, if applicable.
- j) The terms of repatriation, if applicable.
- k) Terms and conditions relating to the termination of employment, including any period of notice by either the domestic worker or the employer.

The contract should be examined carefully to ensure that they are in accordance with international human rights and labour standards, in particular ILO Convention No. 189, and that they do not hurt the rights of domestic workers, migrant or national. Any provision that restricts the movement of the worker, allows employers to keep the worker’s identity papers or personal documents, requires compulsory medical examination, or prohibits marriage and pregnancy should not be allowed in the contract. They should be removed if found.

Recommendation No. 201 suggests that countries take measures to assist domestic workers to understand their contracts, and to provide models for good contracts.

Hours of work

Domestic workers have the right to decent working time. The Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948 recognizes that everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay (Art.24).

Convention No. 189 calls for equal treatment between domestic workers and workers generally in relation to:

- Normal hours of work.
- Stand-by hours.
- Overtime compensation.
- Periods of daily and weekly rest.
- Paid annual leave.

Normal hours of work

Working hours of domestic workers around the world are among the longest and most unpredictable. **Forty hours per week** is the current international consensus on acceptable working hours, as set out in the ILO Forty-Hour Convention, 1935 (No. 47). Although the eight-hour working day is now an internationally accepted legal norm, domestic workers are often not covered by this standard. National laws that set normal hours of work should extend equally to domestic workers, although as the box below shows, this is not yet the case in many countries.

Working time provisions are less protective for domestic workers

Out of 71 countries whose national laws were surveyed by the Conditions of Work and Employment Programme of the ILO in 2009, about half did not impose a mandatory limit on normal hours of work for domestic workers (ILO, 2009). Where such a limit had been specified, the most common limit was 40 hours per week, which was found in just over 20 per cent of the countries. Around 15 per cent had set an intermediate limit of 41 to 47 hours per week; four cases stipulated a 48-hour limit; and five cases, above 48 hours. Overall, domestic workers are usually covered by less protective working hour limits than other wage workers.

Source: ILO. 2011. *Domestic worker policy brief no. 2: Working hours in domestic work* (Geneva).

Stand-by time

Stand-by time refers to periods during which domestic workers are not free to use their time as they please—instead, they remain at the disposal of the household in order to respond to possible tasks. **Stand-by time must be regarded and counted as hours of work**, according to ILO Convention No. 189 (Art.10(3)).

Recommendation No. 201 provides further guidance on stand-by time (Para.9), calling for the development of national laws, regulations or collective agreements that regulate:

- a) The maximum number of hours per week, month or year that a domestic worker may be required to be on standby, and the ways they might be measured.
- b) The compensatory rest period to which a domestic worker is entitled if the normal period of rest is interrupted by standby.
- c) The rate at which standby hours should be remunerated.

Stand-by time and the exploitation of domestic workers

The International Domestic Workers' Network (IDWN) released a statement in October 2009 on the Statutory Minimum Wage (SMW) Bill of Hong Kong, calling for coverage on minimum wage provisions to be extended to domestic workers. However, one of the authorities' arguments for excluding domestic workers is that the "distinctive working pattern, i.e. round-the-clock presence and provision of service-on-demand...would give rise to insurmountable practical difficulties." The IDWN countered that: "This assumption of "round-the-clock presence" and "provision of service-on-demand" is unacceptable; it is actually exploitation to domestic workers.... Domestic workers are human beings just like you and everyone else. We need rests and free time...Specific time periods should be allocated as working hours while the rest of the time period is just rest time...To ensure decent work for domestic workers, the government must legislate working hours limit for workers, as well as the standby hours limit..."

Source: IDWN: *Statement on the Minimum Wage Bill in Hong Kong* (October 2009).

Overtime compensation

Apart from setting limits to daily and weekly hours, it is important to regulate and compensate overtime work. There are two key issues to consider in regulating overtime work:

- Establishing maximum limits to permissible overtime hours.
- Establishing methods of compensation for overtime work (Recommendation No. 201, Para.6), which could include:
 - Payment of normal wages with a premium.
 - Additional rest or time-off.
 - A combination of pay and time-off.

Record-keeping of hours worked by worker and employer is necessary for proper computation of pay including compensation for overtime and on-call duty, and any records of overtime work should be freely available to the domestic worker (Recommendation No. 201, Para.8).

Overtime: An important feature of domestic work everywhere

In **Kolkata**, India, a survey during the period December 2006-March 2007 observed that 69 per cent of fulltime workers put in eight to nine hours daily and 31 per cent worked nine to 12 hours.

In **Cambodia**, a study of 500 women and men employed as domestic workers in the cities of Phnom Penh and Siem Reap showed that 60 per cent worked between nine and 16 hours per day.

In the Kampala, Lira, Iganga and Mbarara districts of **Uganda**, a survey of adult domestic workers in 2005 showed that average daily hours were between 12 to 14 hours; two out of ten workers did not get any rest break during the day, while 40 per cent had less than one hour; and 64 per cent had no days off at all.

In **Kuwait**, a survey of migrant domestic workers in 2001 reported average working hours ranging from 78 to 100 hours a week.

In the **United Kingdom**, research on migrant care workers providing care to elderly persons in private households found that excessive hours with no breaks and/or pressure to work overtime were a problem.

In **San Francisco**, USA, a March 2007 survey of 280 domestic workers found that 90 per cent of respondents did not receive pay when they worked overtime

Sources: ILO. 2011. *Domestic worker policy brief no. 2: Working hours in domestic work* (Geneva). San Francisco Department of Public Health. Available at: <http://www.sfdph.org/dph/default.asp> [16 June 2010].

Periods of daily and weekly rest and paid annual leave

“If you’re a domestic worker, there’s no such thing as the weekend.” For many domestic workers the working weeks never end, because employers in many countries are not legally bound to grant days off. For example, in Uganda, a survey of adult domestic workers in 2005 showed that average daily hours were between 12 to 14 hours; two out of 10 workers did not get any rest break during the day, while 40 per cent had less than one hour; and 64 per cent had no days off at all.¹⁴

Adequate rest periods are as important for domestic workers as they are for other workers: rest periods make a big difference to a workers’ state of mental and physical health, and work performance. The delineation of rest periods is an important part of working time regimes. Convention No. 189 specifically calls for a **period of weekly rest of at least 24 consecutive hours** (Art.10(2)).

Recommendation No. 201 offers further guidance for weekly rest, calling for a fixed day of weekly rest which should be determined by agreement of the parties, in accordance with national laws, regulations or collective agreements, taking into account work exigencies and the cultural, religious and social requirements of the domestic worker.

The Recommendation also notes that if national laws, regulations or collective agreements allow for weekly rest to be accumulated over a period longer than seven days for workers generally, such a period should not exceed 14 days for domestic workers. The Recommendation emphasizes the importance of rest itself, noting that if domestic workers are required to work during the period of daily or weekly rest, they should receive **adequate compensatory rest**, irrespective of any financial compensation (Para.11).

Daily rest breaks for rest, meals and sleep are also critical for workers' health and well-being. Recommendation No. 201 calls for measures to ensure that domestic workers are entitled to suitable periods of rest during the working day, which allow for meals and breaks to be taken (Para.10).

Paid annual leave is the annual period during which workers take time away from their work while continuing to receive an income and to be entitled to social protection. Workers can take a specified number of working days or weeks of leave, with the aim of allowing them the opportunity for extended rest and recreation. Paid leave is available in addition to public holidays, sick leave, weekly rest, maternity and parental leave, etc. With the ILO Holidays with Pay Convention (Revised), 1970 (No. 132), **the international standard is three weeks of leave each year.**

Convention No. 189 calls for equal treatment between domestic workers and other workers with respect to paid annual leave entitlements. Recommendation No. 201 notes that time spent by domestic workers accompanying the household members on holiday should not be counted as part of their paid annual leave (Para.13).

Remuneration

Earning an income is the main concern and motivation of workers to work. This also holds just as true for domestic workers as for other workers. However, domestic workers are particularly vulnerable to abusive practices when it comes to the payment of wages. They are frequently engaged informally, without clear terms and conditions regarding hours of work and remuneration, and without a written contract or statement of contract particulars. As a result, it may be unclear how much the worker is entitled to be paid, when or how often. Language barriers and illiteracy among domestic workers may make the problem worse.¹⁵

Convention No. 189 sets out the following obligations in regard to remuneration for domestic workers:

- Minimum wage if a minimum wage exists for other workers (Art. 11).
- Wages must be paid in cash, directly to the worker, and at regular intervals of no longer than one month. Payment may be by cheque or bank transfer – when allowed by law or collective agreements, or with worker's consent (Art. 12).
- In-kind payment is allowed under three conditions:
 - It represents only a limited proportion of total remuneration.
 - The monetary value is fair and reasonable.
 - The items or services given as in-kind payment are for the personal use and benefit of the worker. This means that uniforms or protective equipment are not to be regarded as payment in kind, but as tools that the employer must provide to the workers at no cost to them for the performance of their duties (Art. 12).
- Fees charged by private employment agencies are not to be deducted from the remuneration (Art. 15).

Minimum wage

Extending minimum wage coverage to domestic workers is an important way to ensure fair remuneration that provides domestic workers and their families with a decent living. Domestic workers are vulnerable to low pay because many are informally engaged, they have low bargaining power, their educational attainment may be low, their work is undervalued and they may face pay discrimination.

Pay for domestic work should be considered in the context of national minimum wage setting for all workers. Where there are no general minimum wage mechanisms, or general mechanisms cannot be extended to domestic workers, countries may need to establish a specific mechanism for domestic workers, in keeping with the country's minimum wage policies. If national minimum wages are set by occupation, rates should be set in a manner which is free from gender-bias.¹⁶

Regular payment of wages

How often a worker is paid is a particularly important issue, given the social conditions of domestic workers. Leaving a domestic worker unpaid for several months on end is a tactic often used by dishonest employers; after all, a worker will think twice about walking out on a job for which she is owed a lot of back wages, even if she is suffering serious exploitation.

International standards provide that wages be paid regularly (ILO Convention No. 95). Moreover, for workers whose wages are calculated by the hour, day or week, ILO Recommendation No. 85 calls for payment of wages twice a month, and not less often than once a month for people whose remuneration is on a monthly basis. This is echoed in Convention No. 189 which calls for **payment intervals of no longer than one month.**

Payment in kind

Payment in kind is common in the domestic work sector in many parts of the world, particularly in the form of accommodation and food, but also for toiletries, clothing, school fees, etc. Partial payment in kind may be acceptable if there are certain protections against abuse. However, wages paid in money are crucial for workers in order to maintain a decent standard of living for themselves and their families.

Clear guidance on in-kind payments can help prevent abusive practices. Convention No. 189 allows for remuneration to be in-kind payment, provided:

- In-kind payment represents only **a limited proportion of total remuneration.**
- **The worker agrees** to it.
- **The monetary value is fair and reasonable.**
- The items or services given as **in-kind payments are for the personal use and benefit of the worker** (Art. 12).

Recommendation No. 189 notes that uniforms or protective equipment are not to be regarded as payment in kind; employer must provide such tools to the workers at no cost to them for the performance of their duties. (Para.14). The Recommendation also notes that the monetary value of in-kind payments should be calculated using objective criteria such as market value, cost price or prices fixed by public authorities (Para.14) and that the monetary value of in-kind payments should be noted for social security purposes, to calculate contributions by the employers and entitlements of the domestic workers (Art.20).

Minimum wage for domestic workers: Comments of the ILO Committee of experts on the Application of Conventions and Recommendations (CEACR), 2003

“It is essential not to overlook the real objective of the minimum wage system, which is to contribute to the eradication of poverty and ensure a decent living standard for workers and their families.” For domestic work to be treated as decent work, households have to be willing and able to pay minimum wages set with these objectives. The CEACR also emphasized the importance of recognizing the varying degrees of skills associated with domestic work when establishing remuneration, so as not to undervalue the work performed. **Gender bias in wage-fixing criteria should be avoided.**

Source: CEACR. 2003. “Observation with regard to Uruguay concerning the Minimum Wage Fixing Convention, 1970 (No. 131)”, in *Report IV (1): Decent work for domestic workers*, International Labour Conference, 99th Session, Geneva, 2010 (Geneva).

Irregular payment of wages

“A recurring problem faced by domestic workers in Tanzania is the irregular payment of wages. At the end of the month, domestic workers are told they will be paid the following month. There is no certainty as to when they will be paid and, in some instances, the employer holds on to their wages until their departure, saying that they do not really need the money. So they end up like slaves, as they do not have the freedom to leave the job with the guarantee of being paid. In addition, it is not uncommon for them to have considerable amounts deducted from their salary (which is sometimes as little as US\$ 10) for small damages such as a broken glass. After deductions like these, they are left with nothing of their wages at the end of the month.” Titus Mlengeya, National Chairman of the Tanzanian Conservation, Hotels, Domestic and Allied Workers’ Union (CHODAWU)

Source: International Trade Union Confederation (ITUC). 2009. *Spotlight interview, July 2009* (Brussels). Available at www.ituc.org [9 Nov. 2010].

Occupational safety and health

Domestic work is demanding and sometimes dangerous work. It is very physical work – bending and reaching, lifting heavy objects, and it can involve extremes of heat (cooking, ironing), sharp objects (knives), potentially toxic cleaning products and prolonged exposure to dust, and even exposure to infectious disease when caring for sick members of the household. Migrant domestic workers can be in an even more hazardous situation, for example, if they are not familiar with local products and the local language.

Convention No. 189 sets out the rights of every domestic worker to a safe and healthy working environment. It calls upon countries to take effective **measures to ensure the occupational safety and health of domestic workers** (Art. 13(1)).

Of course, developing measures for occupational safety and health is very challenging when work is undertaken inside of private homes. The Convention calls for creative problem solving by requiring employers' and workers' organizations to find solutions together. Where they exist, organizations representing domestic workers and employers of domestic workers should also participate (Art. 13(2)). Recommendation No. 201 (Para.19) goes on to call for measures that:

- a) Eliminate or minimize work-related hazards and risks, in order to prevent injuries, diseases and deaths and promote occupational safety and health in the household workplace.
- b) Provide a system of inspection, and penalties for violation of occupational safety and health laws and regulations.
- c) Establish procedures to collect and publish statistics on accidents and diseases related to domestic work.
- d) Advise on occupational safety and health, including on ergonomic aspects and protective equipment.
- e) Develop training programs and disseminate guidelines on occupational safety and health requirements specific to domestic work.

Social security protection

The right to social security is universally recognized as a fundamental human right that guarantees a secure, healthy and decent standard of living for every individual.¹⁷ “*Social security*” refers to the measures that provide benefits, whether in cash or in kind, that secure protection from a lack of access to health care; from income lost due to sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member; and from insufficient family support, poverty and social exclusion.¹⁸

Many domestic workers around the world lack this type of social protection: they are often excluded from social security systems because they are in informal and atypical employment. International migrant domestic workers, in particular, lack access to social security. Even where domestic workers are in formal employment or where informal workers are covered by law, social security systems have limited coverage in many countries. As a result, many domestic workers do not have access to health insurance or health care, unemployment benefits, maternity protection, pensions or other types of benefits.

Domestic workers may find themselves particularly vulnerable when they become pregnant. Because many are informally engaged, they are likely to have limited access to the kind of measures and protection that could ensure them safe and healthy pregnancies and births, a replacement income when they are on maternity leave and the right to return to their jobs. Even when legal and contractual entitlements to maternity protection are extended to domestic workers, women face the risk of dismissal when pregnant.

Convention No. 189 calls on countries to ensure that domestic workers enjoy conditions that are no less favourable than those applied to workers generally in respect of **social security protection, including with respect to maternity** (Art. 14(1)).

Thailand: Domestic workers lack social security coverage

The Social Security Act of 1990 (as amended in 1999) defines the “employee” who would be entitled to coverage under the Act as “... a person agreeing to work for an employer in return for wages irrespective of designation but excluding an employee who is employed for domestic work which does not involve business”. Therefore, domestic workers are not eligible to register for social security coverage which would entitle them to a number of benefits including compensation in case of non-work related accidents, illness, disability and death, and maternity, old-age and unemployment benefit.

Source: Boontinand, J. 2010. *Domestic workers in Thailand; A situation review* (Bangkok, ILO).

Recommendation No. 201 recommends that countries consider means to facilitate the payment of social security contributions, including for domestic workers who work for multiple employers, for instance through a system of simplified payment. It also calls on countries to take measures to calculate the monetary value of payments in kind for social security purposes, including with respect to the contributions by employers and entitlements of domestic workers (Para.20).

Migrant workers in particular may lack access to social security for a number of reasons—they may not be entitled to the same provisions for social protection as nationals, they may be undocumented or unregistered, they may be excluded by virtue of being informally engaged, they may face language and cultural barriers, they may not be able to take benefits across borders (e.g. pensions), they may not be able to affiliate with the social security system of their country of origin, etc. Recognizing the vulnerability of migrant workers with regard to social protection, the Domestic Workers Recommendation No. 201 urges countries to consider bilateral, regional or multilateral agreements to provide, for migrant domestic workers covered by such agreements, equality of treatment in respect of social security, as well as access to and preservation or portability of social security entitlements (Para. 20(2)).



Launching of the '12 by 12' Campaign at the European Parliament, Brussels

Access to health care: Finding solutions for migrant domestic workers

“When we set up our organization more than 25 years ago, there were two things we had to tackle urgently: health care and legal assistance. Some of our members as well as many Filipinas in Belgium - majority of whom were domestic workers - were undocumented and thus had no health insurance. When they fell ill, they resorted to auto-medication, which could be dangerous. The first thing we did was contact doctors whom we heard were sympathetic to migrants; soon, we had a network of doctors who were willing to treat workers with no insurance, and for only a small fee. They even facilitated the hospitalisation of two members so that they could give birth safely! Later, we negotiated a group insurance scheme with an international insurance company which required only a valid passport as documentation, but this was discontinued after a couple of years, as people left the scheme because they finally got their papers and some dropped out because they felt that their hard-earned wages were more important for their families back home than for their health insurance.”

