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EXECUTIVE SUMMARY

DECENT WORK FOR MIGRANT DOMESTIC WORKERS: MOVING THE AGENDA FORWARD



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Executive summary

This report is part of a broader ILO strategy to promote Decent Work for Domestic Workers. It is informed by knowledge generated in the context of ILO's EC-funded Action Programme on Migrant Domestic Workers and their Families (2013-2016) – namely; 11 law and policy country profiles, three surveys on employers' knowledge, attitudes, and practices, a number of thematic studies, global and regional estimates on migrant domestic workers, and numerous project interventions.

The short-term objective of the report is to offer key guidance and recommendations for improving migration policies, awareness raising campaigns and capacity building programmes for domestic workers.

The longer term objective of this report is to leverage better working conditions for migrant domestic workers with a view to realizing the 2030 Sustainable Development Goals (SDGs).

Migration for domestic work: A global and regional overview

Globally, there are 67.1 million domestic workers, of whom 11.5 million are international migrants. Around 8.5 million (73.4 per cent) of all migrant domestic workers are women. South-East Asia and the Pacific host the largest number of women migrant domestic workers (24 per cent), followed by Northern, Southern and Western Europe (22.1 per cent) and the Arab States (19 per cent) (ILO, 2015a).

The majority of domestic workers who migrate do so to **neighboring countries** (e.g. in Latin America from Peru to Chile, from Paraguay to Argentina and from Nicaragua to Costa Rica; in Africa from Lesotho and Zimbabwe to South Africa and from Somalia and Uganda to Kenya; and in Europe from Ukraine to Poland, from Moldova to Italy and from the Russian Federation and the Baltic States to Finland). This is followed by migration **between subregions** (from South Asia to East Asia and South-East Asia), and, finally, by **interregional flows** (from Asia and Africa to the Arab States; and from Latin America, Africa and Asia to Europe and to North America).

With varying regional differences, **the demand for home-based paid care and domestic work is linked to a number of interacting patterns:** (a) an increase in women's employment and the subsequent transformation from single to dual wage-earning families; (b) rapid population ageing, increasing life expectancy and lower fertility rates; (c) tight fiscal policies and social policy budgets, weakened public care services, and government delegation of care services to families.

The Domestic Workers Convention, 2011 (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.

The integration of women into the labour market and an emerging middle class in urban centres have generated a greater demand for domestic workers in **Africa** (Segatti, 2016).

Ageing, incentives to integrate women into the labour force and the collapse of the extended family care model have combined to increase the demand for domestic workers in **Asia**. Variations in the cultural acceptance of outsourcing elderly care to the private sector (whether delivered in an institution or at home) or to private individuals have led to different migration outcomes for women workers in this sector in East Asia (Peng, 2016).

In the **Gulf States**, the rentier economy and a culture that frowns upon placing ageing relatives in elderly care institutions is driving the demand for domestic workers. In the **Levant**, migrant domestic workers are hired by Lebanese families to provide mostly care to elderly household members. This enables younger Lebanese to emigrate and maintain remittance flows into the country, an important source of foreign currency reserves and household consumption (Tayah, 2014).

An active policy of encouraging women to integrate into the labour market, ageing, longevity, and the downsizing of the welfare system combine to drive the demand for migrant domestic workers in **Europe**. Variations in the welfare system in Europe (familialistic or publicly funded) produce a variety of migration outcomes (Marchetti and Triandafyllidou, 2015).

A history of familialistic social care management and tight public funding (as a result of structural adjustment programmes) create a demand for migrant domestic workers in **Latin America**. Geographic proximity, the availability of large networks and regional agreements encourage the mobility and circulation of domestic workers. Labour reforms, especially in Chile and Argentina, are attracting large numbers of women migrants into the sector (Soto et al., 2016).

- A variety of regimes govern the migration of women for domestic work. These range from temporary (e.g., to the Arab States and to Asia) to free mobility schemes (e.g., within Latin America and the Caribbean and Europe). Certain contexts fall outside this spectrum altogether.
- The persistence of temporary migration schemes for migrant domestic workers where the demand for their services is significant, can lead to irregular migration.

Protecting domestic workers along the migration cycle: What role for governments?

All States have the sovereign right to develop their own policies on labour migration. International labour standards and other international instruments, as well as non-binding guidelines, play an important role in shaping policies that are fair, effective and coherent.

Domestic workers and migrants are covered by ILO's international labour standards, unless otherwise specified. The most important ILO Convention with respect to domestic workers is the Domestic Workers Convention, 2011 (No. 189) and its accompanying Recommendation 201.

