



ILO Jakarta Special Edition on Domestic Workers

April 2010

Recognizing Domestic Work as Work

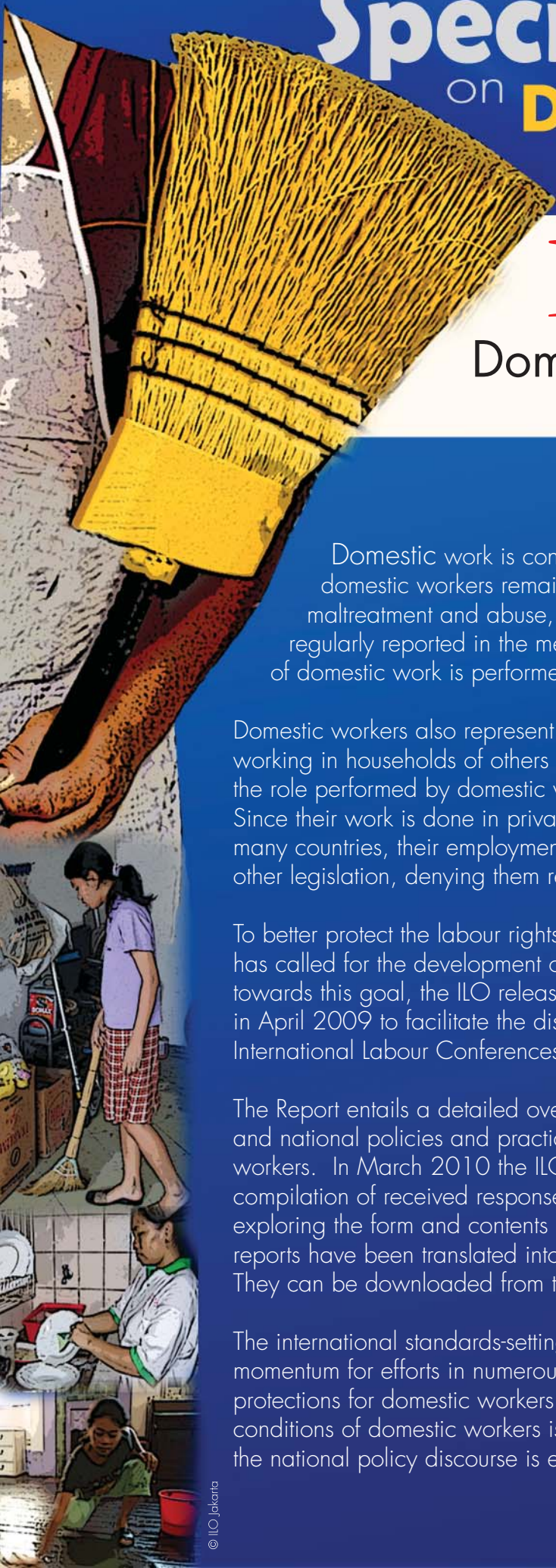
Domestic work is considered undervalued and poorly regulated, and many domestic workers remain overworked, underpaid and unprotected. Accounts of maltreatment and abuse, especially of live-in and migrant domestic workers, are regularly reported in the media. In addition, in many countries, a large proportion of domestic work is performed by children.

Domestic workers also represent the single largest group of female salaried workers working in households of others in their own country or abroad. Despite the importance of the role performed by domestic workers, domestic work is still not recognized as work. Since their work is done in private households, which are not considered work places in many countries, their employment relationship is not addressed in national labour laws or other legislation, denying them recognition as workers entitled to labour protection.

To better protect the labour rights of all workers, including domestic workers, the ILO has called for the development of labour standards for all domestic workers. Working towards this goal, the ILO released a report entitled "Decent Work for Domestic Work" in April 2009 to facilitate the discussion of domestic work at the 99th Session of the International Labour Conferences (ILC) in 2010 and 2011.

The Report entails a detailed overview and analysis of existing international standards and national policies and practices on labour and social protection for domestic workers. In March 2010 the ILO furthermore released a report comprising of a compilation of received responses by national tripartite constituents to a questionnaire exploring the form and contents of international standards on domestic workers. Both reports have been translated into Bahasa Indonesia and disseminated in Indonesia. They can be downloaded from the ILO Jakarta Office website (www.ilo.org/jakarta).

