

WHY?

WHAT?

HOW?

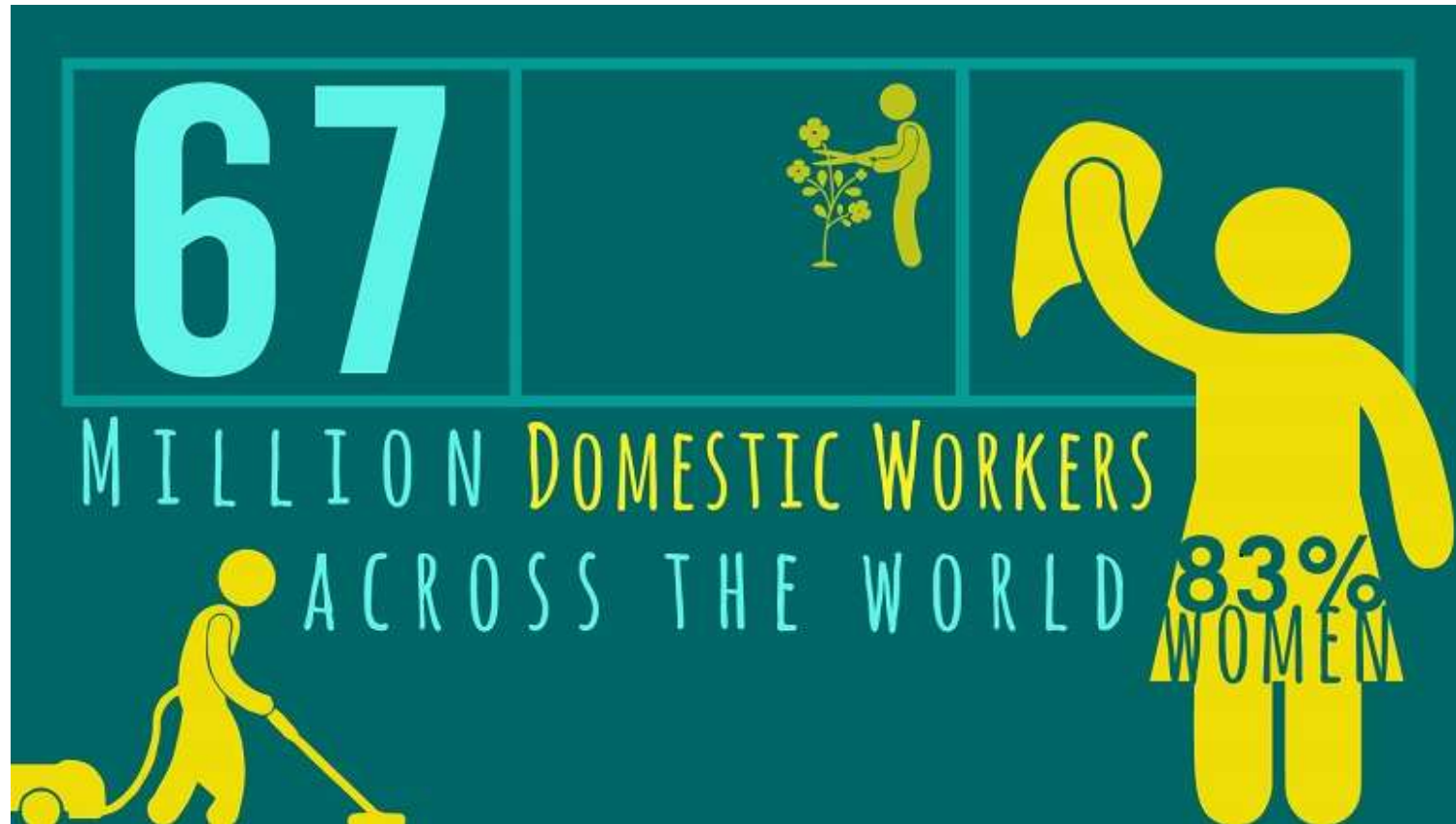


International
Labour
Organization

Standard contract for domestic work



A significant proportion of the workforce
(3.6% of global wage employment)