Significant progress was noted in national law and practice five years after the adoption of the Convention. At the same time, domestic workers remain excluded, in total or in part, from the coverage of labour law, and hence are particularly vulnerable to exploitation and abuse. Additional law and policy challenges relate to the situation of migrant domestic workers, as the latter are at the cross roads of two sovereign countries which often have divergent interests and policy objectives. Addressing these challenges requires targeted legislative and policy initiatives by both countries of origin and destination for migrant domestic workers.

Countries of origin develop foreign employment policies to protect their nationals who are working abroad, to facilitate their migration, employment in foreign countries, and their return (Abella, 1997). Governments use a variety of institutional arrangements to actualize the principles and stipulations enshrined in their foreign employment policies. These include setting up labour desks at international airports, introducing complaint mechanisms, appointing labour attachés and establishing pre-departure training, welfare funds, rehabilitation centers and employment offices for returnees.

These arrangements are sometimes ineffective owing to budgetary constraints that restrict the ability of countries of origin to set up consular representations abroad with the capacity to follow through on the policy, lack of coherence among line ministries responsible of different aspects of migration such as between ministries of foreign affairs and ministries of foreign employment, the absence of bilateral labour agreements (BLAs) or memoranda of understanding (MoUs) to extend the application of these policies to a foreign country, and a general focus on placement rather than protection. Where BLAs and MoUs are in place, they facilitate labour market access rather than provide protection to workers (Wickramasekara, 2015). Also, BLAs do not specifically consider gender, use gender-neutral terminology or address the specific vulnerability of female migrant workers (Lim, 2016). Bilateral agreements frequently include a model employment contract which regulates some aspects of employment (e.g. contract period, travel expenses, wages, accommodation, medical care and annual leave) but these typically fall short of international labour standards and do not necessarily have the force of the law (Wickramasekara, 2015). Model contracts are negotiated with particular countries of origin, each resulting in a different wage level. This creates wage gaps and discrimination in treatment between workers of different nationalities.

Adequate institutional capacity and inter-ministerial coordination (especially between the ministry of labour and the ministry responsible for foreign employment) is essential to protect citizens working abroad (Baruah and Cholewinski, 2007). To facilitate coordination between these two ministries

and other relevant stakeholders, migration is mainstreamed into the work of national committees on human trafficking (e.g. in Nepal), or national women's commissions (e.g. the Comisión Nacional Tripartita para Examinar y Promover la Igualdad de Participación de la Mujer en el Trabajo in Paraguay). These commissions are policy platforms bringing together all the relevant stakeholders to identify policy problems and corresponding solutions in a concerted manner. These mechanisms are only effective to the extent that they reflect the priorities of migrant domestic workers. The participation of workers' organizations in these platforms is instrumental in channelling those priorities.

Countries of destination employ a number of measures to extend rights and protection to migrant domestic workers. These initiatives include extending labour rights to migrant domestic workers, introducing written contracts (model contracts or SUCs) to formalize the employment relationship, developing migration policies that take labour market needs for domestic workers into account, instituting national coordination mechanisms and action plans to implement migration policies, launching information and regularization campaigns, and setting up effective complaints and redress mechanisms.

Extending the reach of labour law to domestic workers can facilitate worker-employer relations by providing a binding reference point, thus lowering transaction costs and addressing the power imbalance between the parties (ILO, 2012). Protection gaps are greater in contexts where labour laws do not extend to domestic workers, even when subordinate regulations, specific labour laws, bilateral agreements and standard contracts are in effect. Important working conditions for migrant domestic workers include wage legislation, working time provisions and maternity protection. Minimum wage policies are critical because domestic work is perceived as unskilled and unproductive work (wages are independent of productivity and profit margins are low), and therefore not worthy of monetary reward. Working time policies are also critical because of the number of live-in domestic workers and their heightened exposure to long and unpredictable working hours. Finally, maternity protection is important because this is a women-dominated sector, mostly poor, who are in dire need of substitution for their wages as they are on maternity (ILO, 2013).

Written employment contracts play an important role in levelling the playing field between domestic workers and their employers. A contract proves the existence of the employment relationship and clarifies its terms should a dispute arise between the parties. Some countries make model contracts available to facilitate compliance (ILO, 2012).