Source: del Rosario, J. 2008. *25 years of the Samahan ng mga Manggagawang Pilipino sa Belgium (Philippine migrant workers' organization in Belgium)*, Presentation at 25th anniversary celebration of the organization (Brussels, November 2008).



Sources for additional reading:

Anderson, B.; O'Connell Davidson, J. 2003. *Is trafficking in human beings demand driven? A multi-country pilot study* in IOM Research Series, no. 15 (Geneva, International Organization for Migration (IOM)).

Boontinand, J. 2010. *Domestic workers in Thailand: A situation review* (Bangkok, ILO).

Coordination of Action Research on AIDS and Mobility (CARAM)/ASIA. 2011. *Reality check! Rights and legislation for migrant domestic workers across Asia* (Kuala Lumpur).

D'Souza, A. 2010. *Moving towards decent work for domestic workers – An overview of ILO's work* (Geneva, Bureau for Gender Equality (GENDER)).

Esim, S.; Kerbage, C. 2011. *The situation of migrant domestic workers in Arab States: A legislative overview* (Beirut, ILO and United Nations Economic and Social Commission for Western Asia (ESCWA)). Available at: <http://www.unescap.org/sdd/meetings/beirut-June2011/Esim-ESCWA-situation-female-workers-vulnerable-sectors.pdf> [20 Feb.2012].

Galotti, M. 2009. *The gender dimension of domestic work in Western Europe* (Geneva, ILO-International Migration Programme).

Human Rights Watch (HRW). 2006. *Swept under the rug: Abuses against domestic workers around the world* (New York).

ILO. 2011. *Domestic workers in Asia and the Pacific: Recognition for an 'invisible workforce'* (Bangkok).

ILO. 2011. *Convention No. 189: Decent work for domestic workers* (Geneva, ILO Conditions of Work and Employment Programme (TRAVAIL)).

ILO. 2011. *Decent work for domestic workers: Convention 189 & Recommendation 201 at a glance* (Geneva).

ILO. 2011. *Domestic work policy brief 1: Remuneration in domestic work* (Geneva, ILO Conditions of Work and Employment Program). Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_155654.pdf [5 Sep. 2011].

ILO. 2011. *Questions and answers on the hidden reality of children in domestic work* (Geneva). Available at: http://www.ilo.org/global/about-the-ilo/press-and-media-centre/insight/WCMS_160515/lang-en/index.htm [20 Feb.2012].

ILO. 2010. Report IV (1): *Decent work for domestic workers*, International Labour Conference, 99th Session, Geneva, 2010 (Geneva).

ILO. 2007. *Decent work for domestic workers*, Labour Education 2007/3-4. No. 148-140 (Geneva, Bureau for Workers' Activities (ACTRAV)).

International Trade Union Confederation (ITUC). 2010. "Domestic work: Mobilising for an ILO Convention", in *Union View*, no. 19 (Brussels).

ITUC. 2008-2010. "Spotlight interviews" in *ITUC Online* (Brussels). Available at: www.ituc.org [20 Nov. 2011].

Rajab, N. 2010. *Race, poverty, and justice*, Presentation at the World Congress against the Death Penalty (Geneva, Manama, Bahrain Center for Human Rights). Available at: <http://www.bahrainrights.org/en/node/3054> [20 Feb.2012].

Ramirez, M.G. 2009. *Legal protection for migrant domestic workers in Asia and the Arab States* (Bangkok, UNIFEM-East and South-East Asia Regional Office).

Spykerman, K. 2011. "Consider law to give maids a day off every week", in *The Strait Times* (Singapore). Available at: http://www.straitstimes.com/BreakingNews/Singapore/Story/STIStory_681815.html [20 Feb.2012].



HANDOUT 2.4 Protection for particular groups of domestic workers

Child domestic workers

The ILO estimates that at least 15.5 million children (age 5 to 17) were working as domestic workers worldwide in 2008. Children in domestic work face very hazardous conditions, and many may have no or little access to education and face other abuses of their basic rights (see Handout 1.2). The new Convention calls on countries to take protective measures with respect to child domestic workers. In particular:

- Countries must set a **minimum age** for entry into domestic work (Art.4).
- For domestic workers aged 15 years old but less than 18 years old, measures must be taken to ensure that their **work does not interfere with compulsory education**, or interfere with their opportunities for further education or vocational training (Art.4).

ILO Convention No. 189 complements the provisions of two other key ILO Conventions on child labour: Convention No. 138 on Minimum Age and Convention No. 182 on the Worst Forms of Child Labour. Recommendation No. 201 reinforces this by calling for the identification, prohibition and elimination of hazardous work by children, and for the implementation of mechanisms to monitor the situation of children in domestic work (Para.5).

Child domestic workers: Vulnerability and discrimination

“Despite the danger to children’s health and growth, there is a ‘blindness’ to child domestic/household labour around the world. In most countries there is legislation governing the minimum age for employment; but, because domestic/household labour is not seen as ‘work’ or, at best, only ‘light’ tasks, so the minimum age laws are often not applied to it. Plus there is a mythology that employers are doing some kind of charitable act in providing a roof for poverty-stricken children. It is true that poverty drives many rural families to send their children to work in other people’s households. But it is not an act of charity to use and abuse the labour of a child who should be at home and at school.”

Source: Mather, C. 2008. *Respect and Rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF).

Live-in domestic workers

Domestic workers who live in the homes of their employers are called ‘live-in’ workers. They are at special risk of working long or excessive hours, without rest days or compensation for overtime, and of physical and sexual harassment, violence and abuse. In some cases, they are physically restrained from leaving their employers’ home by means of threats or actual violence, or by the withholding of pay or identity documents. They are also at special risk of very low pay, with accommodation and food deducted from their remuneration and sometimes substituting for cash wages altogether.

Convention No. 189 recognizes the need for specific protective measures for live-in domestic workers and calls for the following:

- **Decent living conditions** that respect the workers’ **privacy** (Art. 6).
- **Freedom** to reach agreement with their employers or potential employers **on whether or not to reside in the household** (Art. 9).
- No obligation to remain in the household or with its members during their periods of rest or leave (Art. 9).
- **Right to keep their identity and travel documents** in their possession (Art. 9).
- + **Regulation of stand-by hours** (Art. 10).

For live-in workers, the issue of accommodation and how it is treated in terms of remuneration is very important. Accommodation and food are often treated as payment in-kind. The Convention provides special protections regarding payment in-kind, ensuring that in-kind payments can account for only a limited proportion of total remuneration (see Handout 2.3).

Accommodation: Can it be deducted from wages?

The issue of accommodation is central to the domestic work relationship in that the workplace is very often the worker's home. One major issue to consider is how room and board should be treated in terms of the remuneration of the worker. It is common for accommodation and meals to be deducted from a worker's remuneration, even though live-in arrangements tend to be to the advantage of employers rather than workers. In some countries under migrant workers' schemes, there is even a legal requirement for domestic workers to live in the same dwelling as their employers.

Because wages in cash are so critical to any worker's ability to maintain a standard of living, Convention No. 189 puts clear limits on in-kind payments and obligates countries to ensure that **only a limited proportion of total remuneration may be in in-kind payments, that such payments are agreed to by the worker, and that the monetary value is fair and reasonable** (Art.12). Recommendation No. 201 further calls for countries to ensure that, when a domestic worker is required to live in accommodation provided by the household, **no deduction may be made from the remuneration with respect to accommodation, unless agreed to by the worker** (Para.14). These provisions are important to ensure that domestic workers' wage earnings are not reduced largely or wholly by deductions for accommodation and food.

Migrant domestic workers

Over the past 30 years, the number of domestic workers who are migrants has grown. Many people move within their own country from the rural areas to the cities to find work – they are internal migrant workers. Many others move to another country to work – they are known as international migrant workers. It is difficult to estimate how many domestic workers are internal or international migrant workers, because most countries lack data in this field. Women currently make up half of the world's 200 million international migrants, and many of these women are domestic workers.

In addition to the poor working conditions of domestic work in general, international migrant workers can be especially vulnerable to exploitation from the irregularity of their work status, lack of access to the legal system, exclusion from social protection, denial of freedom of association and workers' rights, unsympathetic attitudes of the authorities and the public towards migrant workers, discrimination and xenophobia.

The rights of migrant workers are protected by universal human rights and core labour rights that apply to all migrants, by migrant-specific standards, and by

other labour standards that also apply to migrant workers. Convention No. 189 provides explicit protections for migrant workers to address the vulnerability they face to abuses of their rights. In particular, it calls for:

- A written contract that is enforceable in the country of employment, or a written job offer, prior to traveling to the country of employment (Art.8).
- Clear conditions under which domestic workers are entitled to repatriation at the end of their employment (Art.8).
- Protection of domestic workers from abusive practices by private employment agencies (Art.15).
- Cooperation among sending and receiving countries to ensure the effective application of the provisions of the Convention to migrant domestic workers (Art.8).

Recommendation No. 201 provides more guidance for further protecting the rights of migrant domestic workers, including calls for countries to consider:

- Bilateral, regional or multilateral agreements to provide equality of treatment in social security, and access to, and portability of, social security entitlements (Para.20(2)).

- Additional measures to ensure the protection of domestic workers and, in particular, migrant domestic workers, such as:
 - Establishing a national hotline with interpretation services for domestic workers who need assistance; a system of pre-placement visits to households in which migrant domestic workers are to be employed; and a network of emergency housing.
 - Raising employers' awareness of their obligations by providing information on good practices in the employment of domestic workers, employment and immigration law obligations regarding migrant domestic workers, enforcement arrangements and sanctions in cases of violation, and assistance services available to domestic workers and their employers.
 - Securing access of domestic workers to complaint mechanisms and their ability to pursue legal civil and criminal remedies, both during and after employment, irrespective of departure from the country concerned; and to a public outreach service to inform domestic workers, in languages understood by them, of their rights, relevant laws and regulations, available complaint mechanisms and legal remedies, concerning both employment and immigration law, and legal protection against crimes such as violence, trafficking in persons and deprivation of liberty, and to provide any other pertinent information they may require (Para. 21(1)).
- Countries of origin should inform migrant domestic workers of their rights before departure, establish legal assistance funds, social services, specialized consular services and any other appropriate measures (Para.21(2)).
- Members should consider the conditions under which migrant domestic workers are entitled to repatriation at no cost to themselves when their employment contract is over (Para.22).

Other international labour instruments that have relevance for migrant domestic workers, include the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Workers with Family Responsibilities Convention, 1981 (No. 156), the Private Employment Agencies Convention, 1997 (No. 181), and the Employment Relationship Recommendation, 2006 (No. 198), as well as the ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration (2006).

Access to justice

“A migrant domestic worker who is exploited by an employer can take legal action without the risk of losing her/his residence permit. If they lose their job as a result of a breach of their employment contract, they can complain to the Labour Ministry, initiate proceedings against their employer and these proceedings allow them to extend the length of their stay. The problem is that the legal proceedings usually take two to three months. It is difficult for them to remain in Hong Kong without an income, unless they receive outside help. Moreover, when a two-year contract expires and the employer does not renew it, the migrant worker has to find a new employer within two weeks, otherwise she has to return to her country and go back through an agency again to find work. The HKCTU does not have the resources to provide them with shelter, food, etc., but we put them in touch with NGOs that offer this kind of help. What we are able to do is provide legal assistance. We also give training to migrant workers' unions so that they can offer their members legal aid.”

Source: ITUC. 2010. “Interview with Elizabeth Tang” in *ITUC OnLine* (Brussels).



Sources for further reading:

ILO. 2011. *Decent work for domestic workers: Convention 189 & Recommendation 201 at a glance* (Geneva, ILO Conditions of Work and Employment Programme (TRAVAIL)).

ILO. 2011. *Convention No.189: Decent work for domestic workers* (Geneva, ILO Conditions of Work and Employment Programme (TRAVAIL)).

**Making domestic work visible**

European countries adopt voucher systems to reduce illegal employment. To restrict the illegal, socially unprotected employment of domestic workers, some countries have established 'service voucher' schemes. These vary from one country to another, but generally the employer buys the vouchers from an institution, whether public or private, then passes them on to the domestic worker as payment. The domestic worker then redeems the vouchers from the voucher company in order to be paid. The vouchers are usually part of government social benefits and involve tax exemptions, so the employer of the domestic worker does not have to calculate employment deductions, etc. Domestic workers have to be registered to participate in the system.

In **France**, the universal employment service cheque (CESU) lets an employer in metropolitan France to pay a range of services carried out by a domestic employee, as well as to remunerate the employee while also paying social protection contributions. It may be used for both occasional and regular domestic work.

In **Austria**, the Household Service Cheque Act regulates employment relationships between private persons and certain typical household services, so long as the monthly payment does not exceed a marginal threshold. The cheque must equal the agreed hourly wage. Minimum wage regulations apply to the employment relationship.¹⁹

Philippines and local ordinances. A local ordinance is a piece of legislation on a specific subject of regulation, whose power of enforcement is limited only to the community or political unit of the local law-making body that passed it. In the Philippines, Quezon City passed a local ordinance in 2004 that calls on all barangays (districts) in the city to register domestic workers, especially child domestic workers, so that a profile of domestic workers can be established as a reference for the menu of services for domestic workers. Registration is seen as a concrete way to transform the "invisible existence" of domestic workers to visibility by identifying them and their workplaces. The City of Makati made a similar move in 2006 by adopting an ordinance for the kasambahays (domestic workers) that requires all districts to register domestic workers. These ordinances also provide for establishment of hotline mechanisms and the promotion of social security coverage for domestic workers in their localities.²⁰

Stopping abuse and exploitation

Faith-based organizations address abuse. In Malaysia, Singapore, and Lebanon, faith-based organizations have played an early and particularly critical role in identifying abuses against migrants, providing emergency services, and organizing social and education outlets such as picnics or training programs. In these countries, activists, academics and students have experimented with creative strategies to challenge mistreatment of domestic workers, for example through essay competitions among children about domestic workers, exhibits with photos taken by migrants about their lives, candlelight vigils, and sports and cultural events.

These organizations have also developed SMS hotlines which help overcome domestic workers' inability to seek help if locked in the workplace. The hotlines are staffed by volunteers who speak the languages of the migrants. Pro bono lawyers provide legal aid in criminal cases. Hotline staff assist domestic workers in negotiating with their employers to receive unpaid salary or a return ticket home, and can arrange for an emergency shelter if needed. These organizations struggle with inadequate resources, especially to handle the high volume of complaints, to have enough interpreters, and to deal with issues like trauma counseling.²¹

Improving terms of employment and working conditions

South Africa sets out working conditions in law. Domestic work is recognized by the labour laws of South Africa, which adopted a law in 2002 on the basic terms of employment and working conditions of domestic workers. The law calls for a signed employment contract between employers and workers, maximum working hours per

week of 45 hours, daily rest periods, annually adjusted minimum wages, four months of maternity leave, and coverage under the Unemployment Insurance Fund which provides relief in cases of dismissal, retrenchment or illness.²²

New York passes 8-hour workdays and paid holidays for domestic workers. In 2010, New York became the first state in the USA to establish rights for household workers by passing bills that require overtime pay after eight-hour workdays, at least one day off per week, six days' holiday, seven sick days and five vacation days annually, all paid. Collective bargaining rights are established, as is a 14-day termination notice or pay. The laws will protect the more than 200,000 housekeepers, nannies and other domestic workers in the state, most of whom are women and migrants and often are vulnerable to abuse. The legislation passed in part because of the lobbying and advocacy efforts of the Domestic Workers United (DWU), an organization of Caribbean, Latina and African nannies, housekeepers and care givers in New York.²³

India extends social security and welfare benefits for unorganized workers. Under the Tamil Nadu Manual Workers Act, the government established labour boards to provide social security and welfare benefits to unorganized workers, including a separate board for domestic workers. The board extends benefits to domestic workers, including maternity benefits, education costs, compensation for natural death, accidents etc. These amendments came about through constant campaigning of the Tamil Nadu Workers' Union and other informal sector unions.²⁴

Tanzania sets minimum wage for domestic workers. "Last year, a minimum monthly wage of around \$60 was set for domestic workers, following the negotiations we held with the government and the association of employers. The latter does not formally represent domestic workers' employers, but is able to speak on their behalf, as its members employ them. The law allows employers providing lodging, food and medical care to make deductions from the minimum wage...The families who have access to the media know that there is now a law that obliges them to apply this wage, but most people have not yet heard about it. Our duty as a union is to help spread this awareness, in the same way that it is the government's duty to enforce the law. Prior to the adoption of this minimum wage, domestic workers could be paid five or ten dollars a month."²⁵

Hong Kong China establishes an OSH Compensation Fund. The Hong Kong Domestic Workers General Union (HKDWGU) has worked to amend legislation to improve protections for domestic workers. Among others was the Employee Compensation Ordinance, which requires employers to buy labour insurance for workers and makes them liable for compensation for work injuries, death, accidents, and occupational disease. Workers would thus be entitled to compensation for medical expenses and paid sick leave.

However, the unions have found that many employers do not buy labour insurance, and workers often do not know whether their employers have bought the insurance or they are afraid of filing claims because they don't want to risk losing their job. After years of union lobbying, the Government started a media campaign in 2006 to urge employers to pay this insurance.²⁶

Strengthening the skills of domestic workers to negotiate with their employers

Hong Kong trade union assists with domestic workers' negotiating skills. In Hong Kong, China, many members of the Hong Kong Domestic Workers General Union (HKDWGU) complained that they did not know how to respond to employers who asked them to do work fast. Many domestic workers work for several employers and are paid on an hourly basis. They have to complete their work as quickly as possible but provide quality services that will still satisfy their bosses. For example, they might be asked to clean the bathrooms and kitchen every week in 3 hours! If they were unable to do it, their bosses would likely employ someone else.

