1. **Background:**
   
   a. **General background:**

   The International Labour Organization estimates that, worldwide, there are at least 52.6 million domestic workers globally. More than four-fifths of them are women.

   A wide range of tasks may fall within the category of domestic work, including such things as cooking, cleaning and general housework, washing and ironing laundry, childcare and caring for the elderly and those with disabilities, gardening, and driving the family car.

   Domestic workers, because they work in private houses, can face particular disadvantages. For example, the ILO has reported that close to a third of domestic workers find themselves excluded from national labour regulations. More than a third of women domestic workers have no maternity protection.\(^1\)

---

It is estimated that there are about 1 million domestic workers in South Africa, most of who are from ‘previously disadvantaged’ communities. It is likely that this number is higher due to the large number of undocumented domestic workers who work informally for cash payments.

Domestic workers in employment in South Africa amount to five percent of the total South African workforce. 96 percent of the domestic workers are women and domestic workers account for almost 15 percent of the total female South African workforce (this makes the sector one the biggest employer of women in South Africa).

The domestic work sector in South Africa has been growing socially and economically but domestic workers remain one of the most undervalued, underpaid and under protected by legislation and its enforcement\(^2\). Many work informally, in particular migrant workers, without contracts with little knowledge of the protection employment legislation offers them.

Domestic workers face isolation and potential restrictions in movement, and for these and other reasons collective organization by domestic workers is growing but still limited. Nevertheless the ratification of the Domestic Workers Convention, 2011 (No. 189) by the Government of the Republic of South Africa has led to an upsurge of organizational activity among domestic workers, as well as by NGOs and other agencies working to support them.

**The potential role of domestic worker cooperatives:**

One focus in South Africa has become how cooperatives can provide a way out of precarious and informal working arrangements, which can be a feature of working life for many domestic workers. (See box 1 for the definition of a cooperative.) Cooperatives can also offer access to key services, including such things as, housing, and financial services. In addition research shows that women in cooperative contexts took on leadership roles in the organization and in their communities cooperatives can empower women and reduce gender inequality in community decision making structures.\(^3\)

**Box 1: What is a cooperative?**

A cooperative is defined by the International Co-operative Alliance, the International Labour Organization and the Government of South Africa as “an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise.”\(^4\)

The ILO *Promotion of Co-operatives Recommendation*, 2002 (No 193) calls for measures to promote the development of cooperatives.

---


\(^4\) http://ica.coop/en/whats-co-op/co-operative-identity-values-principles
Possible Cooperative models:
Domestic workers’ cooperatives are often established as worker (or workers’) cooperatives. A worker cooperative is an enterprise that is owned and democratically controlled by its members, the members being the workers and owners. (See box 2 for an example of a worker’s cooperative.)

The potential benefits of the worker-owned cooperative structure for domestic workers enables a group of workers to join together. In addition to increased solidarity with regards to the bargaining power, these cooperatives can provide opportunities for income generation, democratic self-government and management and entrepreneurial skills, services which members need such as child care, social protection or an increased access to other service providers.

As members of a workers cooperative the employment relationship falls under both the Basic Conditions of Employment Act and the Cooperatives Act.

Application of labour legislation.
(1) A member of a worker co-operative is not an employee as defined in terms of the Labour Relations Act, 1995 (Act 66 of 1995), and the Basic Conditions of Employment Act, 1997 (Act 75 of 1997).
(2) Despite subsection (1), a worker co-operative is deemed to be the employer of its members who work for the co-operative for the purposes of the following Acts:
(a) The Skills Development Act, 1998 (Act 97 of 1998);
(b) The Skills Development Levies Act, 1999 (Act 9 of 1999);
(c) The Occupational Health and Safety Act, 1993 (Act 85 of 1993);
(d) The Compensation for Occupational Injuries and Diseases Act, 1993 (Act 130 of 1993);
(e) The Unemployment Insurance Act, 2001 (Act 63 of 2001); and

The schedule also provides special conditions in respect of financial services, housing and agricultural co-ops.