It is very important for countries of destination to *introduce policies that take into account the demand for domestic workers*, and the extent to which shortages in the sector should be filled by foreign labour. In addition to migration policies, countries of destination need to consider migrant-friendly post-admission policies like regulating the labour market, ensuring the protection of workers, facilitating social cohesion, supporting community welfare and making social security provision (Baruah and Cholewinski, 2007).

Restrictions on mobility, like temporary migration schemes and limitations on the employment and physical mobility of workers at destination, prompt irregular migration and heighten migrants' vulnerability to exploitation. They push migrants into the informal economy and create an invisible industry that operates outside the legislative framework.

Regularization is one effective measure of addressing the extreme vulnerability of migrant workers and members of their families who are in an irregular situation,¹ especially those who have lived in a country for a long time, or who came as infants, or who are working and thus contributing to the society in which they live (OHCHR, 2015). To ensure that both migrant domestic workers and employers respond to regularization campaigns requires clear eligibility rules, a wide-reaching and strategic publicity campaign, involving workers' organizations and non-governmental organizations trusted by the migrants (Bohning, 1996).

Countries of origin and destination have a shared responsibility in developing and implementing fair and effective labour migration policies. The absence of bilateral, regional, and interregional policy frameworks to govern the migration and work of low-skilled workers is a hindrance to the realization of migrant domestic workers' rights, even where significant legislative improvements have occurred at the national level, creating major policy gaps and generally weak compliance structures.

1. United Nations, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families: General comment No. 2 on the rights of migrant workers in an irregular situation and members of their families, Geneva, 2013 (Geneva), paragraph 16.

Cooperation takes place at the bilateral, intraregional, regional and interregional levels. It develops between civil society organizations, trade unions, employers' organizations, governments and labour recruiters. It may take the form of, for example, a union-to-union agreement, a bilateral agreement between two governments, a public-private partnership between a government and a syndicate of recruitment agencies, a regional agreement or a multi-stakeholder initiative. Cooperation can be binding or non-binding.

- Cooperation serves to promote coordination between different national and international legal systems, especially as regards the international labour recruitment industry where employers and placement agencies exist in one country while recruitment agencies and workers' families are in another.
- Cooperation also gives effect to the protective measures of foreign employment policies at destination, promotes free circulation of workers, social security entitlements and the accreditation of qualifications and skills, especially in the context of regional integration processes.
- Cooperation prevents a race to the bottom between countries of origin in the working conditions of domestic workers.

Gaining insight into the compliance gap: The Limits of awareness raising

Over the past three years, the ILO has conducted surveys, focus group discussions and in-depth interviews with migrant domestic workers and their employers in Argentina, Poland, South Africa, Kuwait, Jordan, Lebanon, Ukraine, Malaysia, and India.² The surveys and focus groups with employers aimed to explore employers' behaviour relative to their knowledge of domestic workers' rights. The surveys and focus groups with domestic workers aimed to assess workers' satisfaction with their working and living conditions relative to their knowledge of those same rights and obligations. **Gaining insight into how employers' and workers' perceptions contribute to the protection gap can inform effective advocacy and awareness programmes for employers as well as information campaigns for domestic workers.**

According to the research, **employers' perceptions of domestic work and domestic workers** are mediated by employers' ethnicity or nationality, their income and education levels (including household characteristics that are determined by these factors), the degree to which the worker is "considered" a worker or a family member, and the worker's occupational profile (e.g. housework, elderly care, child care, etc.). The worker's nationality is also a determining factor in shaping employers' views about the value of the work performed.

Respectively, **workers' level of dissatisfaction with the employment relationship, and thus their motivation to seek legal redress** in the event of abuse, is mediated by the extent of their knowledge about their rights, the perception that their working conditions at destination are better than they would be at origin, and the number of years that they have spent in the country of destination. The extent to which awareness of rights is a determining factor is in turn influenced by the availability of other work options, the ability of workers to overcome language barriers, the reach of awareness and mobilization efforts, and the perceived profitability of legal recourse.

Employers' and workers' behaviours are nested within broader social and gender structures, **the legacy of social, racial, class and caste hierarchies** that characterize the localities and generations from which they emerge. Socialization processes survive legal reforms. For example, indigenous and tribal hierarchies shape the experience of domestic workers in and from Nepal, race shapes the experience of domestic workers in South Africa, age shapes the experience of migrant domestic workers in Lebanon, and class shapes the experience of domestic workers in Poland.

Overall, the perception that domestic work is women's work, a labour of love, and therefore unworthy of pecuniary reward, continues to shape the low value that employers, including women employers, attach to domestic work irrespective of context and social hierarchies.