The union arranged a training session on how to negotiate with the employer, through back and forth dialogue in which domestic workers learn to explain the requirements of the work and the time needed for it. The sessions were conducted among the workers themselves, there were no experts to come and give them advice. Through the sharing of their own work experiences the domestic workers were able to negotiate for better work conditions and wages.²⁷



To give true meaning to Convention No. 189 and Recommendation No. 201 and for domestic workers to fully enjoy their long-overdue rights, countries need to ratify the Convention and implement it, guided by the Recommendation which also contains provisions to further improve the status and working conditions of domestic workers.

Immediately after the June 2011 Conference, domestic workers and their supporters set to work to campaign for the ratification of Convention No. 189 by member States without delay. The International Trade Union Confederation (ITUC) launched the '12 in 12' Campaign. The aim is to have 12 countries ratify the Convention by the end of 2012. The ITUC '12 in 12' campaign is implemented in cooperation with the IUF (the global union for food, farm and hotel workers), the International Domestic Workers Network and other human rights, women's and migrants' organizations. For more information and campaign tools, see www.ituc-csi.org.

In many countries all over the world, including those in Asia/Pacific, domestic workers and their supporters have been developing strategies and tactics, forming task forces/working groups, forging alliances, organizing information meetings, working with and through the media and, most importantly, they have started discussions with the competent national authorities, mainly the Ministries responsible for Labour, Foreign Affairs and Women. In a number of countries, like the Philippines, Uruguay and Brazil, employers' organizations have given their active support.

Getting governments to do their “domestic work”: Ratify and implement Convention No. 189!

Here are just a few of the activities in various countries which followed the adoption of Convention No. 189:

- **Bangladesh:** The Domestic Workers' Rights Network (DWRNB) urged the Government to take immediate steps to ratify ILO Convention No. 189, highlighting examples of poor treatment and abuse of domestic workers in the country and calling on the government to approve the long-awaited 'Domestic Workers' Protection and Welfare Policy'.
- **Benin:** In December 2011, the regional-level unions SYNEHM and SEHM/BA, came together to learn about Convention No.189 and the IDWN, and to draw up plans for promoting ratification. In January 2012, SYNEHM learned from the Labour Ministry that Convention No.189 is being submitted to the Council of Ministers to start the ratification process.
- **Hong Kong, China:** The Federation of Asian Domestic Workers' Unions (FADWU), which comprises local and migrant domestic workers, held a training workshop on Convention No. 189. Participants identified gaps between domestic workers' actual situation and Hong Kong laws and policies, and the action needed to promote ratification.
- **India:** Domestic workers and supporters held a press conference in December 2011 to promote the '12 by 12' campaign. India is considering a new national policy for domestic workers, including access to social security, and a helpline to report sexual violence. It is stressing regulation and monitoring of placement agencies for workers' going abroad. The Self-Employed Women's Association (SEWA) welcomed the reforms, but will continue to press for ratification of Convention No.189, as will the major union federations Hind Mazdoor Sabha (HMS) and INTUC.
- **Jamaica:** The Jamaica Household Workers' Association (JHWA) is holding awareness-raising workshops across the island, supported by the ILO. It is working with the Jamaica Employers' Federation to “move employers from resistance to acceptance”. In October 2011, it held an event called 'The Way to Ratification', with the Jamaican Minister of Labour and Social Security as guest speaker, along with employers, trade unions, NGOs, and of course domestic workers.



- **Latin America:** The CONLACTRAHO, the regional confederation of domestic workers' organizations launched their campaign for ratification in Mexico and Brazil in mid-September 2011, with the slogan 'Put the gloves on for domestic workers' rights'. Their initial focus is on Brazil, Costa Rica, Argentina, Uruguay, Bolivia, Ecuador and Chile. Most of these countries as well as Paraguay are already working on ratification.
- **Philippines:** The Philippine Government chaired the International Labour Conference Committee on Domestic Work (June 2010 and 2011 Sessions) and was one of the lead countries lobbying for the adoption of Convention No. 189. It has indicated its intention to ratify it soon and the campaign for ratification is underway.
- **South Africa:** In August 2011, SADSAWU, South Africa's union of domestic workers, met with the Portfolio Labour Committee in Parliament to discuss ratification of Convention No. 189 by South Africa. Later that month, a 'Domestic Workers Summit' was co-hosted by SADSAWU and the national union federation COSATU, attended also by the Department of Labour, to raise more awareness, particularly in other unions.
- **Tanzania:** In December 2011, the union representing domestic workers in Tanzania, CHODAWU, held an event for the ratification of Convention No. 189. The Ministry of Labour and Employment confirmed the government's recognition of domestic workers as workers and its intention to ratify the Convention soon. It plans to educate all labour officers and members of parliament on the Convention. The Labour Inspectorate will soon start inspecting domestic workplaces. The Employers Association has announced its support.
- **United Kingdom (UK):** The UK Government was one of only eight to abstain in the vote for Convention No. 189 and has said it will not ratify it. A coalition of organizations – including Justice for Domestic Workers (J4DW), Unite the Union, the Trades Union Congress (TUC), the advocacy support center Kalayaan, Anti-Slavery International, and Oxfam – is challenging the Government strongly, working also with the Recruitment and Employment Confederation, a trade association for recruitment agencies.
- **Western Africa:** A regional meeting in Ghana in September 2011 was organized by the Governments of Ghana and Switzerland, and UN Women, to look at migration and domestic workers. The Ghanaian Minister for Employment and Social Welfare announced the Government's readiness to implement the provisions of Convention No. 189.

Campaigning in Asia and the Pacific

In October 2011, a regional conference for Asia and the Pacific was organized in Manila, Philippines, on the theme “Advocacy towards the Ratification and Implementation of ILO Convention No. 189 and Recommendation No. 201 on decent work for domestic workers”. The conference was attended by around 140 participants representing organizations from more than 20 countries and territories, including 35 national trade unions, five domestic workers’ organizations and 20 civil society organizations from the International Trade Union Confederation – Asia/Pacific (ITUC-AP), International Domestic Workers Network (IDWN), Global Network-Asia, and Migrant Forum in Asia (MFA). At the conference, the participants developed strategies and a common plan of action to work for the ratification of Convention No. 189 in Asia, followed by implementation and monitoring.

Inspired by the ‘12 in 12’ Plan (above), the Manila Conference delegates drew up their national plans, which included goals to achieve 12 labour law reforms on domestic work, organize 12,000 domestic workers and form or strengthen 12 domestic workers’ unions/associations/networks. Amongst the strategies identified by the Conference were:

- Support domestic workers in forming, joining and sustaining their own trade unions, organizations and networks.
- Submit petition letters to governments, embassies and consulates as well as senators and legislators to ratify Convention No.189.
- Get the support of key political actors at the national and local levels.
- Continue raising awareness about Convention No. 189 through solidarity statements, posters, primers, leaflets, videos, reports, petitions, flyers, journals, press conferences, rallies, meetings, media coverage, online and social networking sites, and advocacy and signature campaigns.
- Do research and collect data and statistics on domestic workers and their situation.
- Sustain dialogues and interactions with government officials, bureaucrats and employers’ groups regarding labour laws concerning domestic workers.
- Strengthen and sustain alliances with trade unions, civil society organizations, social movements, migrant workers’ organizations, women’s groups, informal workers in other sectors, and human rights organizations.



Sources for further reading:

Global Network Asia. 2011. *Conference on Decent Work for Domestic Workers (Convention No.189) (Manila)*. Available at: <http://www.theglobalnetwork.net/news/159/> [25 Nov. 2011].

International Domestic Workers’ Network (IDWN). 2012. *Myths and realities about domestic workers: Why domestic workers need strong regulations for our rights* (Geneva). Available at: http://idwn.info/sites/default/files/8Myths_0.pdf [1 Nov. 2011].

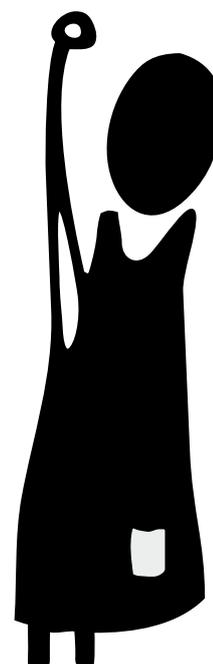
IDWN. 2011. *IDWN Newsletters October 2011 and February 2012* (Geneva). Available at: http://domesticworkerrights.org/sites/default/files/IDWN_Newsletter_2011.pdf [20 Feb.2012].

ITUC. Nd. *Domestic workers campaign: 12 by 12* (Brussels). Available at: <http://www.ituc-csi.org/domestic-workers,513.html> [20 Feb.2012].

Rahman. 2011. “Ratification of ILO Convention on domestic workers demanded” in *The Financial Express*, 26 July 2011 (Dhaka). Available at: http://www.thefinancialexpress-bd.com/more.php?date=2011-07-26&news_id=144074 [10 Nov. 2011].

[End notes]

- 13 ILO: *Convention No. 189: Decent work for domestic workers*. (Geneva, Conditions of Work and Employment Programme (TRAVAIL), 2010). http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_161104.pdf [5 Nov. 2011].
- 14 Uganda Platform for Labour Action: *Adult domestic workers in Uganda: An analysis of human rights and social injustice* (Kampala, Fountain Publishers Ltd., 2007).
- 15 ILO: *Domestic work policy brief 1: Remuneration in domestic work* (Geneva, 2011). Available at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_155654.pdf [5 Sep. 2011].
- 16 For more information on minimum wage machineries and domestic work, see ILO: *Domestic work policy brief 1: Remuneration in domestic work* (Geneva, 2011).
- 17 Several international instruments affirm the right of every individual to social security. These include the Universal Declaration of Human Rights, 1948; the International Covenant on Economic, Social and Cultural Rights, 1966; ILO's Declaration of Philadelphia, 1944, and the Income Security Recommendation, 1944 (No 67). See, for example, International Labour Conference: "Social security as a human right and duty of the State" in *Social security and the rule of law*. Item three, Report III (1B), Part II, Chapter IA (Geneva, 2011) pp. 65-70.
- 18 In line with ILO: *World social security report 2010/11* (Geneva, 2010), p. 13.
- 19 ILO: *Report IV (1): Decent work for domestic workers*, International Labour Conference, 99th Session, Geneva, 2010 (Geneva, 2010).
- 20 ILO: *Kasambahay Handbook: Everything the Filipino domestic workers want to know* (Manila, 2006).
- 21 Human Rights Watch: *Slow reform: Protection of migrant domestic workers in Asia and the Middle East* (New York, 2010).
- 22 Ramirez, M.G.: *Legal protection for migrant domestic workers in Asia and the Arab States*, (Bangkok, UNIFEM-East and South-East Asia Regional Office, 2009).
- 23 Domestic Workers United (DWU) website: www.domesticworkersunited.org [5 Sep. 2010].
- 24 Committee for Asian Women (CAW): *Proceedings of the Domestic Workers Organizing Strategy Workshop*, Yogyakarta, Indonesia, March 2007 (Bangkok, 2008).
- 25 S. Grumiau: "Interview with T. Mlengeya, National Chairman, Conservation, Hotels, Domestic and Allied Workers' Union (CHODAWU) of Tanzania, in *ITUC Spotlight* (ITUC-International Trade Union Confederation, 2009).
- 26 Hong Kong Domestic Workers General Union (HKDWGU) and Hong Kong Confederation of Trade Unions (HKCTU): *Fight for Central OSH Compensation Fund; Case study* (Hong Kong, 2010).
- 27 "Proceedings of the Domestic Workers Organizing Strategy Workshop held 25-31 March 2007, Yogyakarta, Indonesia", in Committee for Asian Women (CAW): *Manual for domestic workers: Organizing for a better future*, (Bangkok, 2009).



MODULE 3

Decent work for domestic workers: Action now!

GUIDE



Aim

On completion of this module, participants will be able to draw up action plans to achieve decent work for domestic workers through organizing, building and strengthening organizations and networks, and forging alliances and coalitions.



Contents at a glance



Activities

Activity 3.1	Facing the challenges (<i>Group work</i>)
Activity 3.2	Organizing – Identifying obstacles (<i>Role-play</i>)
Activity 3.3	Organizing – Overcoming the obstacles (<i>Group work</i>)
Activity 3.4	Developing an organizing strategy (<i>Group work</i>)
Activity 3.5	Networking and building alliances (<i>Group work</i>)
Activity 3.6	Lobbying your allies (for domestic workers' organizations) (<i>Role-play</i>)
Activity 3.7	Drawing up an action plan (<i>Group work</i>)
Activity 3.8	Making a personal commitment (<i>Individual exercise</i>)



Tools

Tool 3.1	Checklist for organizing domestic workers
Tool 3.2	What trade unions and civil society organizations can do to support domestic workers
Tool 3.3	Roadmap for developing an organizing strategy
Tool 3.4	Checklist: Building organizations, forging alliances
Tool 3.5	SWOT Analysis
Tool 3.6	Pathway to change



Handouts

Handout 3.1	Facing the challenges: Organize, don't agonize!
Handout 3.2	Building organizations, forging alliances
Handout 3.3	Case studies: Domestic workers organizing and building alliances around the world
Handout 3.4	Planning for change



Notes for trainers

It is important to remember at all times that domestic workers should be at the forefront of organizing and leading their organizations. As one domestic worker leader put it: “We are tired of hearing others speak in our name.” The Handouts give countless examples from all over the world which refute the myth that domestic workers lack confidence, education and training to articulate their needs and fight for their rights. This is not to say that the road is smooth and obstacles are few... On the contrary, domestic workers face many challenges due to the specific nature of their work, the lack of labour and social protection and other factors (see Module 1). To organize, to know what rights they have, and to get the opportunity to be heard, domestic workers need the strong support and solidarity of their allies, first and foremost, the trade unions, and women’s, migrants’ and human rights organizations.

- The activities in this Module are for both domestic workers’ (DW) organizations and their allies. In using the activities, be sure to adapt them to your participants. In mixed groups, make sure to underline the central role of domestic workers and their organizations.
- Prepare yourself for every session and activity. Make sure that you have the information your participants need in order to think about their situation, decide what they may want to change and how they want to go about doing this.
- Invite speakers from domestic workers’ organizations, trade unions and other civil society organizations (CSOs), such as women’s and migrants’ organizations to share their experiences in organizing, leadership, lobbying, campaigning, etc.
- Depending on the level of experience of the participants, you may find it useful to distribute the Handouts before the activities to give them more ‘food for thought’.
- In adapting this Module for training of members and leaders of domestic workers’ organizations, material from Modules 1 and 2 may provide additional support.
- As in all Modules, adjust the programme and number of activities according to the time available.
- Make sure no trainer or resource person talks for longer than 15 minutes in a row. Too much talk is boring, participants will fall asleep and decide they will not come another time.
- ALWAYS prepare the material and check the equipment BEFORE a session starts.



Suggested lesson plan

Session 1 Facing the challenges: Organize, don’t agonize!

Duration	8 hours & 35 minutes (Add time for introduction of participants and breaks)
Time (minutes)	Handouts 3.1 and 3.2
5	Welcome and purpose of the session by the trainer
30	Introduction by trainer and general discussion
90	Activity 3.1 Facing the challenges (Group work)
90	Sharing organizing experiences (Panel discussion) – Optional
90	Activity 3.2 Organizing – identifying organizing opportunities and obstacles (Role-play)
60	Activity 3.3 Organizing – utilizing strengths and overcoming obstacles (Group work)
120	Activity 3.4 Developing an organizing strategy (Group work)
30	Sum-up and feedback

Session 2 Building and strengthening organizations and networks

Duration	3 hours & 45 minutes (Add time for introduction of participants and breaks)
Time (minutes)	Handouts 3.2, 3.3 and 3.4
5	Welcome and purpose of the session by the trainer
15	Introduction to session by the trainer
90	Panel discussion (leaders/representatives of domestic workers' organizations, trade unions, civil society organizations)
90	Activity 3.5 Networking and building alliances (Group work)
90	Activity 3.6 Lobbying your allies (for domestic workers' organizations) (Role-play)
15	Sum and feedback

Session 3 Planning for Change

Duration	4 hours
Time (mins)	Handout 3.4
10	Welcome and purpose of the session by the trainer
30	Introduction and explanation of exercise (Handout 3.4)
120	Activity 3.7 Drawing up an action plan (Group work)
60	Activity 3.8 Making a personal commitment (Individual exercise)
30	Sum-up and feedback



Material and equipment

- If using Activity B of the Introduction Exercises, collect: newspaper/magazine cut-outs and postcards with various images (see Other Resources at the end of this manual).
- Photocopies of handouts for distribution to participants.
- Board or flipcharts and markers.
- Coloured paper (A4).



Meeting of the ITUC Arab Women's Network, Jordan

Activities



Activity 3.1 Facing the challenges

Aim	To enable participants to understand the challenges in mobilizing on decent work for domestic workers and make proposals on what each organization can do to face these challenges.
Duration	90 minutes



Materials:

- Photocopies of Tool 3.2: What trade unions and civil society organizations can do to support domestic workers.
- Flipcharts and markers.



Handouts:

- Handouts 3.1: Facing the challenges: Organize, don't agonize!
- Handout 3.2: Building organizations, forging alliances.



Tasks:

Step 1: Directions and group work (50 minutes)

1. Explain the aim of the Activity.
2. Divide participants into groups, if possible by organization, association, or network, or by place of residence.
3. Ask each group to designate a facilitator and a reporter, who writes down key points on a flipchart. Each group should discuss:
 - a. Should your group give priority to the issue of domestic workers? Why?
 - b. If yes, what are the three main challenges?
 - c. What can your group do to deal with these challenges. Be specific, concrete and realistic.
 - d. "Empowerment is an approach where domestic workers represent and speak for themselves through their elected leaders, with the support, rather than leadership, of other organizations." Does the group agree? Explain your answer.