The international standards-setting process for domestic workers has also provided momentum for efforts in numerous countries to establish national labour rights and protections for domestic workers. In Indonesia, a bill on the labour rights and work conditions of domestic workers is scheduled for Parliamentary debate for 2010, and the national policy discourse is expected to continue to intensify during 2010-2011.



The Unequal Member of Our Family

For Tukiye (not her real name), sleep has always been like a blink of an eye. Going to bed past midnight, Tukiye has to wake up before dawn at 5:00 am every day. The entire family of the employer is still sleeping, yet Tukiye is already engaged in preparing meals for the kids, cleaning the kitchen, sweeping, mopping and tidying rooms.

“For the last five years, this has been my routine. It is hard work, and I often get depressed because I don’t get enough time to rest or even to take a day off,” she told. But as Tukiye only has primary school education, she has no option other than to work as a domestic worker.

Tukiye is one out of millions of Indonesian women and girls, who have no other option than to work as domestic workers either in Indonesia or abroad in Asia and the Middle East. In Indonesia alone, as many as 2.6 million Indonesians, predominantly women, aged 13 to 30, are engaged as domestic workers, serving an approximately 2.5 million Indonesian households. It is also documented that around 750,000 Indonesian women leave the country each year to work abroad as migrant domestic workers.

By undertaking all household chores and caring for household members (children, elderly, sick, disabled), domestic workers provide a vital service that enable men and women of those households to hold a salaried job outside the household. The same domestic and care services, if purchased from individual market providers (dry cleaners, caterers, child care centres, hospices for elderly, etc) would cost many times more than a domestic workers salary. Domestic workers are thus instrumental in ensuring the functioning of the household and the well-being of its members.

Domestic work constitutes the largest source of salaried work for rural women with limited educational background. With the growth of the urban middle class and with women’s increasing participation in the registered work force, the demand for domestic workers continues to grow in Indonesia and abroad.



Because of the multiple functions and high level of responsibility inherent in the job, domestic workers are often called “household managers”, and for migrant domestic workers months-long training is required to prepare them for the tasks and responsibilities. Yet, in many countries domestic workers are still considered “unskilled”, and domestic work is not even considered work, largely because it takes place in a private household and is regarded as an extension of women’s traditionally unpaid household work. In addition, in Indonesia, domestic workers are ostensibly regarded as members of the employer’s family and are therefore not considered workers.

However this ostensible familial treatment is contradicted by the pejorative terms *babu*, *jongos*, and *pembokat* which are terms for domestic workers in Indonesia. Common usage of these terms reveal that domestic workers are not in fact regarded as equal members of the family, but rather as persons of lower social ranking and power.

The terms entail the notion of the domestic worker as a ‘servant’ or ‘maid’ at the disposal of the employer’s household, rather than a ‘worker’ with labour rights.

Unfortunately, this labelling in semi-feudal terms as unskilled and informal sector “helpers” has helped justify the exclusion of domestic workers from minimum standards and protections taken for granted by other workers. ❀

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Persistence of Gender Discrimination and a Segregated Labour Market

According to research findings, more than 90 per cent of Indonesian domestic workers working in Indonesia and abroad are women. The majority of them are unmarried and of 13–25 years of age. Gender discrimination in the access to education and jobs and gender segregation of the labour market results in women predominantly being concentrated in jobs in the informal sector, such as domestic work, with low salary levels, poor working conditions and few protections. Traditional gender stereotypes and the existence of a segregated labour market furthermore facilitates persisting devaluation of women’s work, and notably so for domestic workers. In spite of the considerable responsibilities, the vast range of tasks and extensive skills requirements, work sectors predominantly occupied by women tend to be considered “unskilled” which in turn leads to low salaries.

However, in spite of these draw-backs, persisting rural poverty and the lack of access to educational and job opportunities, particularly for women, constitute the main push factors forcing rural women to keep entering whatever wage employment is available. The family of the domestic worker often depend entirely on her earnings, which means that there

is immense pressure on the women to keep working, even under exploitive or abusive work conditions.

The growth in the demand for domestic workers in Indonesia and overseas accounts for the continuing growth in the domestic work sector. Given the low salaries paid to domestic workers in Indonesia, working overseas as a domestic worker is a proposition that yields higher earnings, even after deduction of placement costs. However, due to the discrimination against and the vulnerability of domestic workers to abuse, particularly those living in the household of the employer, domestic work is an exceedingly arduous and dangerous proposition, and the incidence of exploitation and abuse is very high.