Box 2: Home care the cooperative way in South Bronx, New York City

Cooperative Home Care Associates (CHCA) is the largest worker cooperative in the United States, employing 2,200 inner-city homecare workers in the South Bronx area of New York City and generating income of over USD 40m. Originally established in 1985 with the support of a non-profit organization Community Services Society, CHCA is now owned by 1,700 low-income immigrant women, almost all of African American or Latina ethnic background.

CHCA’s workers work in the homes of their clients and perform health care needs for the elderly, including bathing, toileting, grooming and meal preparation.

The South Bronx is the poorest district in the United States, with almost half the population living below the poverty line. New trainee members recruited by CHCA are typically single women with childcare responsibilities, some in their twenties but others in the forties or fifties. Trainee members undertake an intensive four-week training programme, which helps them learn key clinical and interpersonal skills and
which gives them both Personal Care assistant and Home Health Aide certificates. The classroom-training course leads to immediate placements in a permanent unsubsidized job within the cooperative. Thereafter in-service training, personal and vocational counselling, careful supervision and the cooperative’s culture of a respectful management approach helps provide a supportive work and learning environment.

The cooperative operates as sub-contractor for local health care providers, typically a local hospital or a visiting nurse association.

Although domestic workers may already be members of informal financial groups such as stokvels more formal groupings such as membership of financial cooperatives is not yet common. Financial cooperatives such as credit unions and savings and credit cooperatives can provide much-needed access to low-cost financial services for domestic workers. These services can include savings, loans, insurance products and money transfer.

One example is the Asian Migrant Credit Union in Hong Kong. This provides a mechanism among other things for avoiding the high cost of money transmission for migrant domestic workers.

Domestic workers can also use housing cooperative structures to meet their housing needs, particularly relevant in South Africa where spatial strategies of an apartheid government mean many domestic workers still live far away from their employers in cities. On example are rental or leasehold cooperatives of tenants that equitably share costs of renting or leasing a building owned by someone else.

**Challenges for domestic worker cooperatives:**

In South Africa there is, however, a challenging enabling environment for promoting cooperatives amongst domestic workers. Some of the key challenges include:

- Engaging domestic workers in cooperative capacity building because of their situation, i.e. they are a highly heterogeneous group often isolated and separated by not only physical distance but the very nature of their work in individual households. In addition migrant domestic workers face the additional challenges of increased isolation and precarious residency.

- Domestic worker support organisations/representatives in South Africa have existing capacity issues in their service delivery and representation of domestic workers.

- Existing support programmes (the cooperative incentive scheme) have relied on the formation of cooperatives without enough consideration of the seven cooperative principles (See box 3 for 7 cooperative principles.) or sustainability causing too many cooperative failures. Therefore, the sector is viewed with suspicion in its ability to deliver on its promises of promoting decent work.

---

5 The dti (2011) Survey of the dti Co-operative Incentive Scheme.
There are also challenges in establishing new cooperatives. Cooperatives are enterprises and must be run in an effective and business-like manner in order to survive and become successful. Running a business requires time and resources which may be difficult for both formalised and informal domestic workers to find, particularly if they are already working long hours.

In South Africa domestic workers need assistance in acquiring entrepreneurial skills that give them the desire and knowledge that will enable them to establish cooperatives. Support may be available from cooperative business support organizations, from trade unions or from other non-profit bodies; however the accumulated knowledge base and capacity to support this unique group of workers does not yet exist in South Africa.

The project, therefore, aims to increase the capacity of domestic workers to overcome decent work deficits by demonstrating the role of cooperatives in empowering domestic workers to be able establish cooperative enterprises that give them the opportunity to:

- Generate income and improve social conditions through cooperative enterprises.
- Encourage self-determination.
- Meet collective social and financial needs that may not be served by other service providers.
- Build social cohesion/inclusion including links to relevant Trade Unions.
- Develop management and leadership skills.