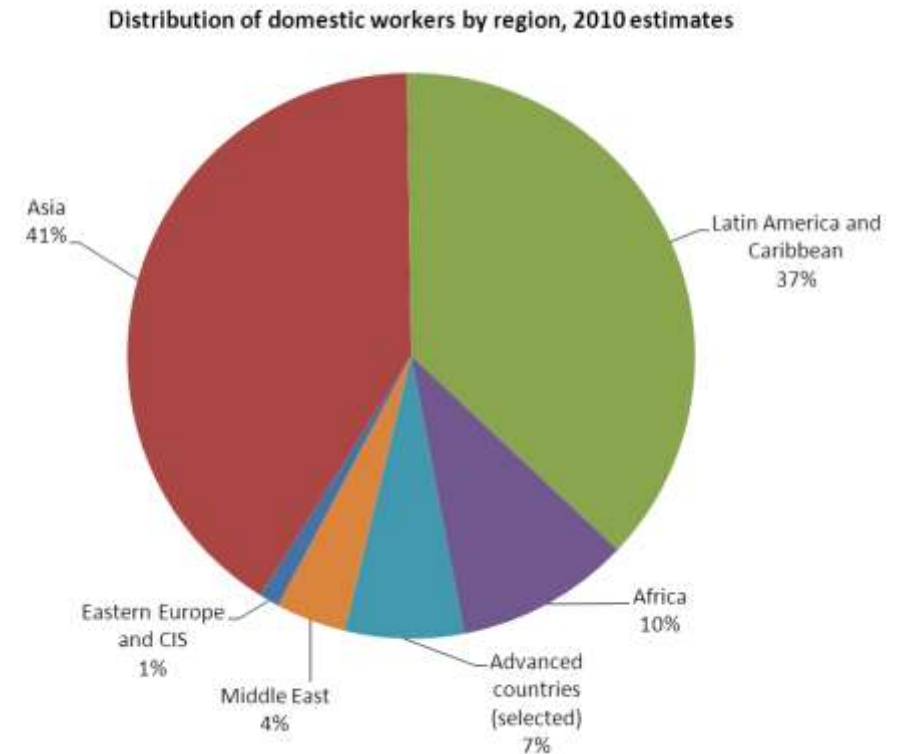


Domestic Workers

Regional distribution

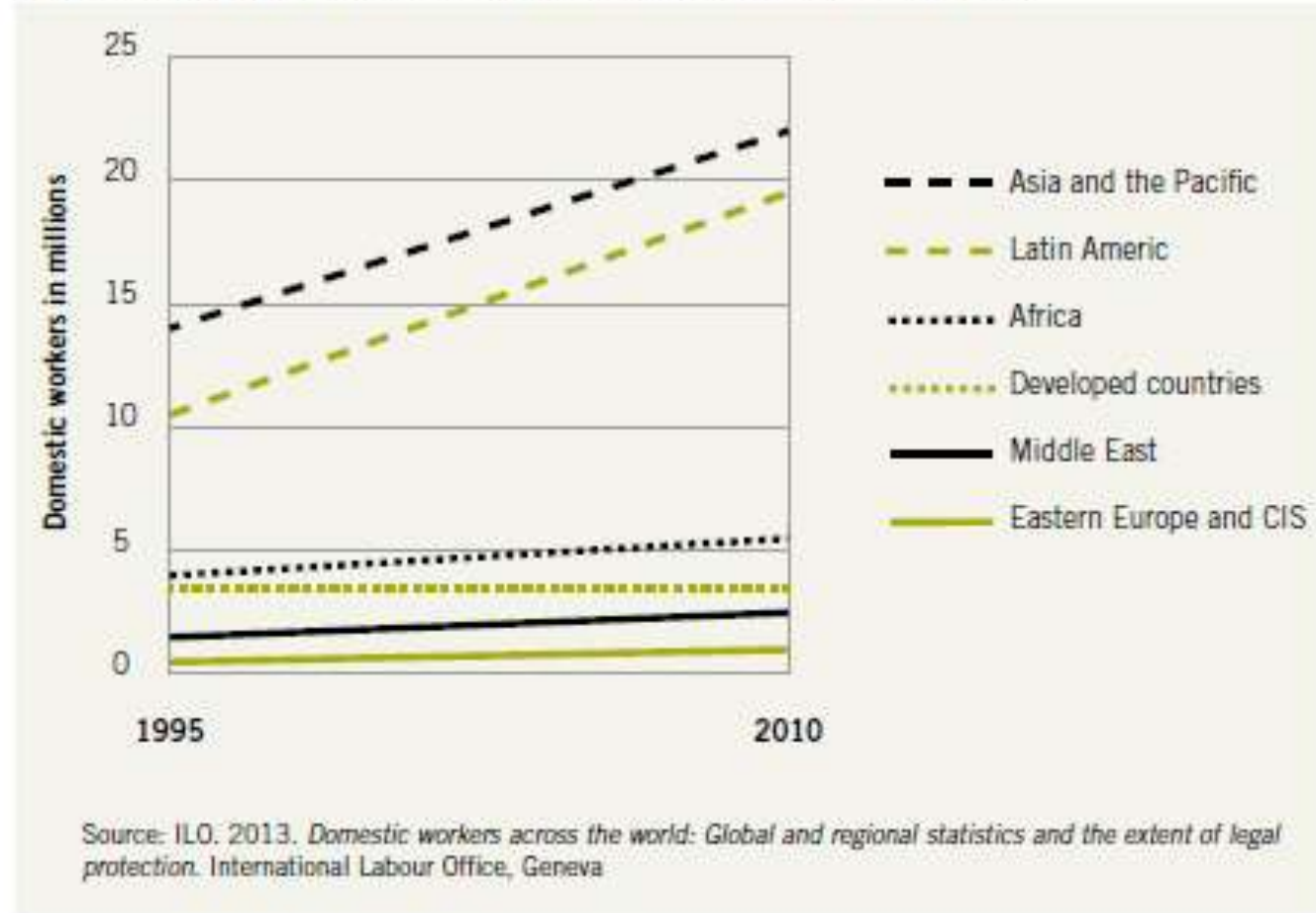
Continents as employers of domestic workers:

- Asia (41%)
- Latin America (37%)
- Africa (10%)
- Advanced countries (7%)
- Middle East (4%)
- Eastern Europe and CIS (1%)



Numbers of domestic workers: A growing sector

Graph 1: Number of domestic workers, in millions, by regions, from 1995 - 2010



Domestic Workers in Asia & the Pacific:

A growing sector

- Provides valuable and often indispensable services to households
- Enables (young) women to join the labour market
- Facilitates reconciling work and families responsibilities
- Important source of employment, notably for some groups of workers: women, youth, migrants, lower skilled...
- Substantial income transfers within (urban – rural) and between countries (remittances)

Domestic Workers - *jobs*



BUT Domestic work is largely vulnerable work

- Extreme violations of human rights:

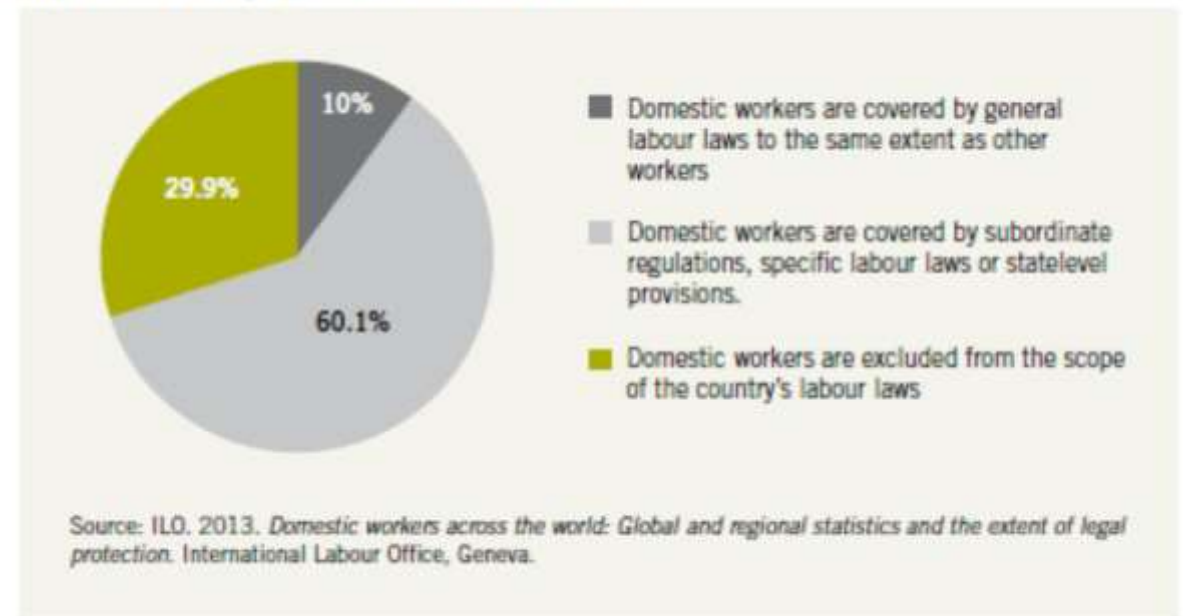
- Verbal, physical and sexual abuse
- Harassment
- Violence

- Daily violations of human rights:

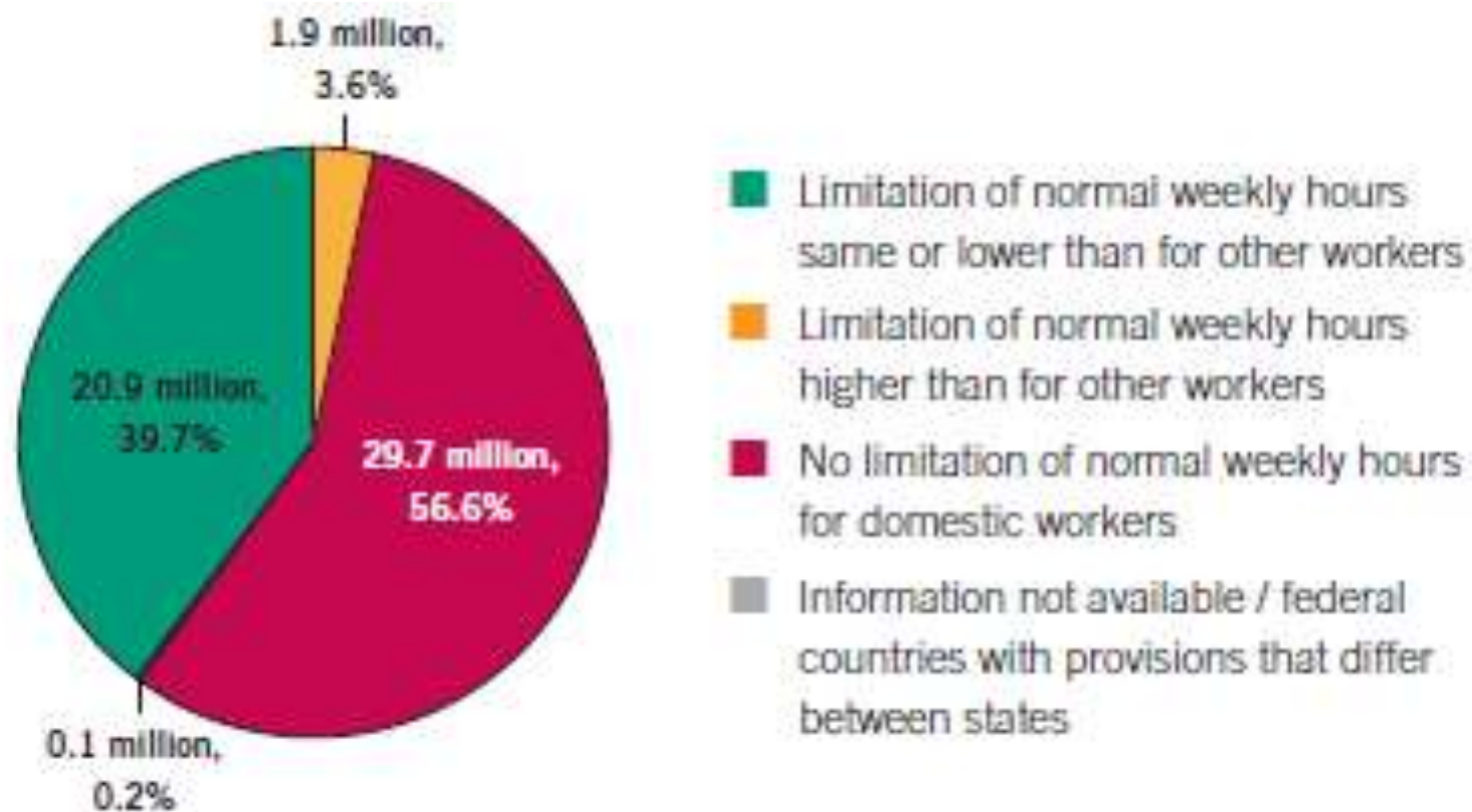
- Long hours
- Insufficient rest period
- Low, delayed, and/or unpaid wages
- Little access to social protection