However, as the demand for domestic workers in urban areas continues to grow, improving the regulation of wages, work conditions and protections in domestic work is of vital importance for an ever-growing number of women workers. ❀



Child Domestic Workers

According to recent research, almost 35% of domestic workers are below the age of 18 and at least 25% of domestic workers in Indonesia are under the age of 15. Employers expect the same amount of work from them as from adult workers, which tends to surpass child domestic workers' physical capacity and stamina.

Many employers prefer very young domestic workers as they are considered to be more obedient and less likely to complain about work conditions and salary. However, long working hours with no time for rest and recreation or for socializing with peers will negatively affect a child's mental, physical, social and intellectual development.

For those who become child domestic workers, the realities are often grim. Dian (not real name), 15, found that she worked long hours and never got a day off. "I woke up at 4 am. I would then cook breakfast, clean and wash the car," she said. Worse still, Kartika (not her real name), 17, had to endure sexual harassment from her employer's husband who liked to expose himself to her when she was alone.

Unfortunately, child domestic workers rarely have the possibility to stand up to their employer or to leave, even under abusive circumstances, as their parents count on their income and can no longer afford to accommodate and feed them. These factors make child domestic work a hazardous occupation for children.

Act No. 20/1999 on the Ratification of the ILO Convention No. 138 on Minimum Age declares that the minimum age for work in Indonesia is 15 years, meaning that it is prohibited to employ children under the age of 15, except for light work for children aged 13 and 14 years old as stipulated in the Act No. 13

Year 2003 on Manpower. Furthermore, Law No. 1/2000 on the Ratification of the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Form of Child Labour prohibits the employment of children under the age of 18 in the worst forms of child labour.

According to ILO Convention No. 182, the "worst forms of child labour" shall be recognised as such and banned by law in every ratifying member state, including Indonesia. However, "hazardous forms of child labour", including child domestic work, shall be determined by national laws or regulations or by the competent authority, taking into consideration the requirements of relevant international standards. Unfortunately, Indonesian regulations, are contradictory concerning the categorization of child domestic work, so it is not clear whether child domestic work is considered a hazardous form of work in which employment of children under the age of 18 is strictly prohibited in Indonesia:

The Regulation of the Minister of Manpower No. 235/2003 states the conditions of work under which children cannot be employed; however, it does not specifically mention the type of work which is considered hazardous, and so it does not list child domestic work or other types of work. The Presidential Decree No. 59/2002 on the National Plan of Action for the Elimination of the Worst Forms of Child Labour states in its Introduction Chapter that child domestic work is considered one of the worst forms of child labour in Indonesia. The Decree can thus be used as a legal reference to prohibit employment of children under the age of 18 in domestic work, however, stricter regulations are required in order to effectively combat child labour, in particular child domestic workers.



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Voices of Domestic Workers

Buried in the Backyard

For months, Maryati who worked as a domestic worker, experienced severe physical abuse from her employer. She also did not receive any salary as her employer said that she owed them money and should continue working to pay off the "debt".

According to the family driver, the employer and her son often hit and yelled at Maryati over insignificant issues. A domestic worker working in the next house said that Maryati often took out the garbage in a hurry. She said that Maryati always looked scared and she could see bruises on her face, arms and legs. As her employer always closely monitored her, Maryati never had a chance to talk to anybody about her problems.

One day Maryati all of a sudden disappeared. The family driver finally discovered that the employer had killed and buried Maryati in the backyard. Upon discovering her body, the driver reported the murder to the police. When questioned, Maryati's employer claimed that she killed her because she had stolen bread.

Adapted from Kompas, 10 January 2004





Domestic Workers

Are Still **Not Covered** by the Law

Tukiyem, and many others domestic workers throughout the country, are in a vulnerable situation. One of the foremost reasons is the fact that domestic work is not considered as “work” as it takes place in private households, which are not considered workplaces in many countries, including Indonesia.

As a result, domestic workers are excluded from national labour legislation which provides basic rights for workers in other sectors. Domestic workers are not covered by regulations on minimum salary, working hours, leave, insurance, working contract, etc. These issues are left to the employers to determine.