**Box 3: Cooperative Principles**

The International Co-operative Alliance has established the following seven internationally agreed Cooperative Principles:

1. Voluntary and open membership
2. Democratic member control
3. Members' economic participation
4. Autonomy and independence
5. Education, training and information
6. Cooperation among cooperatives
7. Concern for the community

**Domestic worker cooperatives and the Trade Union movement:**

Networks and cooperatives of domestic workers cannot alone provide sustained and effective employee representation. However, as unique group of workers that have needs that may not be met by trade unions, in particular those more informal workers that do not have an official employment relationship, cooperatives can empower domestic workers to become engaged in formal cooperative enterprises that strengthen their ability to become active trade union members.

---

7 ibid
Other examples of how cooperatives and trade unions may collaborate together are:

- Supporting groups of workers into cooperatives that can better organize and contribute to Trade Union objectives and membership. For example SYNDICOOP in east Africa has worked with Trade Unions to organize and establish workers cooperatives that are affiliates.
- Joint advocacy work, i.e. working together to advocate on specific issues that affect their members, such as housing or financial access.
- Providing services to their members through cooperatives, Trade Unions have established cooperatives of members to provide services to their members such as child care, financial services and micro insurance.

b. Assignment background:
Despite the domestic work sector being somewhat organized in South Africa, and the ratification of the domestic workers convention 189 and the Promotion of Cooperatives 193, the knowledge base on the role, form and market potential of cooperatives in the sector is relatively under developed. There are active domestic worker support/advocacy organizations in South Africa (e.g. Domestic Work Research and Development, University of the Western Cape and WEIGO) a Trade Union (E.g. SADSAWU associated to COSATU). These organizations support the possibilities of cooperatives of domestic workers, however the resources, human and financial, to carry out research into the sector is limited. Therefore, the nexus between domestic work and cooperatives under researched in South Africa. Domestic worker cooperative models from other countries and their appropriateness for South Africa have not been extensively explored.

Although there have been specific requests for support enterprise and cooperative development support from domestic workers and their advocates, theses requests have not yet been met adequately. There are existing domestic worker cooperatives and local initiatives to establish cooperatives in South Africa and these efforts are certain to have valuable lessons in the success factors and challenges of cooperative development in the sector. Feedback from the Domestic Work Research and Development, agencies WEIGO, SADSAWU and COSATU suggests that any research carried out on the potential of cooperatives to empower domestic workers should contain a component of capacity building for domestic workers. For example, to improve understanding of cooperatives, their principles and potential to increase solidarity, economic empowerment and social standing of domestic workers, thus this terms of reference recommends participatory research as a research methodology.

2. Scope of the assignment.
The consultant will be expected to carry out participatory based research to achieve the following aims:

a. Map the existing and potential opportunities and challenges for domestic worker cooperatives in South Africa with a focus possible focus on two of the following geographical areas: Gauteng and Western Cape.

b. Discussing and mapping the enabling environment for cooperative development in the Domestic worker sector. This will include: legal, political, social, economic enabling and disabling factors.
c. Identifying and the role of cooperatives in supporting domestic workers to create jobs and increase their socio-economic status in South Africa.
d. Discussing and develop a consensus and what modes of cooperation domestic workers are already practicing or would like to practice in order to increase create jobs and increase their socio-economic status. (E.g. Income, housing, social protection, solidarity, visibility and social inclusion)
e. Discussing and identifying if domestic workers challenges can be met collectively and whether collective solutions are feasible and agreeable.
f. Discussing and mapping what real opportunities exist for cooperative development for domestic workers and develop consensus on next steps to stakeholders for the sector.

The research initiative is intended to provide information that can guide the process of cooperative development by relevant stakeholders in a more informed and consultative manner rather than one that is prescriptive and top-down. It will serve a critical purpose in ensuring that business groups are not set up under conditions which are likely to fail in achieving their (and the stakeholders) objectives.

3. Methodology:

To fulfill the objectives of the assignment, the consultant will use participatory techniques which encourage two way communication and learning with regards to the opportunities and challenges in cooperative development within the domestic work sector:

The contract will be split into two phases:
Phase 1: Nov-Dec 2014

a. Develop a participatory research methodology in consultation with partner organizations.
b. Carry out desktop research to inform primary research.
c. Develop research tools to collect data.
d. With partners organize and carry out primary research that involves not only collects data but promotes a greater understanding of the role of cooperatives amongst domestic workers and their agents. This should include participatory workshops tailored to the target group of domestic workers. (The ILO and partners will provide contact data for research; however the researcher should have their own database of informants as well.).
e. Take high quality (professional) photographs of the research process that must be at least 300dpi. (Permission must be obtained for release of these pictures by participants.).
f. Draft a research report.
g. Submit draft to ILO and partners for comments.