Step 2: Reporting and summary (40 minutes)

4. Each group reports back. Facilitate the discussion and obtain consensus on key proposals to address the 3 main challenges, clustering these and listing these on the black/white board.
5. **Important:** Keep this list for use in Activity 3.7 Drawing up an action plan



Activity 3.2 Organizing – Identifying obstacles

Aim	To identify the obstacles which may make it difficult for domestic workers to organize, form their own organizations (unions, associations, networks) and/or join trade unions.
Duration	90 minutes



Materials:

- Photocopies of Tool 3.1: Checklist for organizing domestic workers.
- Cards or half A4 papers; markers; masking tape; flipcharts; black or white board for plenary discussion.



Handouts:

- Handout 3.1: Facing the challenges: Organize, don't agonize!
- Handout 3.2: Building organizations, forging alliances.



Tasks:

Step 1: Role-play in two groups (60 minutes) ²⁸

1. Divide participants into two groups of at least six people each. Distribute five cards or half A4 paper to each group along with markers.
2. Explain the activity's aim. Make it clear that they should concentrate on the problems – the solution will be the subject of the next activity.
3. Ask each group to assign one reporter, one organizer and two persons to play the current members of an organization of domestic workers. The other group members play domestic workers who are 'potential' members.
4. Briefly explain the **Role-play** to both groups: The organizer approaches the rest of the group in a friendly manner and encourages the domestic workers to join his/her organization. The two current members give reasons why they have joined the organization's activities. Each 'potential' member gives at least one reason why s/he cannot or does not want to join. The organizer tries to convince them of the benefits of joining and counters their arguments.
5. Ask each group to carry out the role-play. While the role-plays are going on, the reporter in each group makes a list of the reasons for not joining the organization on a flipchart.
6. Walk around to listen to the role-plays. When the group members start to repeat themselves, it is time to stop the two role-plays.

Step 2: Reporting and summary (30 minutes)

7. Reconvene in plenary and ask the reporters to summarize the main arguments against joining an organization of domestic workers. Ask the groups to discuss the lists, and add any other reasons why it may be difficult for domestic workers to join an organization or take part in its activities.
8. During the group reports to plenary, cluster the problems on the board or a flipchart. Ask participants to agree on the five major problems.
9. The group decides which are the five most serious problems that are the most difficult to deal with. Mark these clearly and continue with Activity 3.3.



Activity 3.3 Organizing - Overcoming the obstacles

Aim	To find ways of overcoming the obstacles in organizing domestic workers.
Duration	60 minutes



Materials:

- The list with the five major problems to join an organization of domestic workers, from Activity 3.2.
- Photocopies of Tool 3.2: What trade unions and civil society organizations can do to support domestic workers.
- Flipcharts and markers.



Handouts:

- Handout 3.1: Facing the challenges: Organize, don't agonize!
- Handout 3.2: Building organizations, forging alliances.



Tasks:

Step 1: Directions and group work (35 minutes)

1. Explain aims and tasks, recalling the five main problems identified in the previous session.
2. Divide participants into five groups. Assign one problem to each group.
3. Each group chooses a facilitator and reporter.
4. The groups discuss possible solutions to the problem. The solutions should be realistic, practical and concrete. Participants can recall the discussions during Activity 3.2, as relevant.
5. The reporters list the solutions and present to plenary.

Step 2: Reporting and summary (25 minutes)

6. As the reporters present the solutions, seek the views of participants on the practicability of the solutions presented. Summarize the key points.

Launch of the "12 by 12" campaign on C189, Brussels





Activity 3.4 Developing an organizing strategy

Aim	To enable participants to draw up a plan or a roadmap to organize domestic workers.
Duration	120 minutes.



Materials:

- Photocopies of Tool 3.1: Checklist for organizing domestic workers.
- Photocopies of Tool 3.3: Roadmap for an organizing strategy.



Handouts:

- Handout 3.1: Facing the challenges: Organize, don't agonize!
- Handout 3.2: Building organizations, forging alliances.



Tasks:

Step 1: Directions (20 minutes)

1. Divide participants into groups, if possible by organization/ union/association, or place of residence.
2. Explain the aim of the Activity, briefly recalling the problems and the solutions to address these (Activities 3.2 and 3.3).
3. Introduce the Checklist (Tool 3.1) and distribute as a guide for group discussion.
4. Distribute the Roadmap (Tool 3.3) and explain how to use it.

Step 2: Group work (60 minutes)

5. Ask each group to designate a facilitator and a reporter.
6. Explain the issues for discussion: Your group, trade union, organization or network has decided to organize domestic workers. How will you go about this? What resources (human, physical, financial, training) will you require? How do you expect employers and governments to respond? Tell participants to look at the Checklist for organizing (Tool 3.1) as they wish.
7. Ask the groups to discuss and prepare a Roadmap (Tool 3.2) with a summary of their views. They should be ready to comment on the reports of other groups and answer any questions about their own roadmap.

Step 3: Reporting and summing-up (40 minutes)

8. As reporters present the roadmaps, seek the views of participants as to whether the plans are concrete and achievable. Summarize the key points.



Activity 3.5 Networking and building alliances

Aim	To identify how to successfully build alliances and coalitions to promote decent work for domestic workers.
Duration	90 minutes.



Materials:

- Photocopies of Handout 3.3: Case studies: Domestic workers organize and build alliances around the world.
- Photocopies of Tool 3.2: What trade unions and civil society organizations can do to support domestic workers.
- Photocopies of Tool 3.4: Checklist: Building organizations, forging alliances.
- Flipchart and markers.



Handouts:

- Handout 3.2: Building organizations, forging alliances.
- Handout 3.3: Case studies: Domestic workers organizing and building alliances around the world.



Tasks:

Step 1: Directions and group work (50 minutes)

1. Explain the aim of the Activity.
2. Divide participants into three groups and assign each group one of the case studies in Handout 3.3: Hong Kong, China; the USA; and Latin America/the Caribbean.
3. Each group selects a facilitator and a reporter.
4. Each group discusses and answers the following questions:
 - a. Who are the main partners in the alliance/coalition?
 - b. How and why was the alliance/coalition formed?
 - c. What strategies were/are adopted by the alliance/coalition to achieve its goals? Were/are these effective? Why?
 - d. Was the alliance/coalition successful? Why?
 - e. What lessons can be learned from the case study?
 - f. How can domestic workers and their organizations apply these to strengthen solidarity with domestic workers and promote their human and labour rights?
5. Make a list of the do's and don'ts of alliance/coalition building.
6. The reporters note down and present the group's responses to plenary.

Step 2: Reporting and summary (40 minutes)

7. As the group reporters make their presentations, jot down the key points, especially on strategies, lessons learned and do's and don'ts. List these on a board or flipchart.
8. Ask participants to add any additional points. Start a discussion to agree on what is needed to build successful alliances and coalitions. List these on the board or flipchart and summarize the key points.



Activity 3.6 Lobbying your allies (for domestic workers' organizations)

Aim	To strengthen skills in lobbying for support from trade unions and civil society organizations.
Duration	90 minutes.



Materials:

- Cases for role-play (see below). You can adapt the cases or select others to make sure that they are relevant to the situation of domestic workers in your country.



Handouts:

- Handout 3.2: Building organizations, forging alliances.
- Tool 3.2: What trade unions and civil society organizations can do to support domestic workers.



Tasks:

Step 1: Explanation of tasks (10 minutes)

1. Explain the importance for domestic workers' organizations to build and strengthen alliances with trade unions and civil society organizations, such as human rights and women' groups (see Handout 3.2 and Tool 3.2).
2. Divide participants into two groups. Assign one case (see below) to each group.

Step 2: Role-play (60 minutes)

3. Ask the group members to read their case, decide who will play what role, and prepare a 20-minute role-play (20 minutes).
4. The first group presents, followed by the second group. Others observe and jot down their impressions and constructive remarks (40 minutes for two group presentations).

Step 3: Discussion and summary (20 minutes)

5. Thank the role-players. Ask participants what they think of the presentations: Were the arguments of the representatives of domestic workers' organizations persuasive? Invite comments on the way they put these forward. Did they prepare well? What did they achieve? What could have been improved?
6. Ask participants who have had contacts with trade unions and civil society organizations (women's, migrants, human rights organizations) to briefly describe their experiences.
7. Ask what lessons can we learn from this activity? Sum up the key points and thank the groups and observers.

Case 1

The Domestic Workers' Union of the Republic of Amazonia (DWURA) would like to take the opportunity to be more visible during the May Day celebrations in the nation's capital, a big annual event that is well-attended by the media.

It has been decided that a DWURA delegation will meet with the General Secretary of the Trade Union Congress (TUCRA), the lead organizer for the event, to request that:

- a) The DWURA group is one of the first to march in the parade.
- b) A DWURA leader addresses the meeting.
- c) The DWURA stand will be most prominently situated at the May Day venue so that everyone can see their display, receive their leaflets and buy their food (for fund-raising).

The group is meeting the General Secretary who does not know much about DWURA. He is joined by the Chair of the Women's Committee (who has helped arranged the meeting and is a DWURA supporter) and the Coordinator of the May Day activities (who is not too keen about changing the usual May Day programme).

How will the DWURA representatives convince the TUCRA to respond positively to their requests?

Roles:

- DWURA delegation (two to three players).
- TUCRA (three players: the General Secretary, the Women's Committee Chair and the May Day Coordinator).
- The other group members are observers.

Case 2

A delegation of the newly-formed Amazonian Migrant Domestic Workers' Union (AMDWU) in the Republic of Jasingma has decided that its first big campaign will be on a weekly day off for all domestic workers in the country. It is meeting with the National Women's Alliance for Justice and Equality (NWAJE) to discuss this. Members of the NWAJE – trade unions, women's, migrants' and faith-based organizations – are attending the meeting; only a few are familiar with the AMDWU which plans to join the Alliance.

How will the AMDWU present itself?

How will it get the Alliance to support the AMDWU campaign?

What kind of support will it seek?

Roles:

- AMDWU delegation (two to three players).
- NWAJE (three players; one is fully supportive, and two need convincing).
- The other group members are observers.



Activity 3.7 Drawing up an action plan

Aim To draw up a realistic plan of action to promote decent work for domestic workers.

Duration 120 minutes.



Material:

- Option 1: copies of SWOT tool (Tool 3.5) for distribution to participants.
- Option 2: copies of 'Pathway to change' tool (Tool 3.6) for distribution to facilitators and reporters.
- Copies of list of proposals from Activity 3.1 (Facing the challenges) for distribution to participants.
- Flipcharts and markers.



Handout:

- Handout 3.4: Planning for change.

Option 1: SWOT (120 minutes)



Tasks:

Step 1: Directions (30 minutes)

1. Explain the aim of the Activity and the SWOT tool.
2. Ensure that participants fully understand how to do a SWOT analysis (Tool 3.5). Draw the table on the board or flipchart.
3. Briefly recall and distribute the list of proposals resulting from Activity 3.1 (Facing the challenges).
4. Divide participants into groups (if possible, by organization/association or place of residence). Assign one proposal to each group.
5. Explain the task at hand, referring to the checklist in Handout 3.4.

Step 2: Group work (60 minutes)

6. Each group selects a facilitator and a reporter.
7. Ask the groups to use the SWOT tool (Tool 3.5) and identify the Strengths, Weaknesses, Opportunities and Threats (SWOT) in implementing the proposal. (30 minutes)
8. Ask the groups to spend the next 30 minutes to draw up a plan of action, based on their SWOT analysis, to successfully implement the proposal. The groups can use the following table:

Action required? (what)	Strategy?(how)	Actors?(who)	Time-line?(when)	Resources?

9. The reporters present the SWOT analysis and the plan of action in plenary.

Step 3: Reporting and summing-up (30 minutes)

10. After the group reports, ask participants for their reactions and views. Cite case studies and good practices as appropriate. When no new points are coming up, conclude by summing up the key points of the discussion.

Option 2: Pathway to change (120 minutes)



Tasks:

Step 1: Directions (20 minutes)

1. Explain the aim of the Activity, briefly recalling key issues and challenges which surfaced during the previous sessions.
2. Divide participants into groups (if possible, by organization/association or place of residence) and explain the task at hand.

Step 2: Group work (60 minutes)

3. Each group selects a facilitator and a reporter.
4. Each group prioritizes one issue or challenge and draws up a “pathway to change” (Tool 3.6) to tackle this, responding to the following questions:
 - a. What do you need to do to face this challenge or issue? For each action/activity:
 - i. Do you have time?
 - ii. Do you have resources: human (expertise/know-how) and financial?
 - iii. Do you have enough support from others?
 - iv. Do you have policy guidance?
 - v. Do you have authority?
 - vi. Do you have enough information?
 - vii. Do you have staff and/or volunteers?
 - b. Who do you need to approach to get the time, resources, support and guidance to reach your objective?
5. Each reporter presents the pathway to change of their group to plenary.

Step 3: Reporting and summary (30 minutes)

6. As the reporters make their presentations, ask participant to react and comment. Cite good practices and case studies, as appropriate. Summarize the discussion.



Activity 3.8 Making a personal commitment

Aim	To make a personal commitment to promote decent work for domestic workers.
Duration	60 minutes.



Materials and Preparations:

- Prepare work sheets to be distributed to participants. Put the title and date of the workshop on top of one A4 sheet of paper, draw three columns on the sheet and write down one of the headers for each of the three columns:
 - a) What I commit to do in my personal life.
 - b) What I will encourage others to do.
 - c) What I will urge my organization to do.
 Photocopy the sheet (two for each participant).



Tasks:

Step 1: Directions (10 minutes)

1. Explain the aim of the Activity and distribute two sheets to each participant.
2. Explain the task at hand (see below). Ask participants to be as realistic and concrete as possible. Remind them that they may themselves employ domestic workers now or in the future. Tell them that this is a personal exercise: they do not need to share their commitment, and they do not need to put their name on the sheets.

Step 2: Individual exercise (20 minutes)

3. Ask participants to think of what YOU can do – as a domestic worker, trade unionist, member of a civil society organization, human rights activist, government official, employer or recruitment officer - to promote decent work for domestic workers.
4. Give some time so everybody can reflect on their commitments and write them down on both sheets.
5. Tell participants to give one sheet to the trainer and keep the other one for themselves as a reminder of their commitment.

Step 3: Sharing and summary (30 minutes)

6. Ask a few volunteers to share their commitments, offer encouraging comments and allow others to give their views. Conclude the session by wishing everybody good luck.



Tools



Tool 3.1 Checklist for organizing domestic workers²⁹

1. Start:
 - Identify groups or any existing organization (association or network) of domestic workers and establish contact.
 - Get to know the domestic workers and support them:
 - Identify their needs, interests and priorities.
 - Help to implement these and find the means to do so.
2. Seek advice from organizations that may help:
 - Domestic workers' organizations.
 - Trade unions.
 - Civil society organizations.
 - Legal advisers.
 - Global unions.
 - Labour-friendly organizations.
 - Government officers and politicians.
 - ILO and other UN agencies.
 - Other appropriate organizations.
3. Develop an action plan with domestic workers and supporting organizations, and implement it with them.
4. When meeting domestic workers, do not raise expectations that you cannot meet.
5. Train domestic workers, their leaders and the leaders and members of the supporting organizations.
6. Carry out a short survey among domestic workers (see Tool 1.2).
7. Develop communication and networking skills and decide how to contact more domestic workers:³⁰
 - Interviews.
 - Telephones or internet.
 - Information booths.
 - Meeting places, such as parks, markets.
 - Additional surveys.
8. Start an information campaign for employers and the general public.



My name is Elena and I am a domestic worker. My children are as important as yours.

9. Find out about the rights and responsibilities of domestic workers in law and in practice:
 - Laws and regulations.
 - Taxes and charges.
 - Occupational safety and health hazards.
 - Access to finance and savings security.
 - Access to social welfare.
 - Right of domestic workers to organize:
 - Right of domestic workers to form their own organization or association (as a trade union, a civil society organization and/or a network).
 - Right of individual domestic workers to join a trade union, a civil society organization or a network.
 - Right of domestic workers' organizations to join a trade union, a civil society organization and/or a network.

10. Organize meetings with existing domestic workers' organizations or groups (if possible from several localities):
 - Present ideas based upon the results of your research.
 - Set objectives and priority measures for action.
 - Select temporary committees (of domestic workers and supporting organizations).
 - Determine the costs of action measures and find ways to (self-) finance them.
 - Create networks.

11. Set out a plan of action for an agreed time period to include:
 - Organizing.
 - Negotiating with appropriate organizations.
 - Establishing agreed benefits.
 - Nominating persons to carry out plan of action.
 - Determining report-back meeting times.

12. Implement the plan of action: Constantly review progress and change the strategy and tactics as required.



Tool 3.2 What trade unions and civil society organizations can do to support domestic workers

1. Provide logistical support, such as a meeting place, hotline or shelter in your center or office.
2. Organize activities on the common day-off of domestic workers.
3. Help domestic workers to support one another and organize through meetings, one-to-one visits from house to house and phone messaging.
4. Include domestic workers in education and training events and courses of your own or other organizations.
5. Find a way to educate employers of domestic workers on the rights and responsibilities of both employers and workers.
6. Extend legal assistance to domestic workers who face abuse.
7. Prepare a model contract jointly with domestic workers, employers of domestic workers and their organizations and widely publicize it.
8. Publish domestic workers' stories and activities in newsletters, magazines and the social media of your and other organizations.
9. Make sure domestic workers' representatives are included in any (policy) meetings on issues that concern them.
10. Invite domestic workers to speak to the media and during mass actions on decent work for domestic workers.
11. Write a letter to your Minister of Labour and Head of State jointly with the domestic workers' organizations and associations to promote and defend their interests.
12. Establish contacts with the media and let domestic workers speak for themselves.
13. Support domestic workers' initiatives in organizing and launching campaigns, including through financial contributions and logistical support.