- Gender pay gap

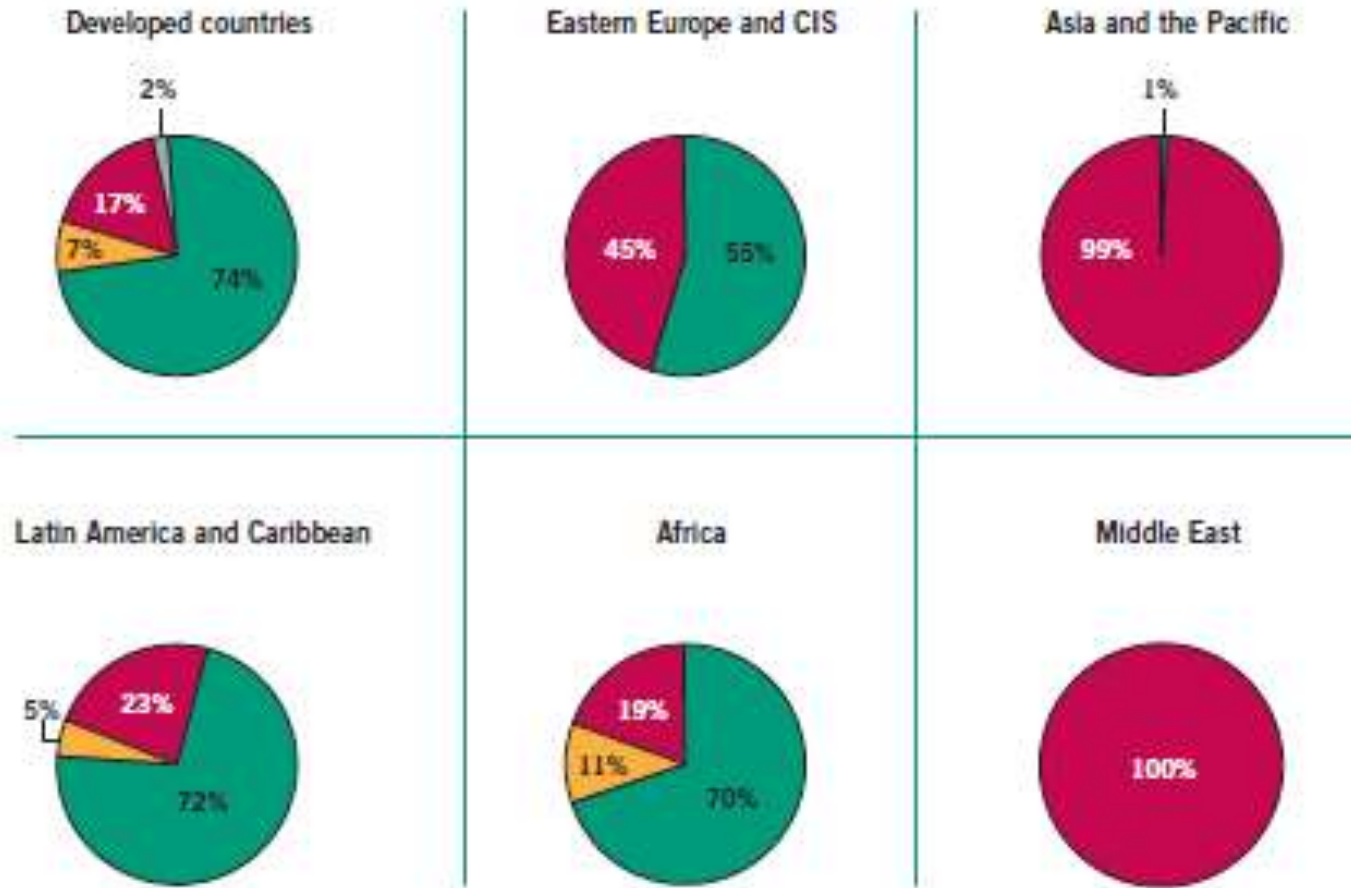
Graph 5: Extent of legal protection of domestic workers