Being invisible and hidden from public scrutiny, domestic workers are prone to be exploited and abused. They rarely have written contracts and most do not receive a decent salary on a regular basis. As many as 72% of Indonesian domestic workers are paid less than Rp. 300,000 a month—far below the minimum salary in Indonesia of Rp. 800,000 to 1,000,000 a month.

The working hours of domestic workers are also excessive: 81% are reported to be working 11 hours or more a day, and then remain ‘on call’ if the employers want them to work at any time during the day or night. Often, domestic workers do not get a day off, as found by Rumpun Gema Perempuan in its 2005 survey: More than 55% of respondents did not get a weekly day off. If abused or exploited, domestic workers do not have access to complaints and mediation mechanisms.

Various references are made to notions of Indonesian culture as a purported justification for why labour legislation should not cover domestic workers. The first notion is that the domestic workers is viewed as a member of the employer’s

family and therefore should not be regarded as a worker who should be covered under labour regulation. The second notion is that the concept of the ‘inviolability of the private sphere’ which is often used as an argument as to why labour legislation should not cover domestic workers.

© ILO Jakarta/Gema Perempuan



In the absence of labour law protection, the only laws recognized as covering domestic workers are the Civil Code and the Criminal Code which can be applied to cases of respectively breach of (work) agreement and fraud or abuse. Other laws are the Act against Domestic Violence No. 23/2004, and the Act against Trafficking in Persons No. 21/2007, which cover respectively abuse and trafficking of domestic workers.

However, findings of Rumpun Gema Perempuan’s 2005 and 2008 studies reveal that 68 per cent of respondents had experienced mental abuse (abusive language, calling names, etc), whereas 93 per cent had experienced physical violence (beatings, having hot water or oil poured on them, pulling hair, etc), and 42 per cent had experienced sexual violence and harassment (including inappropriate touching and even rape) by a member of the employer’s family.

Those practices are, in fact, punishable under, the above laws. However, Indonesian authorities often refuse to register or investigate a complaint by a domestic worker against her employer. To date, not a single such case against an employer has been decided by the courts in favour of the domestic worker. ❀

According to the Manpower Act No. 13, a worker is defined that “any person who works and receives wages or other forms of remuneration”. Based on this definition, domestic workers should be treated as workers as they conform with this definition. However, the current interpretation of the law excludes domestic workers from its scope.

Towards International Standards-Setting for Domestic Workers

The vulnerable situation of domestic workers has been of concern to the ILO since its establishment 90 years ago. From 1936 onwards the International Labour Conference (ILC) has regularly called for the development of labour standards for all domestic workers around the globe. And in 1965 the ILC adopted the first international resolution on the conditions of employment of domestic workers.

This resolution recognized the 'urgent need' to establish minimum living standards that are 'compatible with the self-respect and human dignity which are essential for social justice' for domestic workers in both developed and developing countries. Five years later, in 1970, the first survey on the status of domestic workers across the world was conducted.

Finally in March 2008, the ILO Governing Body decided to place the development of international standards for domestic workers as an agenda item at the ILC in June 2010 and June 2011. As part of the preparation process, ILO launched Report IV on Decent Work for Domestic Workers in March 2009. The report entails information on the status of working conditions and protections for domestic workers in all member countries, and provides an overview of international standards and national policies with relevance for domestic workers.

The findings of the Report were that domestic workers' work conditions in most member countries violate the 1998 ILO Declaration on Fundamental Principles and Rights at Work which obligates all member states to respect, promote, and realize the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect to employment and occupation.

In August 2009, tripartite constituents from ILO member states submitted responses to a questionnaire aiming

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to gauge the member states' preferences for the format and contents of the scheduled international standards on domestic workers which will be discussed by more than 3000 national delegates at the ILC in respectively June 2010. ILO then distributed a second report in March 2010 with the feed-back by tripartite constituents of ILO member states on the format and contents of the standards. Both reports will form the basis of the discussion at the ILC 2010, and can be downloaded from the ILO Jakarta website in English and Bahasa Indonesia.

After the discussion at the ILC in June 2010, ILO is scheduled to send a third report by August 2010, containing the draft international standards to member states for their comments and the deadline for comments is November 2010. On the basis of the received comments, ILO will send a fourth report to members by 2011 which entails the received comments and a fifth report entailing the draft international standards revised on the basis of these comments.