Phase 2: Jan-March 2015

h. Present the report at a validation workshop.
i. Finalize report that must have the following sections:
   • Executive summary
   • Table of contents linked to text
• Lists of tables and figures linked to text
• Research methodology
• The enabling environment for domestic worker cooperatives
• Primary and secondary research findings analysis and conclusions
• Practical research recommendations that are agreed by partners
  o Annexes
    ▪ List of participants
    ▪ List of resources consulted
    ▪ Evaluation of workshops by participants with regard to increase in knowledge

4. Outputs/Deliverables
   a. Participatory research tools.
   b. 2 participatory workshops and their reports that inform the primary research.
   c. A final research report with photographs.

5. Roles and responsibilities:
The consultant will be responsible for all costs under this contract including:
   a. Organizing at least 2 participatory 1 day workshops for least 100 people in total.
      (Domestic workers and their agents.)
   b. Materials related to workshops.
   c. Travel to at least 2 provinces.
   d. Communication and administration costs related to the contract.

6. Qualifications/experience:
The consultant will assume the overall responsibility for the expected output of the assignment.
   Key qualifications include:
   • Specific knowledge participatory research and its methods;
   • Experience of cooperative development if possible in the domestic work sector;
   • University degree in social sciences or other relevant subjects;
   • Familiarity with ICT tools that can be used for regular data collection and
   • Good facilitation, presentation and analytical skills, as well as ability to elaborate high
     quality documents.

7. Timescales:
   Exact dates for this assignment and deliverables are to be negotiated. The consultant time is
   required for a total of 30 working days during November 2014-March 2015 allocated as follows:
   • Preparation: 3 days, including inception meeting;
   • Research framework development including consultations and partner training: 3 days;
   • Data collection, including 2 participatory workshops: 10 days;
• Analysis and report writing including one round of revisions: 15 days and
• Validation workshop to be held in Gauteng: 2 days.

8. The Application Procedure
While there is no set format, the technical proposal should clearly outline the applicant’s (i) background and qualifications to perform the task, (ii) understanding of the task & approach/methodology suggested carrying out the research, (iii) organization of the task including mode of collaboration with PPPSE partner’s counterparts. The financial proposal should outline an estimated budget for the overall assignment. The technical and financial proposal (professional fees, travel, and communication, workshop costs, and consultant’s daily subsistence, including VAT if applicable) together should not exceed 10 pages excluding annexes. Proof of similar assignment and CV(s) of people to be involved is required as an annex.

Timelines for contracts

<table>
<thead>
<tr>
<th>Item</th>
<th>Date</th>
<th>Millstone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Closing date for proposals</td>
<td>27.10.14</td>
<td></td>
</tr>
<tr>
<td>On signature of contract</td>
<td>1.11.14</td>
<td>1st payment</td>
</tr>
<tr>
<td>On receipt and acceptance of draft report</td>
<td>12.12.14</td>
<td>2nd payment</td>
</tr>
<tr>
<td>Validation workshop</td>
<td>12.2.14</td>
<td></td>
</tr>
<tr>
<td>On receipt and acceptance of draft report</td>
<td>12.3.15</td>
<td>Final payment</td>
</tr>
</tbody>
</table>

9. Some documentation and resources available:

http://www.participatorymethods.org/


Declaration of the Domestic Workers Summit Held on the 27-28 August 2011 available at:


Sectoral Determination 7: Domestic Worker Sector

2010 Domestic Workers Around the World: Organising for Empowerment, Christine Bonner (WIEGO)

Cooperative Act 14 2005 and amendments, Republic of South Africa

Cooperating out of isolation: Domestic Workers’ cooperatives, ILO, 2014