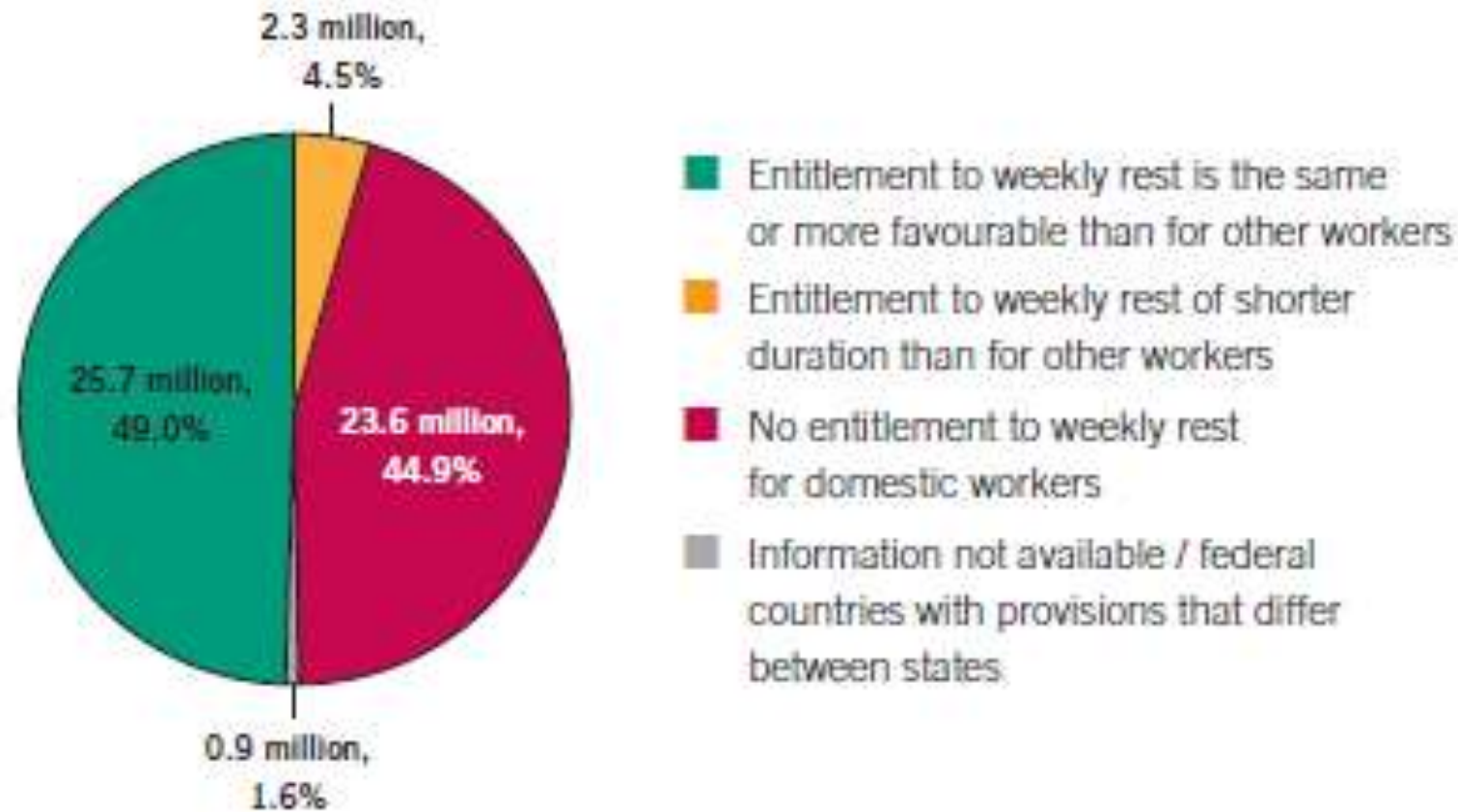
Weekly hours of work - total



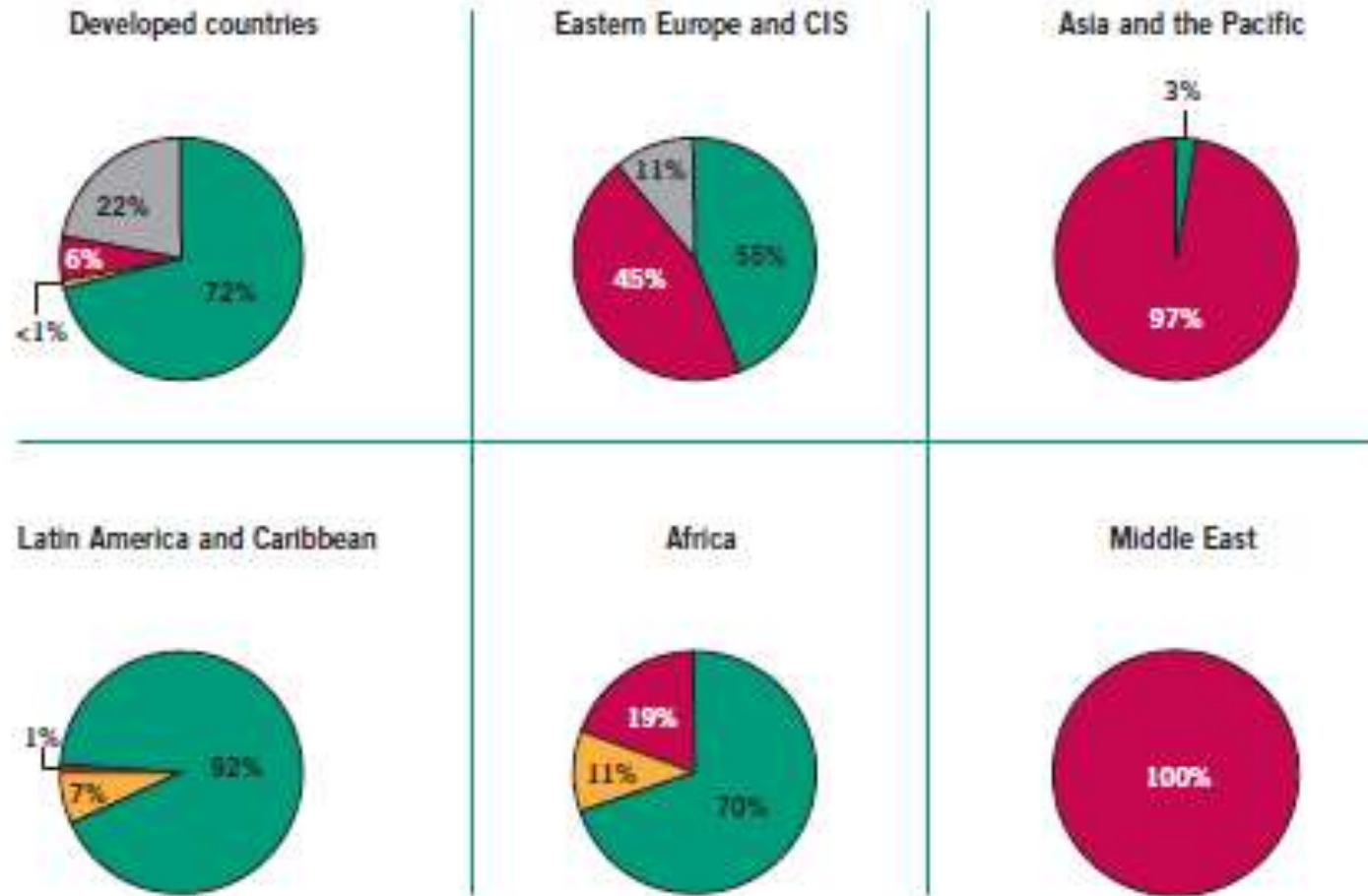
Weekly hours of work- by region



Weekly rest - total



Weekly rest – by region



Global Minimal Standards

- Recognize the social and economic value of domestic work
- Extend decent work to domestic workers
- Prevent discrimination and other human and workers' rights violations
- Promote equality for women and men in the world of work

C189 – Domestic Workers Convention (2011)