"On the basis of the fourth and the fifth report, the delegates at the ILC June 2011 will review the revised draft, and eventually finalize and approve the international standards for domestic workers", explained Lotte Kejser, Chief Technical Adviser of the ILO Project Combating Forced Labour and Trafficking in Indonesian Migrant Workers. She added that the development of these international standards is aimed at bridging a significant gap in the effective labour protections coverage for domestic workers. Although international standards cover all workers, domestic workers are routinely excluded from their coverage. ❁



The ILO's Support to Indonesia



In Indonesia ILO has supported national consultations on international standards for domestic workers through the ILO Project on Combating Forced Labour and Trafficking in Indonesian Migrant Workers. Funded by the Norwegian government, the Project engages in a wide range of advocacy activities in order to promote the proposed international instrument on the protection of domestic workers. Information and communication materials have been produced, highlighting the many vulnerabilities

of domestic workers, including the current situation and work conditions of Indonesian domestic workers at home and abroad, as well as the roles and responsibilities of the tripartite constituents and other stakeholders.

Under the Project, briefings, consultations and meetings have been held throughout 2009 with relevant stakeholders such as the Ministry of Manpower and Transmigration, the three national union confederations (KBSI, KSPSI and KSPI), the Indonesian Employers' Association (Apindo), migrant and domestic workers organizations, NGOs, recruitment agencies, as well as representatives from employers of domestic workers.

Similar briefings and consultations at national and regional levels will continue to be conducted throughout 2010 - 2011. In addition to the debate on international standards-setting, these meetings also discuss the work conditions and protection for Indonesian domestic workers and the positions of the tripartite constituents on these issues.

The project has also conducted extensive media-based campaigns to raise awareness and educate the public at large regarding the rights of domestic workers as workers. Through the campaigns, the ILO seeks to achieve broad dissemination, understanding and acceptance of the rights of domestic workers as workers. ❀

Voices of Domestic Workers

"We Are Human, So Treat Us As Such"

Rukmini:

"I Survived Torture, but My Friend Did Not"

Rukmini, 17 years old, was lying on the hospital bed. Her body was emaciated and motionless. Her face was hollow and empty. She was diagnosed as having severe malnutrition and weighed only 29 kg. Only six months earlier, in December 2006, she started working as a domestic worker at a household in Jatinegara, East Jakarta. At that time she was a lively, healthy young woman, dreaming of a better life and earning her own income.

She was working in the household with one of her friends, Irma, 16 years old. During the first month of work, their employer, Erni Wijaya, treated them well. However, soon Erni started becoming abusive and exploitative towards the two young girls. Erni ruthlessly tortured both Irma and Rukmini by beating them and pulling out their hair, as well as burning them with a hot iron and pouring scalding hot water over them. Furthermore she let them starve.

Luckily a suspicious neighbour, Martha, saved their lives. She testified to the horrible conditions she had to witness when she saved them. "I found the girls nearly bald and their bodies were only skin and bones," she said.

Unlike Rukmini, who survived the torture, Irma passed away in May 2007. Her weak body could not endure the suffering. As she was lying, weak, in the hospital, Rukmini recalled the horrible scenes she had to witness when Erni harshly tortured Irma. "Irma was accused of stealing money. Furious, our boss, Erni, pushed Irma down the stairs. Then she dragged her to the bathroom, pouring water on her, hit and kicked her, ramming her head into the wall, and tried to drown her in the bathtub."

During the subsequent investigation of the abuse, it was discovered that it was not the first time Erni had tortured domestic workers. In early 2006, she was found guilty of torturing her previous two domestic workers, however, at that time she was only sentenced for two months in prison. ❀

Adapted from Republika, 24 February 2008 and www.indosiar.com 11 June 2007.



A Pending Bill on Labour Rights for Domestic Workers in Indonesia



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In the recent years, efforts to provide better protection for domestic workers have been gathering pace in Indonesia, supported by among other the ILO Project Combating Forced Labour and Trafficking in Indonesian Migrant Workers. A Bill on the labour rights and protection of domestic workers was developed over the last few years and was recently placed on the legislative agenda of the National Parliament for debate in 2010.