Launching the ITUC campaign: 12 ratifications of Convention No. 189 by 2012, Colombia





Tool 3.3 Roadmap for an organizing strategy

Identify target (why? Available information)	
Where?	
How to make contact	
Needs	
Your organization's role	
Internal issues to consider	
Employer issues	
Government issues	
Potential allies	
Possible obstacles	
Plan of work (outline)	



Tool 3.4 Checklist: Building organizations, forging alliances

Checklist:

Some ways to build and strengthen domestic workers' organizations/unions/networks

- 1. Map the workforce** – Collect information about domestic workers, both nationals and migrants. Ask about and note issues of concern, identify contacts in different places to help you communicate.
- 2. Make domestic workers visible** – Investigate and take up issues that matter to domestic workers. Consult them and start with an issue on which you think progress might be possible.
- 3. Reach out to domestic workers and recruit new members to domestic workers' organizations and trade unions.** The main reason people don't join is not being asked. Talk to domestic workers about the benefits of joining. They may need help with problems at work, unfair treatment, difficult employers, exploitation by recruiters/agencies, but may not know or believe that an organization, union or network can make a real difference.
- 4. Build trust** – Let domestic workers know how to take part, when and where meetings take place, and what has been happening. Explain how the finances of the organization/union/network are used for the members.
- 5. Keep in touch** – by leaflet, e-mail, SMS, regular meetings and get-togethers, health advice sessions, social activities. Pass on information that shows how the organization/union/network benefits domestic workers.
- 6. Support and assist capacity building activities** – Provide human and financial resources for training activities in relevant fields.
- 7. Develop a policy** – Make sure your organization/union/network discusses issues of concern to domestic workers and commits itself to pushing forward their interests and defending their rights.

Adapted from: International Trade Union Confederation (ITUC). 2008. *Achieving gender equality – A trade union manual* (Brussels).



We want justice!



Tool 3.5 SWOT tool

Name of proposal for SWOT analysis: _____

Internal environment (within the organization/union/group)

<p>Strengths: What will work in your favour?</p> <ul style="list-style-type: none"> ■ ■ ■ 	<p>Weaknesses: What will be the obstacles to success?</p> <ul style="list-style-type: none"> ■ ■ ■
--	---

External environment (outside the organization/union/group)

<p>Opportunities: What will work in your favour?</p> <ul style="list-style-type: none"> ■ ■ ■ 	<p>Threats: What will be the obstacles to success?</p> <ul style="list-style-type: none"> ■ ■ ■
--	--



Tool 3.6 Pathway to change

Action / Activity: _____ (one per page)

Do we have...		Is there anyone we can approach for support for this?
Time		
Resources (expertise, know-how, financial)		
Support from others (identify)		
Policy guidance		
Authority		
Information (enough?)		
Staff/volunteers		
Other requirements: Specify: ...		



HANDOUTS



HANDOUT 3.1

Facing the challenges: Organize, don't agonize!

What do domestic workers want?

*Recognition that domestic work is 'work'
And that those who do it are 'workers'
With the rights that all workers have
Including the right to be heard*

Recognition by governments and the rest of society of the economic and social contribution that domestic workers make. Their labour means that others can engage in productive work outside the home and create huge value. Without them, economies and societies as we know them could not exist.

Respect for their dignity and skills because they care for people and often for the most vulnerable members of society and increase the well-being of all, rather than the contempt and abuse which they so often experience.

Enforcement of their right to 'decent work' (as agreed by the governments, employers and workers in the International Labour Organization): This means inclusion in labour laws, trade union rights and employment contracts to achieve good working conditions, and access to social benefits including pensions.

Opportunities to speak for themselves and to have their voices heard: Domestic workers are tired of others claiming to speak on their behalf. Opportunities to upgrade skills and be recognized as 'professionals' are also important to increase mobility to better jobs.

Recognition and identity: Most domestic workers have little or no record of their employment; they want official registration systems which prove their work history; migrant workers want identity cards that assist their status in their host communities.

Organizational skills training to help domestic workers build their organizations and participate in unions; training in communicating, negotiating, policy and media advocacy and campaigning, fund-raising and accounting; exchange programmes at national and regional level for domestic workers to develop their ideas for strategies.

More political and material support from allies in the trade unions, NGOs and advocacy groups, in a way that increases domestic workers' opportunities to speak for themselves and have their voice heard.

Better quality information about the size, scope and role of domestic work and the workers involved. In most countries, there is little information because domestic work is excluded from the definition of 'work'. More research and mapping is needed to provide the facts and evidence for well-informed campaigning.

Better research and understanding on how the combination of gender discrimination and neo-liberal globalization is increasing migratory flows of women to work in the homes of others.

Source: "Statements by conference participants" in Mather, C. 2008. *Respect and Rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF).

Domestic workers around the world have taken and are taking control of their working lives by organizing with courage and conviction, successfully forming their organizations, finding their voice, and speaking out loud and clear for their rights. In many countries, organizations and networks have sprouted in many different forms: trade unions, neighbourhood associations, self-help groups, cooperatives, city-level networks, groups based on nationality, ethnicity or religion, etc. In most cases, domestic workers had support from trade unions and civil society organizations, in particular those focused on women's, migrants' and human rights issues.

It's not always easy: domestic workers face many obstacles in forming or simply joining organizations or associations. Because of their isolation and long working hours, domestic workers may not know about organizations that can give them support, assistance or even a safe haven. Some may know organizations but might not want to contact them for fear of upsetting their employers or losing their jobs. Newly-arrived and live-in domestic workers may not have access to a community outside their employers' home. Migrant women domestic workers may face even more barriers that keep them from joining organizations. This is doubly true for undocumented migrant domestic workers, who face the fear of deportation.



It's difficult, but each of us has a responsibility...

"Time is the most difficult question for a domestic worker. What time do we have? We work very long hours. After my domestic work, I manage to do the work for J4DW (Justice for Domestic Workers). I will go to sleep at 2.00 am if needed, and if I am not done, I will wake up at 5.00 a.m. to go on... Sunday is the day we do our classes, meetings and other union activities. It's never easy... It's difficult, but we know that each of us has a responsibility to help, support and campaign for one another." Marisa Begonia, Justice for Domestic Workers (J4DW), United Kingdom.

Source: International Trade Union Confederation (ITUC). 2010. "Spotlight" in *ITUC ONLine*, 2 August 2010. Available at: <http://www.ituc-csi.org> [15 Dec. 2010].

Support for domestic workers' organizing

Domestic workers should be at the forefront of promoting their own rights. As Marcolina de los Milagros Infante Ramirez, leader of the IPROFOTH, domestic workers' organization in Peru, puts it: "We are tired of hearing others speak in our name." To organize, to know what rights they have, and to get the opportunity to be heard, domestic workers need support, such as:

- Awareness-raising and assistance for domestic workers to organize, through support for self-organization and targeted organizing activities by unions and other organizations.
- Facilities that domestic workers' organizations can use, such as room space, printing, computer access, and communications, e.g. websites
- Educational and training to increase their professional, communication and organizing skills to defend their rights and interests.

Hong Kong, China



Migrant domestic workers rally outside the Houses of Parliament, London, United Kingdom.

Organize, don't agonize!

ILO Convention No. 189 provides for measures to ensure that domestic workers and employers of domestic workers enjoy freedom of association and the effective recognition of the right to collective bargaining. Countries are called upon to protect the right of domestic workers and employers of domestic workers to establish and join organizations, federations and confederations of their own choosing (Art.3.3).

Organizing is workers getting together for a purpose. It involves:

- Setting clear goals based on social analysis and needs assessment.
- Defining the group and community with a common interest.
- Identifying key stakeholders.
- Building a core team.
- Spotting and developing potential leaders.
- Recruiting, training and mobilizing members.
- Forming the organization and setting up mechanisms for effective implementation and management of tasks.
- Learning about the issues, analyzing constraints and solving problems.
- Drawing up and implementing action plans.
- EMPOWERING the collective to act.
- Consolidating and expanding the organization.
- Evaluating on a regular basis.

Central to the process of organizing is that workers listen to and inform each other, and build trust, as well as confidence in their collective ability to change their situation. Their participation in decision-making at all levels is essential because they ARE the organization. They ARE the agents for social change.

Domestic workers organizing around the world

- In Brazil, the first organization of domestic workers was formed in 1936 in São Paulo. Since 1988, the Constitution has provided protection for their right to do so.
- Founded in 1988, the Latin American and Caribbean Confederation of Household Workers – CONLACTRAHO - has member organizations from 13 countries in the region plus Canada and an organization of migrant workers in Europe. Members are promoting law reform to achieve equal rights in their countries and beyond.
- In India, associations of domestic workers have lobbied for improvements in working conditions since shortly after independence in 1947. Progress has been made in organizing domestic workers (Tamil Nadu, Kerala, Maharashtra, Bangalore) and in improving state-level legislation (Kerala, Tamil Nadu, Maharashtra).
- The National Workers' Congress (NWC) in Sri Lanka has a cooperation agreement with unions in receiving countries and seeks to inform workers before departure of their rights in these countries. Unions in receiving countries provide them with support.
- The South African Domestic Service and Allied Workers Union (SADSAWU), originally established under the apartheid regime, continues to be a model for domestic workers' organizations, with its successful struggle for the recognition of domestic work and respect for the rights of domestic workers.

Source: ILO. 2010. *World of work*, Magazine No. 68, April 2010.

The benefits of organizing:

Through organizing, domestic workers can:

- Come together to share problems and solutions.
- Build their group/organization/association/trade union around common issues to bargain with employers, government, local authorities.
- Publicize existing rights and work together to prevent abuses.
- Establish help lines and advice services for domestic workers in need.
- Press for decent wages and hours, social protection and maternity protection.
- Help develop welfare services, saving and insurance schemes.

When domestic workers join an organization/union/network, they:

- Know where to go for help when they have a problem at work. Have someone to speak for them if they feel they are being treated unfairly.
- Can meet with others to talk about common issues and learn from each other.
- Work together to solve problems and improve their working conditions.
- Take part in choosing who will speak with local authorities or government officials, employers' organizations and the media, on their behalf.
- Acquire new skills through training activities, and most of all:
- They gain self-confidence and recognition and respect for their work.

Adapted from International Trade Union Confederation (ITUC). 2008. *Achieving gender equality – A trade union manual* (Brussels).

“Organizing for empowerment” happens in member-based organizations that are democratic, transparent and accountable to their members. Such organizations require practical, sustained and unconditional support from a range of support organizations. For domestic workers' organizations, self-organized, “adapted” trade union organizations with innovative organizing strategies provide the most promising vehicle (see the Case studies in Handout 3.3).

Trade unions are the most important, but not only, allies of domestic workers. They have legitimacy as workers' representatives with access to those in power. However, some unions need to change their attitudes and approaches, reach out to potential new members and make a commitment to sustained and unconditional provision of organizational resources, including financial support.

Collective negotiations and representation

One of the most important factors encouraging workers to join or remain in an organization is finding ways of engagement; ways that result in concrete gains and a shift in the balance of power. This strategy is associated most strongly with trade unions, but sometimes with other democratic, member-based organizations too.

Domestic workers usually have no natural employer counterpart for collective negotiations. Finding or creating a negotiating counterpart and engaging in negotiations is an important and empowering strategy. For domestic workers and other informal and unprotected workers, it is common for the counterpart to be a local authority, government or government department, employment or recruitment agency or other intermediary.

In order to deal with the issue of scattered employers, some domestic workers' organizations have worked to find a counterpart bargaining for employers of domestic workers, and successfully concluded collective bargaining agreements. In Tanzania for example, in 2008, a minimum wage for domestic workers was adopted, following negotiations conducted by the Conservation Hotels Domestic and Allied Workers' Union (CHODAWU) with the government and the employers' association. Italy has a comprehensive collective agreement on domestic workers which unions and employers re-negotiating every four years and wage levels being revised every year. The agreement is recognized by the Ministry of Labour.

Reaching out to domestic workers

“One has to know how to approach them, speak to them in a friendly tone, because at the end of the day they are very tired. We discuss things with them, and we give them literature on their rights and a membership form to fill in... People are angry, they are very motivated to build a stronger union that will make things change”. *South African Domestic Service and Allied Workers Union (SADSAWU)*

“Getting in touch with individual domestic workers is always difficult and groups try various methods: from personal networking via friends and relatives, or community or 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.” *Ip Pui Yu (Asian Domestic Workers Network (ADWN))*.

“Every time we talk about their problems in the media, we receive telephone calls from domestic workers wanting to come to us for information”. *Ida Le Blanc, National Union of Domestic Employees (NUDE), Trinidad and Tobago*.

Using personal and neighbourhood contacts

“A number of trade unions and domestic worker organizations establish their first contacts with domestic workers through personal relationships. Sometimes, it is their members who contact domestic workers in their neighbourhood. Remember, many of us, our friends, co-workers and families employ domestic workers. Moreover, domestic workers often build their own social networks of domestic workers. This makes domestic workers themselves key to transmitting information and identifying places where many domestic workers can be reached. Together with mobile phones, these neighbourhood and network relationships enable the rapid circulation of messages – for instance, about a meeting to be held at a member’s house, or a community meeting etc.” (ILO, forthcoming, below).

Sources: “SADSAWU and ADWN”, in: Committee for Asian Women (CAW), 2009. *Manual for domestic workers: Organizing for a better future* (Bangkok); “NUDE”, in: International Trade Union Confederation (ITUC). 2010. “Domestic work: Mobilising for an ILO Convention” in *Union View*, no. 19 (Brussels); ILO. Forthcoming. “Achieving decent work for domestic workers: An organizer’s manual to promote ILO Convention No. 189 and build domestic workers’ power” (Geneva, Bureau for Workers’ Activities, (ACTRAV)).

Italy: The national collective agreement for domestic workers

In 2007, trade unions and employers’ organizations reached agreement on a new national collective agreement for domestic workers in Italy. The agreement defined a new professional classification for workers, introduced new regulations concerning working hours and provides for safeguards in the event of illness, and creating a supplementary pension fund.

Some 600,000 people are employed as domestic workers in the country. The great majority are non-European Union (EU) nationals. This category of workers includes a large number engaged in care-giving jobs. Domestic work gives rise to irregular working arrangements carried out by non-EU nationals who are not legal residents and who are therefore undocumented workers. In fact, some reports estimate that 1.2 million workers – both documented and undocumented - are involved in providing domestic services to individuals.

The national collective agreement, signed by sectoral trade union organizations and employers’ organizations, provides for the following:

New definition of tasks: A new feature of the agreement concerns the classification of workers. Four levels of classification were introduced, each of which is broken down into two pay scales, the greater of which is called the ‘super’ scale, and recognizes the professional nature of the tasks assigned to homecare providers.

Three schedules of **working hours**: a) a maximum of 54 working hours a week for live-in assistance to family members who are not self-sufficient; b) a limit of 40 hours a week for live-out assistance; and c) a maximum of 30 hours a week for part-time, live-in assistance to self-sufficient individuals.

Pay elements: Salary increases for domestic workers, specified contribution amounts payable to the supplementary pension fund, and the establishment of a sickness fund.

Maternity coverage: Increased guarantees regarding maternity coverage, providing domestic workers with the same safeguards provided for workers in other private sectors, including the ban on the termination of employment contracts during pregnancy.

New observatory: The establishment of a bilateral body to: govern the category of domestic workers; analyze and study trends in the industry; and promote initiatives on training and professional qualifications. Half of this body to be composed of employers' representatives and half of workers' representatives.

Source: European Industrial Relations Observatory on-line. Available at: <http://www.eurofound.europa.eu/eiro/2007/02/articles/it0702079i.html> [2 May 2010].



Sources for further reading:

Asia Pacific Forum on Women, Law and Development (APFWLD). 2010. *Mobilise – Action and organising with mobile phones: A guide for domestic workers and their organisations* (Chiang Mai).

Bonner, C. 2010. *Domestic workers around the world: Organising for empowerment*, Paper prepared for the Social Law Project Conference, 7-8 May 2010 (Cape Town, Women in Informal Employment: Globalizing and Organizing (WIEGO)).

Committee for Asian Women (CAW). 2009. *Manual for domestic workers: Organizing for a better future* (Bangkok).

Federation of Free Workers (FFW). 2001. *Training manual for organizers/trainers of the informal economy* (Philippines, FFW-ILO-PSI).

Hobden, C. 2010. *Winning fair labour standards for domestic workers: Lessons learned from the Campaign for a Domestic Worker Bill of Rights in New York State* (Geneva, ILO Global Union Research Network).

ILO. 2008. *Organising the informal economy – A trade union manual* (Bangkok).

ILO. 2010. *World of Work*, Magazine No. 68 (Geneva).

ILO. Forthcoming. *Achieving decent work for domestic workers: An organizer's manual to promote ILO Convention No. 189 and build domestic workers' power* (ILO-ACTRAV, Geneva)

International Trade Union Confederation (ITUC). 2008. *Achieving gender equality: A trade union manual* (Brussels).

ITUC. 2009. *Decent work, decent life for women*, Working document of First ITUC Women's Conference, October 2009 (Brussels).

Mather, C. 2008. *Respect and rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF).

Public Services International (PSI). 1992. *Women's educational modules* (Ferney-Voltaire).



HANDOUT 3.2 Building organizations, forging alliances

There are a number of common tasks which organizations, unions, associations and networks of domestic workers – and their allies - undertake to build their capacity: outreach and membership recruitment, training and education, providing services, advocacy and lobbying, campaigns, research, fund-raising and networking.

Building and strengthening solidarity

A key task for domestic workers' organizations and their allies is building and strengthening solidarity: amongst domestic workers, with other workers – in the formal and informal economy, and in trade unions, civil society organizations (in particular those focused on women's, migrants', children's and human rights) and others working to understand and improve domestic work (researchers, development practitioners, governments and employers' organizations).