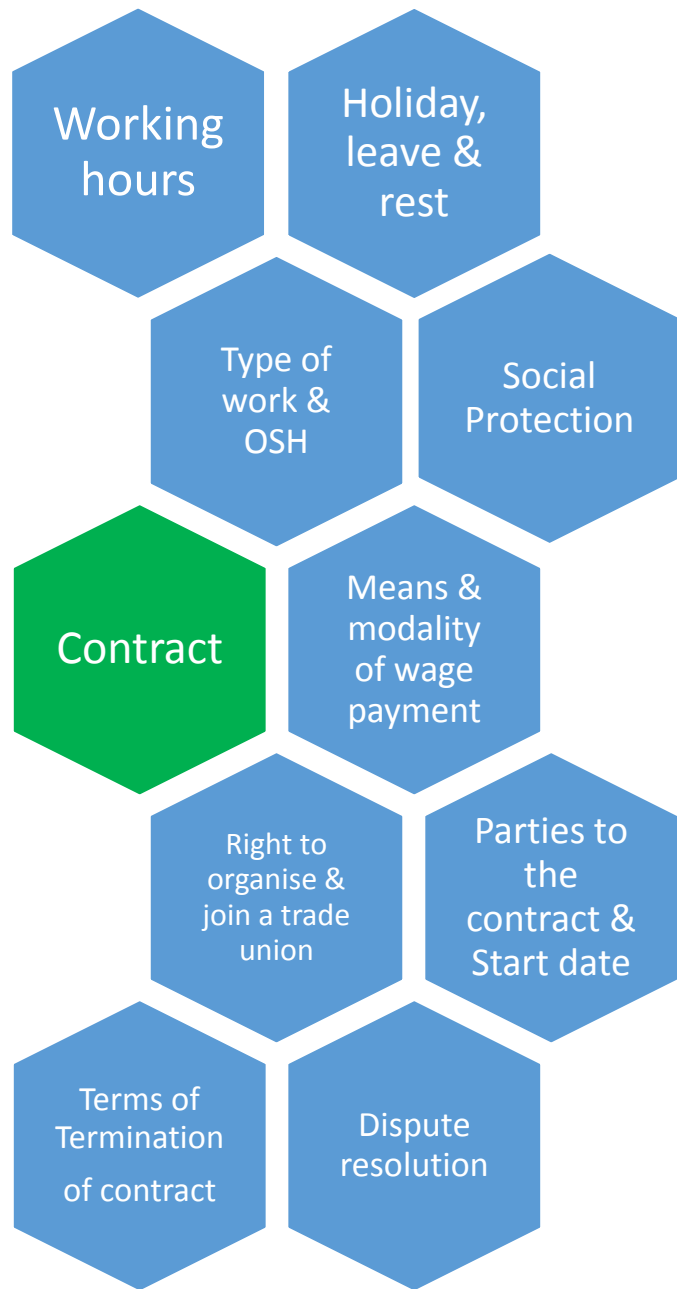
R201 - Domestic Workers Recommendation (2011)

What is a Standard Contract?

- Template that assists domestic workers & their employers in formalizing their employment relationship
- Sets out standards and conditions of employment
- Helps employers to comply with statutory requirements and entitlements of domestic workers they hire
- Helps workers' to understand their rights (+ advocacy)

Why a Standard Contract?