The Bill entail various provisions, such as the requirement for a written contract which should clearly state, among other, the rights and obligation of both the employer and the domestic worker, the job description of the domestic worker, including the number of family members to be served, working hours, minimum wage, as well as the payment form.

The Bill states that the mandatory working hours for domestic workers are the same as for any other workers: eight hours per day. The employers are required to pay overtime for extra hours of work and mandated working hours should not be exceeded by more than four hours per day.

Domestic workers are also entitled to have one day off every week. Overtime compensation should also be provided, should they be required to work during their day off. They also have the right to a minimum of three months maternity leave, 12 days annual leave and menstruation leave.

The proposed Bill also includes the provision of social insurance for domestic workers. By recognizing the household as a workplace, domestic workers shall be protected under the occupational safety and health legislation and shall therefore be covered by social insurance that includes annuities and death benefits.

The proposed Bill guarantees the right of domestic workers to organize and bargain collectively. Article 28 states that "every domestic worker is entitled to form or become a member of a domestic worker union". In addition, in an effort to eradicate child domestic work, the Bill defines the minimum age for domestic workers as 18 years old or above. ❀



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Design & Production: Balegraph

The ILO Jakarta Special Edition on Domestic Workers is a bilingual edition aimed at dealing with the very substance of the ILO Jakarta's work through its project on Combating Forced Labour and Trafficking in Indonesian Migrant Workers in providing better protection and recognition to domestic workers, with a focus on Indonesian domestic workers.



© internet source



Rieke Dyah Pitaloka

Rieke Dyah Pitaloka is one of the few, if not the one and only, members of Commission IX of DPR RI, who start their political career with the fight for a better protection of domestic workers. There is only one aim in her mind: the work of domestic workers should be treated equally with other professions. Therefore, passing the law of domestic workers becomes her priority. "It is my ultimate goal" she said

What is the purpose of putting the bill of domestic workers on the parliament agenda? Why it seems so rush?

We should have the law of domestic workers. Domestic works should be acknowledged as a formal job. This means, a clear job contract will be required and the workers should get legal protection in term of standardization of the type of the works, of the wages and of the occupational safety and health. The law will also protect children from exploitation.

Another reason for pushing this law is because at the moment, we have heard many abusive conducts happened to domestic workers. Yes, we do have Criminal Law and Anti Domestic Law and yet, by having such a big the number of abuses to Domestic workers both in country and overseas, it shows us that the existing laws are not yet sufficient to protect victims nor to deter the perpetrators.

What will be the provisions in the bill?

The bill gives a guarantee that employment aspects of those who work in domestic works as workers, for example, the working hours, working leave or specialization of the work of domestic workers will be fully respected. The latest means we want to specialise the type of the works of domestic workers, for example, we will have domestic workers who only work as cook, those who do the laundry, those who take care the children etc. In the future, there will be no overlaps in the job of domestic workers, if one domestic worker works for so many types of work, then it should be compensated properly

The Law of Domestic Workers should be Passed

We will also regulate the minimum wages for domestic workers which should comply with the standards of the so called decent life needs. We propose the establishment of some kind of wages board for formulating decent wages for domestic workers. We will regulate health insurance, employment insurance, working accident insurance, pension, and allowance for religious holiday. The bill will also regulate the position of domestic workers employment agencies for there have been so many cases of unfair deduction made by agencies happen to domestic workers.

What is the status of the political process of the development of this bill in the parliament?

Since the bill initially proposed in 2004, it has been very often that the process of development failed. There were 5 times efforts to make the bill officially become the parliamentary agenda, and all failed. Now in 2010, the bill has successfully become the priority of the national legislation program in the DPR (Prolegnas). But we have to be wary because there may be attempts to stop the political process in the DPR for the development of this bill since there are many people oppose this bill. The opponents are not coming only from employers but from members of parliament as well. For example, those who oppose the bill may not want domestic works to be integrated into the National Social Security System which actually may put the users of the service of domestic workers in trouble should their domestic workers become ill.

What is the consequence if this bill fails again or if there is postponement for further development and finalization of the bill?

It worthy to note that through this bill we will be able not only for protecting our domestic workers who work in Indonesia but it will also contribute to the protection of our domestic workers who work overseas. We have to remember that out of six million Indonesian migrant workers, 70 per cent of those workers working as overseas domestic workers. If we have no law protecting our own domestic workers at the home country, then the Government will face difficulty to negotiate stronger protection for our overseas domestic workers.