Checklist: Building a coalition for decent work for domestic workers

- Set out arguments for a coalition: More power, more media attention, shared resources and expertise, potentially better access to lobby decision-makers.
- Build support: Find partner organizations whose members are also affected. Their networks and influence will strengthen your campaign.
- A compromise about what you want to achieve may need to be reached between coalition members. You don't have to agree on everything but a common platform is necessary. How will you negotiate?
- Agree on a clear statement of what you want.
- Get information to argue your case. Can your partners help you search for facts, expertise or case study evidence?

Source: ITUC. 2008. Achieving gender equality: A trade union manual (Brussels).

Network of Domestic Workers in Thailand marching towards the Prime Minister's Office, Bangkok



Domestic workers' organizations all over the world have built coalitions and alliances with trade unions – their natural allies – and civil society organizations to push for decent work for domestic workers. The way this takes place depends very much on the history and development of the domestic workers' groups and associations, and of trade unions and civil society organizations in each country. In Latin America, South Africa and Hong Kong China, for instance, there is a long tradition of domestic workers' organizations working together with trade unions, often becoming member unions of the national centers themselves. In Europe, groups of migrant domestic workers established early ties with trade unions; these have strengthened through the years, with domestic workers joining trade unions in the service sector. In many countries, civil society organizations – non-governmental agencies (NGOs), human rights' organizations, women's and migrants' organizations, faith-based organizations – are strong allies of domestic workers, advocating for their rights, helping to set-up their organizations, providing training at various levels, running shelters and service centers and supporting their campaigns.

Forging alliances and building coalitions

Alliances and coalitions may be short- or long-term, on a single issue, a specific campaign or a broad list of demands; they may end when the goal is attained (or not) or they may result in long-lasting relations between the partner organizations. Whatever form they take, whatever the purpose, alliance and coalition building can only be successful if it is based on mutual respect and democratic principles, with all partners on an equal footing.

A **golden rule** is to ensure that the process truly empowers domestic workers and that they – not others – speak for themselves. Over the years, in all parts of the world, there have been many such alliances and coalitions which have moved forward the struggle for recognition of domestic work as work and respect for the rights of domestic workers.

The adoption of ILO Convention No. 189 and Recommendation No. 201 on decent work for domestic workers would not have been possible without the strong alliance of domestic workers' networks, organizations and groups, trade unions, and migrants', women's, human rights and faith-based organizations. Together they campaigned at national, regional and in-

Domestic workers' organizations and trade unions

"There are situations where it is very difficult for domestic workers to form or join trade unions. Where there is union-busting or political suppression, workers are scared and tend to form self-help associations or cooperatives rather than unions. We need to accept that informal workers cannot always join unions. But trade unions can still recognize and support them. We need to lobby more national trade unions so that they support national and international legal reforms. We need to engage them in a systematic and strategic way."

Lee Siew Hwa, Committee for Asian Women (CAW).

"It is no secret that trade unions sometimes find it difficult to support domestic workers. But the FNV Mondiaal is now making it a priority, alongside our work on child labour, migrant workers, and those working in the informal economy."

Peter Gortzak, Chairperson, FNV Mondiaal, Trade Union Confederation, Netherlands.

"It is true we had to change the opinions of the male leaders of our unions. When my union decided to organize community-based health care workers, among the lowest paid workers, many men members objected. However, the union leadership did make it a priority and we won better wages and a CBA (collective bargaining agreement). Now many of those who objected see us as an asset – because many of those recruited have become activists."

Ann Chambers, Activist, British Columbia Government and Service Employees' Union (BCGSEU), Canada.

Source: Mather, C. 2008. *Respect and rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF).

ternational levels, even as they debated their strategies and ironed out differences. A direct result of the campaign for international standards was the heightened awareness worldwide about the value of domestic work and the crucial role of domestic workers in our society, community and economy. The campaign provided a platform for domestic workers' organizations to articulate their views and aspirations and to share knowledge and experiences with workers, allies and supporters worldwide.

Successful alliances at national and international levels

The formation of the **Hong Kong Federation of Asian Domestic Workers Unions (FADWU)** in 2010 was an important milestone in the organization of domestic workers of five nationalities (Chinese, Filipinos, Indonesians, Nepalese and Thais). The HKCTU's objective of organizing FADWU has been to empower domestic workers to defend and advance their rights and benefits through their collective power. FADWU's priorities are: a) develop the capacity of the leadership of the Thai and Nepalese unions; b) strengthen coordination among the affiliates of FADWU; c) consolidate the leadership of FADWU; d) adoption and ratification of the ILO Convention on decent work for domestic workers; e) facilitate participation of FADWU's members in the activities and decision-making process of the HKCTU in order to promote integration of migrant workers within the local labour movement, and raise the profile and visibility of FADWU in the community; and e) strengthen its advocacy capacity, in particular, to campaign for collective bargaining rights of domestic workers in Hong Kong.

The International Domestic Workers' Network (IDWN), run by and for domestic workers' organizations across the world, aims to:

- Assist in the organization of domestic workers' unions where they do not yet exist and to serve as a clearing house for the exchange of information.
- Organize mutual support and solidarity to advance common political aims (international standards, national legislation).
- Represent domestic workers at the international level.
- Secure the support of the wider labour movement for each of these objectives.

All the regions are represented by organizations (unions, associations, networks) of domestic workers. The IDWN is supported by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), WIEGO (Women in Informal Employment: Globalizing and Organizing) and the Global Unions.

Sources: HKCTU. 2011. *Report on organizing domestic workers in Hong Kong, October 2010-March 2011*; IDWN. 2010-2011. *Newsletters*. Available at: <http://www.idwn.info/content//who-we-are> [1 Feb. 2012].

A victory for all

"Winning C189 last year was a real victory for everyone involved. Such progress was possible only because of the involvement of all parties, and the central role of domestic workers themselves. It was extraordinary to see how unions took it to their hearts, and how they let domestic workers take the lead. All the campaigning and conferences and so on by the IDWN, the IUF and others made a huge difference to the ITUC. Then, when C189 was won, there was a sense that this was a victory for all. Now is the time for ratification and action. With the '12 by 12' campaign, it is very important to keep the alliances we created active, at national and international levels. In each country, we need also to look at what rights already apply to domestic workers, and what needs to be improved, including how the laws are implemented. We should learn from this experience all that we can, and encourage all affiliated unions to organise domestic workers. This will not only support the domestic workers but strengthen the whole union movement, at home and internationally." Diana Holland, Chair, ITUC Women's Committee.

Source: IDWN: *Newsletter* (February 2012). Available at: www.domesticworkerrights.org [8 March 2012].

Sources for further reading:



Bonner, C. 2010. *Domestic workers around the world: Organising for empowerment*, Paper prepared for the Social Law Project Conference, 7-8 May 2010 (Cape Town, Women in Informal Employment: Globalizing and Organizing (WIEGO)).

International Trade Union Confederation (ITUC). 2010. "Domestic work: Mobilising for an ILO Convention" in *Union View*, No. 19 (Brussels).

ITUC. 2010. *Interview series* by N. David and S. Grumiau (Brussels).

ITUC. 2008. *Achieving gender equality: A trade union manual* (Brussels).

Mather, C. 2008. *Respect and rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF).



Domestic workers organizing

China. In 2004, China's first domestic workers' union was established in Xi'an city. It has more than 700 members. Most are workers who were laid off from state-owned enterprises. Most are over 40 years old and 98 per cent are women.

The union was an outcome of an earlier project, "Project to Build a Support Network for Marginalized Workers" by the Women's Development and Rights and Interests Research Center of the Northwestern Polytechnic University, the Xi'an Municipal ACFTU (All China Federation of Trade Unions), the Xi'an Women's Federation Re-employment Service Center, and Xizhen Domestic Service Company. The project aimed to train marginalized women workers, establish a grass-roots network among them, promote women workers' rights to form an association, and improve employability, vocational skills and negotiation capacity.

Xi'an Municipal ACFTU, Xi'an Women's Federation and other government agencies participated in the project from the beginning, and provided political support and other resources. Workers became empowered. Being organized, the membership was able to participate in policy dialogue. Through surveys on employers' needs, consultation with domestic workers and focus group discussions, the Xi'an Domestic Workers' Union drafted local regulations intended to achieve a win-win situation for domestic workers and for employers. With the Xi'an Municipal ACFTU, it offers free medical examinations for its female members and it works closely with the Women's Federation, the community, and other institutions to assist domestic workers in poverty.³¹

Peru. Peruvian domestic workers organized to pass "The Household Work Law", which provides household workers with the right to contracts with their employers that set wage levels, maximum daily work hours, rest days and holidays, overtime compensation, annual leave, proof of employment and other conditions on employment and compensation.

Marcolina de los Milagros Infante Ramirez, IPROFOTH (Instituto para la Promoción y Formación de Trabajos en el Hogar - Institute for the Promotion and Formation of Workers in the Home) describes how the effort "...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' organizations in 10 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.

The Government also now sets a minimum wage and recognizes the rights 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..."³²

USA. "My name is Maria, I'm from México and I have one son. I am a member of the Women's Collective in San Francisco, California. I migrated in 2003 from my country, because of the lack of job opportunities. It is even more difficult to find jobs when women reach a certain age, 30 years old. In 2004, my first job in the United States was taking care of an elderly woman for one year. Nowadays I'm dedicated only to housekeeping.

When you look for employment on your own, without any help from an organization, there are many abuses that we encounter. I was a live-in worker, with no free days, earning \$350 a month, and not being able to say anything, but, because I had a place to live and eat, thinking it was fair.

In 2006, through a flyer found on the street, I began attending the Women's Collective meetings. Now I am an active member. I like the work that the Women's Collective does, not only for the help that they offer to the women that work in housekeeping, but because of the help given to the community as well. The Collective is a worker association of Latina domestic workers joined with the San Francisco Day Labor Program. Our mission is to work for the economic, personal, and political empowerment of immigrant workers." ³³

Indonesia. In Indonesia, domestic workers used the pengajian (Muslim religious classes) to organize in Yogyakarta, Java. The Griya Arga Permai-GAP, a domestic workers' organization in a housing estate in Yogyakarta, started organizing in this way. Employers were willing to give domestic workers leave to attend these meetings and allowed their homes to be meeting places.

In the beginning, classes were about the Koran, but later, the workers, who were increasing in number, started talking of their problems with their employers. When the employers learned that the workers were talking about their rights instead of studying Koranic texts, the employers disallowed the workers to meet at their homes and to attend these sessions. The GAP then sought the help of imams (Muslim clerics) to talk to the employers. As a GAP leader said, "Being creative is the key. Never let failures be a hindrance – there must be a way out of a dungeon!" Some domestic workers' groups continue to organize pengajian classes where the union hands out pamphlets and give talks on rights, wages, negotiations and other matters of concern to domestic workers. ³⁴

India. "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, recognize 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 as to suggest changes in the wage structure." ³⁵

Domestic workers building networks and alliances

Thailand. The Network of Domestic Workers in Thailand was formed as a result of a working group of trade unions and civil society organizations that began in 2009 with the aim of promoting decent work for domestic workers. The initial working group brought together domestic workers to socialize, raise awareness about their rights, and provide training on organizing. The Network was officially acknowledged by the Ministry of Labour in 2010. It was active in lobbying for the adoption of ILO Convention No. 189 on domestic work and currently prioritizes organizing, and promoting the ratification of Convention No. 189 and the adoption of the Ministerial Regulation. Today, the Network has nearly 200 members and publishes a Newsletter in Thai, Burmese and Shan. (For a copy of the Declaration adopted at a conference of domestic workers in Thailand, see Other Resources at the end of this manual).³⁶

Hong Kong China. The Hong Kong Confederation of Trade Unions (HKCTU) is one of the most active and experienced organizations in the defense of domestic workers in Asia. From its establishment in 1990, the HKCTU encouraged links between national members and migrant workers in Hong Kong, and organizing forums on the plight of migrant domestic workers to make the Hong Kong union members understand the importance of working with migrants, supporting their cause and allocating resources to help them build their organization. In general, it was not hard to convince the union members of the need to defend the rights of migrant domestic workers: those who join unions support the principle of solidarity between workers.

However, in the years following the founding of the HKCTU, a conservative party called for a differentiation between the legal protection offered to migrant and local workers, demanding for example, that the government deny migrant domestic workers the right to maternity leave, so as not to affect an employer's family life. Many people supported this stance. In 1995-96, the HKCTU was seen as an organization that defended the interests of foreign workers rather than the people of Hong Kong. The HKCTU was heavily criticized, graffiti was written on the building and, in an extreme case, paper fireballs were thrown into their offices.

It was also difficult to convince union members of the need to support migrant domestic workers because many were themselves employers of domestic workers. When there was a talk of a wage increase, they automatically thought of their wallets. There was a lot of internal debate during those years, but in the end, it established strong principles and well-founded traditions that continue today.

HKCTU fights for legislative changes to protect national and migrant domestic workers. It also offers specific services. For example, it has set up a job creation programme for its members, and has drawn up written contracts with pay regulations, a good wage and decent working conditions. It offers the services of full-time domestic workers within the local community. It arranges for experienced workers to go to employers' houses with new workers to train and boost confidence. It fights for the respect of migrant workers' rights and offers a number of specific services.³⁷

Philippines. In 1995, SUMAPI (*Samahan at Ugnayan ng mga Manggagawang Pantahanan sa Pilipinas*) was established as the first ever organization of domestic workers in the Philippines. SUMAPI came out of earlier efforts and the support of the Visayan Forum (VF – an NGO working for the empowerment of vulnerable migrants, especially victims of human trafficking, domestic servitude and other forms of exploitation) to reach out and organize young girl domestic workers as they congregated during their Sundays off. Today SUMAPI is among the largest registered national organizations with roughly 10,000 members nationwide. It is composed of networked core groups based in parks, schools, churches and other transit points for human trafficking. Together they speak out about the plight of domestic workers, and they aim to increase protection for child domestics via national laws and codes of conduct.

SUMAPI mobilizes domestic workers for the yearly Domestic Workers' Day celebration. The nationwide celebrations take place in public parks where domestic workers meet and organize throughout the year, and members organize trips to Social Security registration booths, counseling centers as well as other government agencies.

For many domestic workers living away from their loved ones, SUMAPI has become a second family that protects and looks after them. As VF's founder, Cecile Flores-Oebanda put it: "Organizing SUMAPI is Visayan Forum's pioneering strategy because it provides space for members to participate meaningfully in the design and implementation of activities for their fellow domestic workers. Collecting and raising the consciousness of a critical mass of domestics took years of confidence-building based on a solid combination of immediate and caring set of direct services. These services — including counseling, shelter, and legal aid — are concentrated on young and vulnerable domestics who have no support system in the city. Working with domestics themselves is a strong recognition that they are partners in their empowerment, not just beneficiaries of welfare services."

SUMAPI is guided by a 10-point agenda on decent work for domestic workers for national and international action which includes legislative reform, action against trafficking, the need to ensure safe migration and prioritizing education provision for child domestic workers.³⁸

USA. The National Domestic Workers Alliance (NDWA) was formed in the United States in 2007 to organize to improve the living and working conditions of domestic workers; win respect and justice from employers and the government; challenge the racism and sexism that has devalued domestic work; end the exclusion of domestic workers from recognition and protection as a workforce; build a movement of migrant workers fighting the inhumane impacts of globalization; and support organizing efforts for justice.

The NDWA has 19 member organizations in 11 cities. The NDWA brings member organizations together to share organizing practices and activities to build their local bases. Member organizations have received support and resources to help build their local efforts, and organizations have received training in the history of domestic work and understanding gender equality and migration. Member organizations have come together at regional meetings to support local work, plan campaigns, and discuss regional work plans. Launching, sustaining, and strengthening campaigns that improve the working conditions of domestic workers has been an important component of uniting the NDWA's member organizations. NDWA also networks with other national grassroots alliances organizing in immigrant and working class communities in order to have greater voice and influence.³⁹

Latin America and the Caribbean. Domestic and household workers' organizations throughout Latin America and the Caribbean are united in a regional federation called CONLACTRAHO, the Latin American and Caribbean Confederation of Household Workers. Today, member organizations come from 13 countries of the region, as well as Canada and an organization of migrant workers in Europe. It works to strengthen household workers' organizations in each country and across the region, to increase the visibility of this work and to try to combat the exploitation, marginalization and discrimination that many household workers face. It is attentive to the social, cultural and economic diversities in the region that lead many Indigenous, Mestiza and Black women to find work in other people's homes.

Marcelina Bautista Bautista, the Confederation's Secretary General, has described 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 are 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 organize 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 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 and 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, specific laws to protect household workers were passed in 2003 after a long struggle by organizations in those countries. In Brazil, a new law was passed in 2006. Yet it is very difficult to get these laws respected.

CONLACTRAHO promotes collaboration with trade unions because household workers' groups cannot do it alone. Many (but not all) do get support from unions in their country, in political training, help with lobbying for legal changes, etc... Some of our organizations are also working across borders, for example, collaborating with organizations in the Dominican Republic where many migrants come from.

As a federation, CONLACTRAHO continues to promote the organizations of household and domestic workers and works towards building their capacities and skills."⁴⁰



HANDOUT 3.4 Planning for change

Domestic workers' organizations and their allies need to come together and work as one in a well-planned manner over a period of time to:

- Gain recognition of domestic work as work like any other.
- Ensure respect for and dignity of domestic workers.
- Achieve decent working conditions for domestic workers.

This manual provides information, case studies and 'food for thought' on the complex dimensions of domestic work around the world. The last training session of this manual focuses on planning for change. As you will know from experience, planning carefully is important for success in any endeavor. There are many planning methods developed by trade unions, civil society organizations, government agencies, international organizations, the research and business community – these are all different, but they all underline the necessity of involving all partners and actors in the process.