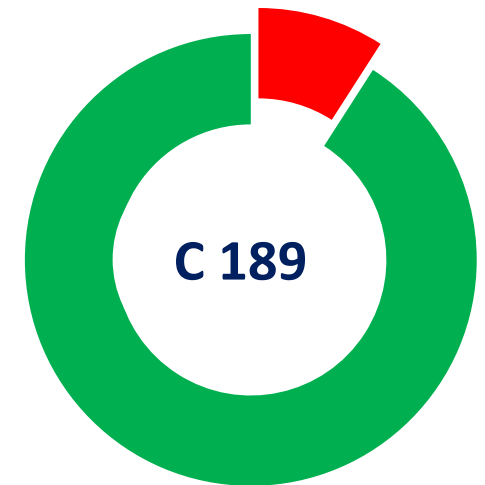
- Provide a 'benchmark' on principles on decent work for domestic workers based on Internationally agreed Standards (C189 & R201)
- A Standard contract can be a concrete first step in protecting the rights of domestic workers (adopted by government in consultation with DW organisations, TUs and EOs)
- Promotes formalization of the relationship between worker and employer (written contract, pay slips, time records, etc.)



- What should a Standard contract cover?

International
Labour
Standards
C189 + R201
Provide
guidance

Philippines **1**



Standard contract for domestic work in Thailand

V1, 2016

 MY FAIR HOME Your logo here

STANDARD CONTRACT FOR DOMESTIC WORK IN THAILAND

This contract is available in multiple languages at <http://www.idwf.org/myfairhome>. Parties should be provided with a contract in a language that they understand. Please ensure that you are using the most up to date version of this contract. Please tick any relevant boxes clearly: ☐ or ☐

The provisions in this column include the minimum conditions for decent work that must be provided by law to domestic workers under the Thai Labour Act B.E. 2541 (1998) and Ministerial Regulation No. 14 B.E. 2553 (2012).

This column includes guidance for good employment practices based on the ILO Domestic Workers Convention, 2011 (No. 189) and protections offered to other workers under Thai Law. Special provisions for workers aged 15-18 are also recommended based on the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and the ILO Minimum Age Convention, 1973 (No. 138).

PARTIES TO THE CONTRACT

The Employer: (Mr/Ms)
Address _____

ID card/Passport No. _____
And _____
The Worker: (Mr/Ms)
Address _____

ID card/Passport No. _____

☐ The Worker certifies that s/he is at least 15 years old on the date of entering into contract

Best Practice

The minimum legal working age in Thailand is 15. If the Worker is under the age of 18 additional protections should be applied as below.

The Parties to this contract agree to the following terms and conditions:

1. START DATE

1.1 This contract is valid from ____/____/____. Both Parties have the right to terminate the contract by giving advance notice as specified in section 10.1.

Even if the employment contract is terminated, all wages for work already completed.

1/5



PARTIES TO THE CONTRACT

Best Practice

The Employer: (Mr/Ms)

Address

ID card/Passport No.

And

The Worker: (Mr/Ms)

Address

ID card/Passport No.

☐ The Worker certifies that s/he is at least 15 years old on the date of entering into contract.

The minimum legal working age in Thailand is 15. If the Worker is under the age of 18 additional provisions should be applied as below.





1. START DATE

1.1 This contract is valid from ____ / ____ / ____ Both Parties have the right to terminate the contract by giving advance notice as specified in section 10.1.

Even if the employment contract is terminated, all workers have the right to wages for work already completed.



2. HOUSEHOLD INFORMATION



3. JOB DESCRIPTION

Workers under the age of 18 should not be assigned tasks specified as hazardous in the law, for example, handling dangerous chemicals or excessively heavy lifting.



4. WORKING HOURS

Parties can record details and hours of work in the Weekly Timesheet and Payslip (Annex C).

Workers under the age of 18 are prohibited from working over 48 hours per week and between the hours of 22.00 and 6.00.





5. WAGES

Best Practice



6. HOLIDAYS AND LEAVE



7. LIVING AND WORKING ENVIRONMENT



8. SOCIAL PROTECTION



9. DISPUTE RESOLUTION



10. TERMINATION OF CONTRACT

ANNEXES

1. WORK TASKS

2. CONTRACT AMENDMENT

3. WEEKLY TIMESHEET AND PAYSLIP

4. OFFICIAL PUBLIC HOLIDAYS IN THAILAND

This contract is made in duplicate. The Parties to the contract, having read and understood the entire substance of the contract, hereby sign their names.

Signature of Employer

Date / /

Place

Signature of Worker

Date / /

Place

What are your thoughts...?



1. How could Standard contracts contribute to decent work for domestic workers in Indonesia?
2. What more would be needed to roll out a Standard contract in Indonesia?

Key messages

- Extending the scope of the labour code and social security is key to formalising domestic work jobs and recognising this as 'work'
- Rolling out a Standard Contract is an opportunity to start to prepare the grounds for a domestic work sector that provides decent and productive work

Thank you / Terima kasih

Joni Simpson

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Asia & the Pacific

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www.ilo.org/domesticwork

www.ilo.org/ged



Working Time

Working time:
Average
weekly
working hours
for domestic
workers:
Among the
longest and
least
predictable of
any group of
workers...