The destination countries of our migrant workers can easily ask the following questions to our government as a pretext not to give strong legal protection for Indonesian domestic workers who work in their countries: "why should I care about the legal protection for Indonesian domestic workers while they do not enjoy such protection in their own home country?" Therefore, we should have this bill finalize properly and pass it. It will strengthen the bargaining position of Indonesian overseas domestic workers in destination countries. ❀



Lessons from other Countries

on the Promoting and Regulation of Domestic Work

In a changing world with a globalizing care industry, many countries are experiencing a rapidly growing demand for professional and reliable domestic services to care for a growing and aging urban middle and upper class population. In addition, modern household work entails many important responsibilities, needing a wide range of skills such as the ability to use electronic equipment.

In order to prepare domestic workers for employment a number of countries have developed a **standardized training** curriculum and materials for the skills development and professionalization of domestic workers. These trainings take place in specialized training centres for domestic workers with all modern facilities, or in upgraded vocational training centres.

A number of countries, such as South Africa, China and the Philippines, ensure that attractive **career development** options are available to domestic workers, through continuing standardized and certified skills development and specialization, which leads to better wages and working conditions while also retaining experienced domestic workers in the sector.

In order for the domestic work sector to develop professionally and attract a steady supply of qualified workers, comprehensive **regulation of recruitment agencies** and **work conditions** in the sector are required. These countries also combine traditional measures of enforcement through sanctions for poor agency performance, with incentives and rewards for those agencies that perform well. This **empowers users**, (i.e. domestic workers and their employers), through public information, training and easy access to community-based complaints and conflict resolution mechanisms.

If comprehensive measures to ensure ethical practices of recruitment/employment agencies are put in place, ethical and effective **employment promotion** practices for the domestic work sector will follow, particularly if supported by a comprehensive public

A number of countries, such as South Africa, China and the Philippines, ensure that attractive career development options are available to domestic workers, through continuing standardized and certified skills development and specialization...



information programme along with career guidance in schools and other community-based outlets.

These countries have developed detailed **labour regulation** of work conditions in the domestic work sector on the basis of recognized ILO “Decent Work” principles, which are the internationally recognized minimum standards for workers’ labour rights and conditions. These standards are also reflected in the written standard **employment contract** which domestic workers, employers and agencies are required to use.

The **national minimum salary** for domestic workers is applied as the base salary for domestic workers, as the minimum salary is calculated on the basis of meeting the basic needs of workers. However, trained and experienced domestic workers often earn considerably more than the minimum wage.

Domestic workers are also part of the national **social protection** system, and countries have user-friendly ways of



facilitating the payment of employer and worker contributions into the social protection system. These countries are applying innovative best practices from various parts of the world to deal with the **particularities of domestic work**, such as irregular working hours, stand-by time and the provision of accommodation and food by the employer, in a way that does not undermine the fundamental labour principle of decent work. ✿

1. **South Africa:** User-friendly and Easy-access Approach to Regulating Domestic Work for Both Domestic Workers and Employers

After the end of the Apartheid regime, South Africa transformed its legislation for low-skilled workers, including for domestic workers. South Africa offers all workers fundamental labour rights, and has put practical measures in place to facilitate their implementation in all work sectors without exception. South Africa ensures that all workers, employers, agencies and others are familiar with the labour standards and are capable of implementing these through dissemination of easily understandable information about the regulations through various easy-access channels.

On the internet and in labour offices, domestic workers and employers can access all required information and documents, such as the labour regulations, the minimum salary scale, the standard contract, social protection provisions etc. South Africa has also established a complaints and mediation system and user-friendly mechanisms to facilitate registration of domestic workers and employers and social security payments for domestic workers.

2. **Philippines:** National and Local Legislation on Domestic Work and Community-Based Monitoring Systems

The Philippine “Magna Carta for Domestic Workers” (also called “Batas Kasambahay”) provides all fundamental labour rights in terms of working conditions, minimum wage and social protection. In addition, a number of municipalities have implemented similar local ordinances on domestic workers. Realizing the challenge of monitoring the implementation of these labour provisions at local level, a local monitoring system has been devised, implemented by the local social services office.