Organizing, alliance and coalition building and the process of planning for change for decent work for domestic workers will only be successful if it is **goal-oriented** and **participatory**, with all partners – first and foremost domestic workers themselves - contributing their ideas and views based on their unique and valuable experiences.

Checklist: Planning for change

1. What do you want to achieve? Identify clear aims.
2. Identify opportunities and obstacles: Analyze the situation.
3. What will work in your favour (strengths and opportunities)?
4. What can be obstacles to success (weaknesses and threats)?
5. Based on the analysis, set out your goals and strategies: What must be accomplished to achieve the aim? How? By when?
6. Establish time-table (step-by-step).
7. Who will be responsible for implementation? What should they do (tasks)?
8. Who will see to it that things are going as they should (monitoring and supervision)? How often?
9. What resources – people, materials, technologies, money – are required to implement the strategies? The costs of these resources are often depicted in the form of a budget. What is readily available? What needs to be found? How? Establish a realistic time-table.
10. How will you assess whether the goals have been met and the aim attained (evaluation)?



NOTES



My name is Doña Lupe. I am a domestic workers and after working for 25 years, I have a right to retirement benefits.

[Endnotes]

- 28 Adapted from Public Services International (PSI): *Women's educational modules* (France, 1992).
- 29 Adapted from ILO: *Organizing the informal economy: A training manual* (Bangkok, 2008).
- 30 See for example: Asia Pacific Forum on Women, Law and Development: *Mobilise - Action and organizing with mobile phones: A guide for domestic workers organisations* (Chiang Mai, 2010).
- 31 ILO: *Situational analysis of domestic work in China* (Beijing, 2009), http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/documents/publication/wcms_114261.pdf (accessed, 17 Nov. 2011).
- 32 C. Mather: *Respect and Rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF, 2008).
- 33 Domestic Workers' United (DWU): *Profiles for the press*, (New York, September 2007).
- 34 "Report during the Domestic Workers Organizing Strategy Workshop, 25-31 March 2007, Yogyakarta, Indonesia", in Committee for Asian Women (CAW): *Manual for domestic workers: Organizing for a better future* (Bangkok, 2009).
- 35 G. Menon of the Karnataka Domestic Workers' Union cited in Mather, C.: *Respect and Rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF, 2008).
- 36 ILO: *Report of the National Conference of the Network of Domestic Workers in Thailand*, Bangkok, 8-9 October 2011 (Bangkok, 2011).
- 37 ITUC: "Interview with HKCTU chief executive, Elizabeth Tang", in *ITUC OnLine* (Brussels, September 2010).
- 38 C. Flores-Oebanda: "Addressing vulnerability and exploitation of child domestic workers: An open challenge to end a hidden shame", Paper presented to Experts Group Meeting on the Elimination of All Forms of Discrimination and Violence against the Girl Child, Florence, September 2006, (New York, UN Division for the Advancement of Women (DAW) and UNICEF), <http://www.un.org/womenwatch/daw/egm/elim-disc-viol-girlchild/ExpertPapers/EP10%20%20Flores%20Oebanda.pdf> [15 Aug. 2010].
- 39 L. Obias: "Organizing domestic workers: The National Domestic Workers Alliance", in *Scholar & Feminist Online*, Barnard Centre for Research on Women (BCRW), Issue 8.1: Fall 2009 (New York), http://barnard.edu/sfonline/work/intro_02.htm; and NADW website: <http://www.domesticworkers.org/> [16 June 2011].
- 40 C. Mather: *Respect and Rights*, Report from Conference on Protection for Domestic Workers, Amsterdam, November 2006 (Amsterdam, IRENE and IUF, 2008).



OTHER RESOURCES

Exercises for introductions of participants

Activities A, B or C may be useful when starting any course. They will help to let everyone know who is present and start them talking about their lives. They can also be effective “ice-breakers”.

ACTIVITY A: Introduction through interviews

Aim:	To find out about each other
Timing:	Interview – 3 minutes
	Introduction – 1 minute for each participant

Task for Participants:

Choose someone you do not know and find out a bit about her/him. You may want to make notes to help you to introduce your partner to everyone else. She/he will in turn introduce you.

Here are some points as guidance:

- Name and nickname?
- Where is s/he from?
- How long has s/he worked as what (domestic worker, trade unionist, etc.)?
- Where does s/he work?
- What does s/he want to get out of the training course?

Activity B: Introductions through images

Aim:	To find out about each other
Timing:	Directions by trainer: 2 minutes
	Picking out image and self-reflection by participants: 2 minutes

Preparations by trainer: collect different images from magazines, postcards, etc. of personalities, places, objects, flowers, fruits, animals, etc. Ask each participant to pick one which s/he finds would best illustrate her/his personality, present mood or aspiration.

Task for Participant (max. two minutes each; one minute if there are more than 15 participants):

- Give your name and nickname; show the image and explain why you chose it.

Activity C: Introduction through small groups (for more than 30 participants)

Aim:	To find out about each other
Timing:	Grouping and discussion: 3 minutes
	Group reports: 5 minutes for each reporter

Directions: ask participants to form small groups (maximum 6), making sure that the group members are not familiar with each other.

Tasks for Participants: Assign a reporter to take notes of responses. Each member introduces her/himself. Here are some points as guidance:

- Name and nickname
- Where does s/he work?
- How long has s/he worked as what (domestic worker, trade unionist, activist, etc.)
- Where is s/he from?
- What does s/he want to get out of the training course?

Evaluation form

List the title, date and place of the workshop, sessions or modules and the aims of the training:

Did the Workshop/Session meet your expectations?		Yes	Partly	No
If 'partly' or 'no', why?				
Did the Workshop/Session achieve its aims, as stated above?				
Aim A		Yes	Partly	No
If 'partly' or 'no', why?				
Aim B		Yes	Partly	No
If 'partly' or 'no', why?				
Aim C		Yes	Partly	No
If 'partly' or 'no', why?				

How would you rate the following?				
	Very Good	Good	Fair	Poor
Documentation				
Programme				
Presentations				
Panels				
Group work				
Chairs of sessions/groups				
Venue and facilities				

What difficulties, if any, did you encounter in relation to the Workshop/Session? Please be specific.

Do you have any recommendations/comments to make?

Domestic Workers Convention, 2011 (No. 189)

Convention concerning decent work for domestic workers

Adoption: Geneva, 100th ILC session (16 Jun 2011)
- Status: Up-to-date instrument (Technical Convention)

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 100th Session on 1 June 2011, and

Mindful of the commitment of the International Labour Organization to promote decent work for all through the achievement of the goals of the ILO Declaration on Fundamental Principles and Rights at Work and the ILO Declaration on Social Justice for a Fair Globalization, and

Recognizing the significant contribution of domestic workers to the global economy, which includes increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability, and substantial income transfers within and between countries,

Considering that domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights, and

Considering also that, in developing countries with historically scarce opportunities for formal employment, domestic workers constitute a significant proportion of the national workforce and remain among the most marginalized, and

Recalling that international labour Conventions and Recommendations apply to all workers, including domestic workers, unless otherwise provided, and

Noting the particular relevance for domestic workers of the Migration for Employment Convention (Revised), 1949 (No. 97), the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), the Workers with Family Responsibilities Convention, 1981 (No. 156), the Private Employment Agencies Convention, 1997 (No. 181), and the Employment Relationship Recommendation, 2006 (No. 198), as well as of the ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration (2006), and

Recognizing the special conditions under which domestic work is carried out that make it desirable to supplement the general standards with standards specific to domestic workers so as to enable them to enjoy their rights fully, and

Recalling other relevant international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political

Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the United Nations Convention against Transnational Organized Crime, and in particular its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and its Protocol against the Smuggling of Migrants by Land, Sea and Air, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and

Having decided upon the adoption of certain proposals concerning decent work for domestic workers, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention;

adopts this sixteenth day of June of the year two thousand and eleven the following Convention, which may be cited as the Domestic Workers Convention, 2011.

Article 1

For the purpose of this Convention:

- (a) the term “domestic work” means work performed in or for a household or households;
- (b) the term “domestic worker” means any person engaged in domestic work within an employment relationship;
- (c) a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.

Article 2

1. The Convention applies to all domestic workers.
2. A Member which ratifies this Convention may, after consulting with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, exclude wholly or partly from its scope:
 - (a) categories of workers who are otherwise provided with at least equivalent protection;
 - (b) limited categories of workers in respect of which special problems of a substantial nature arise.
3. Each Member which avails itself of the possibility afforded in the preceding paragraph shall, in its first report on the application of the Convention under article 22 of the Constitution of the International Labour Organization, indicate any particular category of workers thus excluded and the reasons for such exclusion and, in subsequent reports, specify any measures that may have been taken with a view to extending the application of the Convention to the workers concerned.

Article 3

1. Each Member shall take measures to ensure the effective promotion and protection of the human rights of all domestic workers, as set out in this Convention.
2. Each Member shall, in relation to domestic workers, take the measures set out in this Convention to respect, promote and realize the fundamental principles and rights at work, namely:
 - (a) freedom of association and the effective recognition of the right to collective bargaining;
 - (b) the elimination of all forms of forced or compulsory labour;
 - (c) the effective abolition of child labour; and
 - (d) the elimination of discrimination in respect of employment and occupation.
3. In taking measures to ensure that domestic workers and employers of domestic workers enjoy freedom of association and the effective recognition of the right to collective bargaining, Members shall protect the right of domestic workers and employers of domestic workers to establish and, subject to the rules of the organization concerned, to join organizations, federations and confederations of their own choosing.

Article 4

1. Each Member shall set a minimum age for domestic workers consistent with the provisions of the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), and not lower than that established by national laws and regulations for workers generally.
2. Each Member shall take measures to ensure that work performed by domestic workers who are under the age of 18 and above the minimum age of employment does not deprive them of compulsory education, or interfere with opportunities to participate in further education or vocational training.

Article 5

Each Member shall take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence.

Article 6

Each Member shall take measures to ensure that domestic workers, like workers generally, enjoy fair terms of employment as well as decent working conditions and, if they reside in the household, decent living conditions that respect their privacy.

Article 7

Each Member shall take measures to ensure that domestic workers are informed of their terms and conditions of employment in an appropriate, verifiable and easily understandable manner and preferably, where possible, through written contracts in accordance with national laws, regulations or collective agreements, in particular:

- (a) the name and address of the employer and of the worker;
- (b) the address of the usual workplace or workplaces;
- (c) the starting date and, where the contract is for a specified period of time, its duration;
- (d) the type of work to be performed;
- (e) the remuneration, method of calculation and periodicity of payments
- (f) the normal hours of work;
- (g) paid annual leave, and daily and weekly rest periods.
- (h) the provision of food and accommodation, if applicable;
- (i) the period of probation or trial period, if applicable;
- (j) the terms of repatriation, if applicable; and
- (k) terms and conditions relating to the termination of employment, including any period of notice by either the domestic worker or the employer.

Article 8

1. National laws and regulations shall require that migrant domestic workers who are recruited in one country for domestic work in another receive a written job offer, or contract of employment that is enforceable in the country in which the work is to be performed, addressing the terms and conditions of employment referred to in Article 7, prior to crossing national borders for the purpose of taking up the domestic work to which the offer or contract applies.
2. The preceding paragraph shall not apply to workers who enjoy freedom of movement for the purpose of employment under bilateral, regional or multilateral agreements, or within the framework of regional economic integration areas.
3. Members shall take measures to cooperate with each other to ensure the effective application of the provisions of this Convention to migrant domestic workers.
4. Each Member shall specify, by means of laws, regulations or other measures, the conditions under which migrant domestic workers are entitled to repatriation on the expiry or termination of the employment contract for which they were recruited.

Article 9

Each Member shall take measures to ensure that domestic workers:

- (a) are free to reach agreement with their employer or potential employer on whether to reside in the household;
- (b) who reside in the household are not obliged to remain in the household or with household members during periods of daily and weekly rest or annual leave; and
- (c) are entitled to keep in their possession their travel and identity documents.

Article 10

1. Each Member shall take measures towards ensuring equal treatment between domestic workers and workers generally in relation to normal hours of work, overtime compensation, periods of daily and weekly rest and paid annual leave in accordance with national laws, regulations or collective agreements, taking into account the special characteristics of domestic work.
2. Weekly rest shall be at least 24 consecutive hours.
3. Periods during which domestic workers are not free to dispose of their time as they please and remain at the disposal of the household in order to respond to possible calls shall be regarded as hours of work to the extent determined by national laws, regulations or collective agreements, or any other means consistent with national practice.

Article 11

Each Member shall take measures to ensure that domestic workers enjoy minimum wage coverage, where such coverage exists, and that remuneration is established without discrimination based on sex.

Article 12

1. Domestic workers shall be paid directly in cash at regular intervals at least once a month. Unless provided for by national laws, regulations or collective agreements, payment may be made by bank transfer, bank cheque, postal cheque, money order or other lawful means of monetary payment, with the consent of the worker concerned.
2. National laws, regulations, collective agreements or arbitration awards may provide for the payment of a limited proportion of the remuneration of domestic workers in the form of payments in kind, which are not less favourable than those generally applicable to other categories of workers, provided that measures are taken to ensure that such payments in kind are agreed to by the worker, are for the personal use and benefit of the worker, and that the monetary value attributed to them is fair and reasonable.

Article 13

1. Every domestic worker has the right to a safe and healthy working environment. Each Member shall take, in accordance with national laws, regulations and practice, effective measures, with due regard for the specific characteristics of domestic work, to ensure the occupational safety and health of domestic workers.
2. The measures referred to in the preceding paragraph may be applied progressively, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

Article 14

1. Each Member shall take appropriate measures, in accordance with national laws and regulations and with due regard for the specific characteristics of domestic work, to ensure that domestic workers enjoy conditions that are not less favourable than those applicable to workers generally in respect of social security protection, including with respect to maternity.
2. The measures referred to in the preceding paragraph may be applied progressively, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

Article 15

1. To effectively protect domestic workers, including migrant domestic workers, recruited or placed by private employment agencies, against abusive practices, each Member shall:
 - (a) determine the conditions governing the operation of private employment agencies recruiting or placing domestic workers, in accordance with national laws, regulations and practice;
 - (b) ensure that adequate machinery and procedures exist for the investigation of complaints, alleged abuses and fraudulent practices concerning the activities of private employment agencies in relation to domestic workers;
 - (c) adopt all necessary and appropriate measures, within its jurisdiction and, where appropriate, in collaboration with other Members, to provide adequate protection for and prevent abuses of domestic workers recruited or placed in its territory by private employment agencies. These shall include laws or regulations that specify the respective obligations of the private employment agency and the household towards the domestic worker and provide for penalties, including prohibition of those private employment agencies that engage in fraudulent practices and abuses;
 - (d) consider, where domestic workers are recruited in one country for work in another, concluding bilateral, regional or multilateral agreements to prevent abuses and fraudulent practices in recruitment, placement and employment; and
 - (e) take measures to ensure that fees charged by private employment agencies are not deducted from the remuneration of domestic workers.
2. In giving effect to each of the provisions of this Article, each Member shall consult with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.

Article 16

Each Member shall take measures to ensure, in accordance with national laws, regulations and practice, that all domestic workers, either by themselves or through a representative, have effective access to courts, tribunals or other dispute resolution mechanisms under conditions that are not less favourable than those available to workers generally.

Article 17

1. Each Member shall establish effective and accessible complaint mechanisms and means of ensuring compliance with national laws and regulations for the protection of domestic workers.
2. Each Member shall develop and implement measures for labour inspection, enforcement and penalties with due regard for the special characteristics of domestic work, in accordance with national laws and regulations.
3. In so far as compatible with national laws and regulations, such measures shall specify the conditions under which access to household premises may be granted, having due respect for privacy.

Article 18

Each Member shall implement the provisions of this Convention, in consultation with the most representative employers' and workers' organizations, through laws and regulations, as well as through collective agreements or additional measures consistent with national practice, by extending or adapting existing measures to cover domestic workers or by developing specific measures for them, as appropriate.

Article 19

This Convention does not affect more favourable provisions applicable to domestic workers under other international labour Conventions.

Article 20

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 21

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification is registered.

Article 22

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Of-

fice for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention within the first year of each new period of ten years under the terms provided for in this Article.

Article 23

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and denunciations that have been communicated by the Members of the Organization.
2. When notifying the Members of the Organization of the registration of the second ratification that has been communicated, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 24

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and denunciations that have been registered.

Article 25

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 26

1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides:
 - (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 22, if and when the new revising Convention shall have come into force;
 - (b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 27

The English and French versions of the text of this Convention are equally authoritative.

Domestic Workers Recommendation, 2011 (No. 201)

Recommendation concerning Decent Work for Domestic Workers Adoption: Geneva, 100th ILC session (16 Jun 2011) - Status: Up-to-date instrument (Convention).

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 100th Session on 1 June 2011, and

Having adopted the Domestic Workers Convention, 2011, and

Having decided upon the adoption of certain proposals with regard to decent work for domestic workers, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Domestic Workers Convention, 2011;

adopts this sixteenth day of June of the year two thousand and eleven the following Recommendation, which may be cited as the Domestic Workers Recommendation, 2011.

1. The provisions of this Recommendation supplement those of the Domestic Workers Convention, 2011 (“the Convention”), and should be considered in conjunction with them.
2. In taking measures to ensure that domestic workers enjoy freedom of association and the effective recognition of the right to collective bargaining, Members should:
 - (a) identify and eliminate any legislative or administrative restrictions or other obstacles to the right of domestic workers to establish their own organizations or to join the workers’ organizations of their own choosing and to the right of organizations of domestic workers to join workers’ organizations, federations and confederations;
 - (b) give consideration to taking or supporting measures to strengthen the capacity of workers’ and employers’ organizations, organizations representing domestic workers and those of employers of domestic workers, to promote effectively the interests of their members, provided that at all times the independence and autonomy, within the law, of such organizations are protected.
3. In taking measures for the elimination of discrimination in respect of employment and occupation, Members should, consistent with international labour standards, among other things:
 - (a) make sure that arrangements for work-related medical testing respect the principle of the confidentiality of personal data and the privacy of domestic workers, and are consistent with the ILO code of practice “Protection of workers’ personal data” (1997), and other relevant international data protection standards;
 - (b) prevent any discrimination related to such testing; and
 - (c) ensure that no domestic worker is required to undertake HIV or pregnancy testing, or to disclose HIV or pregnancy status.
4. Members giving consideration to medical testing for domestic workers should consider:
 - (a) making public health information available to members of the households and domestic workers on the primary health and disease concerns that give rise to any needs for medical testing in each national context;
 - (b) making information available to members of the households and domestic workers on voluntary medical testing, medical treatment, and good health and hygiene practices, consistent with public health initiatives for the community generally; and
 - (c) distributing information on best practices for work-related medical testing, appropriately adapted to reflect the special nature of domestic work.
5. (1) Taking into account the provisions of the Worst Forms of Child Labour Convention, 1999 (No. 182), and Recommendation (No. 190), Members should identify types of domestic work that, by their nature or the circumstances in which they are carried out, are likely to harm the health, safety or morals of children, and should also prohibit and eliminate such child labour.
(2) When regulating the working and living conditions of domestic workers, Members should give special attention to the needs of domestic workers who are under the age of 18 and above the minimum age of employment as defined by national laws and regulations, and take measures to protect them, including by:
 - (a) strictly limiting their hours of work to ensure adequate time for rest, education and training, leisure activities and family contacts;
 - (b) prohibiting night work;
 - (c) placing restrictions on work that is excessively demanding, whether physically or psychologically; and
 - (d) establishing or strengthening mechanisms to monitor their working and living conditions.
6. (1) Members should provide appropriate assistance, when necessary, to ensure that domestic workers understand their terms and conditions of employment.
(2) Further to the particulars listed in Article 7 of the Convention, the terms and conditions of employment should also include:
 - (a) a job description;
 - (b) sick leave and, if applicable, any other personal leave;
 - (c) the rate of pay or compensation for overtime and standby consistent with

Article 10(3) of the Convention;

- (d) any other payments to which the domestic worker is entitled;
 - (e) any payments in kind and their monetary value;
 - (f) details of any accommodation provided; and
 - (g) any authorized deductions from the worker's remuneration.
- (3) Members should consider establishing a model contract of employment for domestic work, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.
- (4) The model contract should at all times be made available free of charge to domestic workers, employers, representative organizations and the general public.
7. Members should consider establishing mechanisms to protect domestic workers from abuse, harassment and violence, such as:
- (a) establishing accessible complaint mechanisms for domestic workers to report cases of abuse, harassment and violence;
 - (b) ensuring that all complaints of abuse, harassment and violence are investigated, and prosecuted, as appropriate; and
 - (c) establishing programmes for the relocation from the household and rehabilitation of domestic workers subjected to abuse, harassment and violence, including the provision of temporary accommodation and health care.
8. (1) Hours of work, including overtime and periods of standby consistent with Article 10(3) of the Convention, should be accurately recorded, and this information should be freely accessible to the domestic worker.
- (2) Members should consider developing practical guidance in this respect, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers.
9. (1) With respect to periods during which domestic workers are not free to dispose of their time as they please and remain at the disposal of the household in order to respond to possible calls (standby or on-call periods), Members, to the extent determined by national laws, regulations or collective agreements, should regulate:
- (a) the maximum number of hours per week, month or year that a domestic worker may be required to be on standby, and the ways they might be measured;
 - (b) the compensatory rest period to which a domestic worker is entitled if the normal period of rest is interrupted by standby; and
 - (c) the rate at which standby hours should be remunerated.
- (2) With regard to domestic workers whose normal duties are performed at night, and taking into account the constraints of night work, Members should consider measures comparable to those specified in subparagraph 9(1).
10. Members should take measures to ensure that domestic workers are entitled to suitable periods of rest during the working day, which allow for meals and breaks to be taken.
11. (1) Weekly rest should be at least 24 consecutive hours.
- (2) The fixed day of weekly rest should be determined by agreement of the parties, in accordance with national laws, regulations or collective agreements, taking into account work exigencies and the cultural, religious and social requirements of the domestic worker.
- (3) Where national laws, regulations or collective agreements provide for weekly rest to be accumulated over a period longer than seven days for workers generally, such a period should not exceed 14 days for domestic workers.
12. National laws, regulations or collective agreements should define the grounds on which domestic workers may be required to work during the period of daily or weekly rest and provide for adequate compensatory rest, irrespective of any financial compensation.
13. Time spent by domestic workers accompanying the household members on holiday should not be counted as part of their paid annual leave.
14. When provision is made for the payment in kind of a limited proportion of remuneration, Members should consider:
- (a) establishing an overall limit on the proportion of the remuneration that may be paid in kind so as not to diminish unduly the remuneration necessary for the maintenance of domestic workers and their families;
 - (b) calculating the monetary value of payments in kind by reference to objective criteria such as market value, cost price or prices fixed by public authorities, as appropriate;
 - (c) limiting payments in kind to those clearly appropriate for the personal use and benefit of the domestic worker, such as food and accommodation;
 - (d) ensuring that, when a domestic worker is required to live in accommodation provided by the household, no deduction may be made from the remuneration with respect to that accommodation, unless otherwise agreed to by the worker; and
 - (e) ensuring that items directly related to the performance of domestic work, such as uniforms, tools or protective equipment, and their cleaning and maintenance, are not considered as payment in kind and their cost is not deducted from the remuneration of the domestic worker.

15. (1) Domestic workers should be given at the time of each payment an easily understandable written account of the total remuneration due to them and the specific amount and purpose of any deductions which may have been made.
(2) Upon termination of employment, any outstanding payments should be made promptly.
16. Members should take measures to ensure that domestic workers enjoy conditions not less favourable than those of workers generally in respect of the protection of workers' claims in the event of the employer's insolvency or death.
17. When provided, accommodation and food should include, taking into account national conditions, the following:
 - (a) a separate, private room that is suitably furnished, adequately ventilated and equipped with a lock, the key to which should be provided to the domestic worker;
 - (b) access to suitable sanitary facilities, shared or private;
 - (c) adequate lighting and, as appropriate, heating and air conditioning in keeping with prevailing conditions within the household; and
 - (d) meals of good quality and sufficient quantity, adapted to the extent reasonable to the cultural and religious requirements, if any, of the domestic worker concerned.
18. In the event of termination of employment at the initiative of the employer, for reasons other than serious misconduct, live-in domestic workers should be given a reasonable period of notice and time off during that period to enable them to seek new employment and accommodation.
19. Members, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, should take measures, such as to:
 - (a) protect domestic workers by eliminating or minimizing, so far as is reasonably practicable, work-related hazards and risks, in order to prevent injuries, diseases and deaths and promote occupational safety and health in the household workplace;
 - (b) provide an adequate and appropriate system of inspection, consistent with Article 17 of the Convention, and adequate penalties for violation of occupational safety and health laws and regulations;
 - (c) establish procedures for collecting and publishing statistics on accidents and diseases related to domestic work, and other statistics considered to contribute to the prevention of occupational safety and health related risks and injuries;
 - (d) advise on occupational safety and health, including on ergonomic aspects and protective equipment; and
- (e) develop training programmes and disseminate guidelines on occupational safety and health requirements specific to domestic work.
20. (1) Members should consider, in accordance with national laws and regulations, means to facilitate the payment of social security contributions, including in respect of domestic workers working for multiple employers, for instance through a system of simplified payment.
(2) Members should consider concluding bilateral, regional or multilateral agreements to provide, for migrant domestic workers covered by such agreements, equality of treatment in respect of social security, as well as access to and preservation or portability of social security entitlements.
(3) The monetary value of payments in kind should be duly considered for social security purposes, including in respect of the contribution by the employers and the entitlements of the domestic workers.
21. (1) Members should consider additional measures to ensure the effective protection of domestic workers and, in particular, migrant domestic workers, such as:
 - (a) establishing a national hotline with interpretation services for domestic workers who need assistance;
 - (b) consistent with Article 17 of the Convention, providing for a system of pre-placement visits to households in which migrant domestic workers are to be employed;
 - (c) developing a network of emergency housing;
 - (d) raising employers' awareness of their obligations by providing information on good practices in the employment of domestic workers, employment and immigration law obligations regarding migrant domestic workers, enforcement arrangements and sanctions in cases of violation, and assistance services available to domestic workers and their employers;
 - (e) securing access of domestic workers to complaint mechanisms and their ability to pursue legal civil and criminal remedies, both during and after employment, irrespective of departure from the country concerned; and
 - (f) providing for a public outreach service to inform domestic workers, in languages understood by them, of their rights, relevant laws and regulations, available complaint mechanisms and legal remedies, concerning both employment and immigration law, and legal protection against crimes such as violence, trafficking in persons and deprivation of liberty, and to provide any other pertinent information they may require.
- (2) Members that are countries of origin of migrant domestic workers should assist in the effective protection of the rights of these workers, by informing them of their rights before departure, establishing legal assistance funds, social services and specialized consular services and through any other appropriate measures.

22. Members should, after consulting with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, consider specifying by means of laws, regulations or other measures, the conditions under which migrant domestic workers are entitled to repatriation at no cost to themselves on the expiry or termination of the employment contract for which they were recruited.
23. Members should promote good practices by private employment agencies in relation to domestic workers, including migrant domestic workers, taking into account the principles and approaches in the Private Employment Agencies Convention, 1997 (No. 181), and the Private Employment Agencies Recommendation, 1997 (No. 188).
24. In so far as compatible with national law and practice concerning respect for privacy, Members may consider conditions under which labour inspectors or other officials entrusted with enforcing provisions applicable to domestic work should be allowed to enter the premises in which the work is carried out.
25. (1) Members should, in consultation with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, establish policies and programmes, so as to:
 - (a) encourage the continuing development of the competencies and qualifications of domestic workers, including literacy training as appropriate, in order to enhance their professional development and employment opportunities;
 - (b) address the work–life balance needs of domestic workers; and
 - (c) ensure that the concerns and rights of domestic workers are taken into account in the context of more general efforts to reconcile work and family responsibilities.
 (2) Members should, after consulting with the most representative organizations of employers and workers and, where they exist, with organizations representative of domestic workers and those representative of employers of domestic workers, develop appropriate indicators and measurement systems in order to strengthen the capacity of national statistical offices to effectively collect data necessary to support effective policymaking regarding domestic work.
26. (1) Members should consider cooperating with each other to ensure the effective application of the Domestic Workers Convention, 2011, and this Recommendation, to migrant domestic workers.
 (2) Members should cooperate at bilateral, regional and global levels for the purpose of enhancing the protection of domestic workers, especially in matters concerning the prevention of forced labour and trafficking in persons, the access to social security, the monitoring of the activities of private employment agencies recruiting persons to work as domestic workers in another country, the dissemination of good practices and the collection of statistics on domestic work.
 (3) Members should take appropriate steps to assist one another in giving effect to the provisions of the Convention through enhanced international cooperation or assistance, or both, including support for social and economic development, poverty eradication programmes and universal education.
- (4) In the context of diplomatic immunity, Members should consider:
 - (a) adopting policies and codes of conduct for diplomatic personnel aimed at preventing violations of domestic workers' rights; and
 - (b) cooperating with each other at bilateral, regional and multilateral levels to address and prevent abusive practices towards domestic workers.

Declaration on the rights of domestic workers in Thailand

(Adopted by the First National Conference of Domestic Workers in Thailand, Bangkok, 8-9 October 2011)

We, domestic workers in Thailand, work hard to feed our families. Like any other worker, we want to earn a living wage. We want to be included in labour legislation and social protection schemes. We want to work ourselves out of poverty. But our work is hardly valued, and poorly paid. It is generally seen as just something that women, who make up the majority of domestic workers, and too often children, do in the homes of others to 'help out'. Yet we look after what is most important to other people: their family - their children, their parents, their sisters and brothers. Indeed, our work plays a vital role in the well-being and economic structure of society.

We come from the poorer sections of society. Many are migrants within Thailand; many more have migrated from other countries. We are often viewed as 'second class citizens', or 'expendable migrants'. Domestic work could be 'decent' work if the government and employers treated us with fairness and on the same footing as other workers. The work itself is not 'indecent'. What is indecent is the way that many of us are treated.

The adoption in June 2011 of ILO Convention No. 189 on Decent Work for Domestic Workers and its accompanying Recommendation No. 201 that sets out our labour rights is an important step towards getting governments to recognize us and include us in national employment laws and social protection schemes, and raising society's awareness of our right to decent work, dignity and respect. This Declaration on the Rights of Domestic Workers in Thailand affirms our human rights and labour rights, recognized under the Constitution of Thailand and international instruments, notably the UN Declaration of Human Rights and ILO Convention No. 189. We urge the Thai government, trade unions and civil society organizations, our employers and their organizations, and the public at large to respect and promote these rights.

The Basic Rights of Domestic Workers

- Right to respect and dignity as women and as workers (maternity protection)
- Right to equal treatment at work
- Right to fundamental labour rights;
- Right to decent working conditions: paid day-off and holidays; fair wages; appropriate working hours and rest periods; right to privacy; sufficient and appropriate food and drink
- No discrimination on the grounds of sex, gender, nationality, origin
- No child labour; no forced labour
- Right to organize, collective bargaining and representation
- Right to social security and health insurance
- Right to health and safe workplace
- Right to education and skills development training

Commitments

We, domestic workers in Thailand, reiterate the conclusions and recommendations of the National Tripartite Consultation on Decent Work for Domestic Workers (September 2009), which identified four priorities for action: 1) Legislation and legal framework; 2) Right to and promotion of, organizing and networking of domestic workers, 3) Skills training and upgrading of domestic workers, and 4) Campaigning: advocating to general public and policymakers for the recognition of the value of domestic work, raising awareness of employers and domestic workers about their rights. We call on the:

Government to:

- ensure that domestic workers are covered by labour legislation and social protection schemes and that these are effectively implemented, supervised and monitored
- ratify ILO Convention No. 189 on Decent Work for Domestic Workers
- set up a National Tripartite Task Force on Domestic Work (including civil society) to plan, implement and coordinate activities to promote decent work for domestic workers, ensuring that they and their representatives fully participate in the Task Force
- set professional standards for domestic workers
- put in place mechanisms to ensure easy access to basic education and skills training for domestic workers
- set up an effective complaints mechanism, hotlines and shelters
- develop an effective registration system
- campaign to raise public awareness on decent work for domestic workers and their labour rights

Employers' organizations to:

- assist in development of a national skills training programme for domestic workers, with proper certification and registration
- collaborate with key stakeholders in developing appropriate legislation to ensure social protection and decent working conditions for domestic workers
- undertake awareness-raising campaign amongst employers on decent work for domestic workers and their rights
- develop training material and programmes for employers on decent work for domestic workers and their rights

Trade unions and civil society organizations to:

- intensify their support and advocacy for adoption and effective implementation of national legislation on domestic workers,
- actively support and assist in organizing of domestic workers and strengthening their capacity to organize, represent themselves, promote and protect their rights
- assist in the development of substantive training curriculum to include vocational training and skills upgrading of domestic workers
- undertake campaigns to raise public-awareness on the issue of domestic work, focusing on the value of domestic work and the rights of domestic workers

We, domestic workers in Thailand, are convinced that achieving decent work for us depends on our personal commitment and our capacity to organize and act together. We are inspired by the success of our sisters and brothers in the region and in other parts of the world who, despite many obstacles, have built strong and viable organizations and gained long-overdue rights for domestic workers. Like them, we are committed to work in unity and solidarity with all domestic workers, Thais and migrants, in building a strong, independent and democratic movement able to promote and defend our labour and human rights. We count on the continued support and assistance from trade unions, civil society and other stakeholders to achieve our goal of decent work for domestic workers in Thailand.

RESPECT, DIGNITY AND RIGHTS FOR DOMESTIC WORKERS NOW

Source: ILO. 2011. *Report of the National Conference of the Network of Domestic Workers in Thailand, Bangkok, 8-9 October 2011* (Bangkok, 2011).

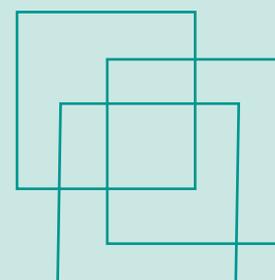
Decent work for domestic workers in Asia and the Pacific – MANUAL for TRAINERS

Invisible and undervalued no more! Domestic work is now recognized as a true occupation and domestic workers have the right to decent work, respect and dignity just like all other workers. These principles are now enshrined in international labour standards aimed at improving the working and living conditions of the millions of workers – many of them women and girls, and often migrants – caring for the families and households of others. This manual for trainers presents the voices, experiences and visions of domestic workers. It aims to stimulate reflection and discussion on domestic work and how domestic workers and their allies can work together towards realizing their objectives. The manual consists of three modules:

- Domestic work: Work like no other, work like any other
- Decent work for domestic workers: What is it and how do we get there?
- Decent work for domestic workers: Action now!

International Domestic Workers Network (IDWN) Asia
Hong Kong Confederation of Trade Unions (HKCTU)
19th Floor, Wing Wong Com. Building
557-559, Nathan Road, Kowloon
Hong Kong China
Tel: 852 - 2770 8668
Fax: 852 - 2770 7388
www.idwn.info

ILO Decent Work Technical Support Team
for East and South-East Asia and the Pacific and
Regional Office for Asia and the Pacific
United Nations Building, Rajdamnern Nok Avenue,
P.O. Box 2-349, Bangkok 10200, Thailand
Tel: (66 2) 288 1234
Fax: (66 2) 288 3062
Email: Bangkok@ilo.org
www.ilo.org/asia



DECENT WORK

A better world starts here.

ISBN 9789221262442