3. **China:** Promoting and Professionalizing the Domestic Work Sector and Employment Agencies

Noting the sustained growth and employment potential in the domestic work sector, China is presently developing comprehensive and ambitious policies for the promotion of the sector as well as the regulation of the work conditions and social protection for domestic workers. China furthermore plans to professionalize domestic work through comprehensive regulation and monitoring of employment agencies for domestic workers, and the development of standardized training. ✿

Communication Materials

To promote the rights of domestic workers as workers, the ILO has published posters, brochures and information kits for dissemination by its social partners and other stakeholders. These materials are available at the ILO Jakarta office and its website.



Promoting the Rights of Domestic Workers as Workers in Indonesia

As part of the ILO's efforts to provide better protection and recognition to domestic workers, with a focus on Indonesian domestic workers, the ILO Project Combating Forced Labour and Trafficking in Indonesian Migrant Workers has conducted an extensive media campaign to promote the recognition of domestic workers as workers. The campaign aims to raise awareness about the rights and working conditions of domestic workers in Indonesia and their need for labour protection on issues such as employment contracts, remuneration, days off, working hours, social protection, living conditions, etc.

"Since 1936 the ILO has long expressed the need for specific attention to the rights of domestic workers and has regularly called for international standards for domestic workers. It is time to recognize domestic work as work. This campaign promotes wider awareness-raising and a national debate on the existing work conditions and labour protections for domestic workers," said Lotte Kejser, the Chief Technical Adviser of the Project. ❀

National and Provincial Consultations on the Rights of Domestic Workers



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A series of briefings and consultation meetings were conducted throughout 2009 with relevant stakeholders such as the Ministry of Manpower and Transmigration, the three national trade union confederations (KBSI, KSPSI and KSPI), the Indonesian Employers' Association (Apindo), migrant and domestic workers organizations, NGOs, recruitment agencies, as well as representatives of employers of domestic workers. Similar briefings and consultations at national and regional levels will be conducted during 2010-2011. ❀





Radio Campaign on the Rights of Domestic Workers



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The ILO, in collaboration with Jaringan Kerja Layak Pekerja Rumah Tangga (Jakerla PRT) and SmartFM Network, organized a series of radio campaigns and media briefings on the rights of domestic workers from November to December 2009 in six cities in Indonesia: Medan, Samarinda, Semarang, Makassar, Yogyakarta and Surabaya. The final campaign in Surabaya also included the participation of Rieke Dyah Pitaloka, Goodwill Ambassador for Indonesian Migrant Workers and newly elected Member of Parliament.

In 2010, the radio campaign consisting of debates on domestic workers rights and work conditions with live audience and direct interactive broadcast took place in ten cities around Indonesia (Medan, Lampung, Semarang, Solo, Yogyakarta, Surabaya, Mataram, Samarinda, Depansar and Lombok), conducted from February to

March. The campaign was conducted in collaboration with several leading local radio networks, including RRI Medan, Global Radio, Prambanan Radio and Gema Suara Radio. "Radio is a very cost-effective means of reaching larger population groups", noted Lotte, and added that radio allowed for a level of inter-activity which surpassed those of TV and print media.

The ILO in collaboration with Female Radio, a leading niche radio station, broadcasted four episodes of interactive talk shows, raising a variety of practical issues of use for both employers and domestic workers, such as the rights and responsibilities of employers and domestic workers in a working relationship, practical ways in which to be a good employer etc. In addition, public service announcements with information for domestic workers and employers were broadcast on both SmartFM and Female Radio. ❀



TV Campaign on the Rights of Domestic Workers

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Apart from radio, QTV and ILO broadcast three 30-minute talk shows policy issues concerning domestic workers' rights and work conditions in December 2009. QTV targets Indonesian decision-makers, government officials and executives and is broadcast via a subscriber-based cable TV and satellite pay-TV services in Indonesia. 🌐

News Documentaries on Domestic Workers

The ILO is now in the process of developing news documentaries on the plight of domestic workers in Indonesia. The documentaries are part of the ILO's efforts to raise awareness on the rights of domestic workers and document their actual working and living conditions. These news documentaries are to be aired on national TV stations and will raise important issues related to domestic workers, such as working contract, working hours, minimum wages, etc. 🌐



Combating Forced Labour and Trafficking in Indonesian Migrant Workers

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