2. In the context of four ILO projects: the ILO Action Programme on Promoting the Rights of Women Migrant Domestic Workers (2011-2014) funded by the European Union; the Global Action Programme on Migrant Domestic Workers and their Families funded by the European Union; the Work in Freedom Programme funded by the UK Department for International Development; and the Migration and Governance Network funded by the Swiss Agency for Development and Cooperation.

- It is vital for domestic workers to be protected by institutional policies and adequate regulations, but given the significance of perceptions and the persistence of social hierarchies beyond legislative reform, it is just as important for these policies and regulations to be reflected in employers' and workers' practices.
- It is crucial here to recognize that while labour standards are universal in their application, implementation is fragmented at the national level as a result of the mosaic of social, cultural and economic attributes that make up each of the “employers” and “workers” cohorts. These cohorts are not monolithic. Bringing their practice closer to universal standards and national legislation requires a surgical approach to awareness raising and capacity building that takes into account the diversity of these groups.
- Bridging knowledge-practice gaps, however, should only be seen as reinforcing to institutional efforts aimed at increasing the scope of labour and social protections for migrant domestic workers and eliminating the laws, policies and income differences that sustain the abysmal working conditions of women in this sector.
- Further, knowledge in itself does not necessarily translate into assertiveness unless the migrant is empowered and her voice is channeled through relevant policy platforms. This can only happen by building strong and representative workers' organizations to give strength to individual workers' claims.

Unseen, Uncosted, and Unwaged: The importance of skills' development and recognition for domestic workers across borders

There is a prevailing assumption that domestic work is unskilled. This is because (i) domestic work is perceived as an extension of women's natural household functions and therefore not worthy of pecuniary reward; and (ii) the integration of women into the labour market has shifted the burden of care onto women from poorer countries or to historically disadvantaged groups – such as minority ethnic groups, indigenous peoples, low-caste and low-income groups – who are willing to accept lower wages.

Skills' programmes for domestic workers play an important role in reinforcing the view among both workers and employers that domestic work is real and professional work.

Skills and vocational training programmes range from short pre- or post-departure orientation training informing migrants about the lifestyle and their rights and obligations in the country of destination, to longer and more holistic vocational trainings. Research and practice suggest that, irrespective of the form they take, these programmes face a variety of challenges.

Some programmes **do not recognize variations in skill level and specialization** within the domestic work sector even though people employed in this sector are expected to multitask, juggling tasks of limited complexity, such as ironing and cooking, with highly complex tasks such as taking care of the sick, the elderly and the disabled. With population ageing and longevity and the resultant growing number of people in need of long-term care, out-patient care in homes has taken primacy over service provisioning in hospitals, with migrant domestic workers taking on the role of unregulated nurses (Kofman and Raghuram, 2013, p. 113), administering drugs, bathing patients and taking patients' blood pressure. *Skills development programmes must account for the increasing complexity of the domestic work sector with the need to see skills for domestic work in the broader context of the care economy. For instance, more opportunities for (migrant) domestic workers to access formal and better paid jobs will be available if governments are more willing to invest in quality care jobs in the public sector. Correspondingly, wage percentage increases above the minimum wage should be tied to education and skill categories.*

Some programmes are reductionist in the sense that they **only capture the technical/vocational dimension of domestic work**, such as learning how to operate household appliances and using detergents. Because domestic work is largely relational, research carried out by the ILO demonstrates that transversal skills (such as communication and organizational capacity) are more in demand by employers than vocational skills. Nonetheless, transversal skills are rarely factored into skills building programmes and when they are, they tend to focus on “soft skills” while avoiding the labour dimension of communication skills – which includes negotiating working and living terms and conditions with employers – and the psychosocial dimension (e.g., coping with, and building resilience to, the frustration and aggressiveness that people with chronic ailments being cared for exhibit). *Transversal skills should be recognized and certified through professionalization programmes. Failure to recognize these competencies contributes to the under valuation of domestic work overall with implications for employee wages and the quality of care administered to employers.*

Further, and related to the previous point, employers have exhibited a demonstrated need for attitudinal skills³ (i.e., predisposition toward work) that reflect their **preference for obedient and docile workers who are willing to accept multifunctional work arrangements** and respond to their requests at all times of the day. Therefore, *in addition to embedding labour rights and bargaining skills, there is also a need to embed a women empowerment dimension in orientation and skills' programmes. Skills' programmes should be grounded in fundamental principles and rights at work, rather than teaching docility, and receive the support of public institutions or the social partners to ensure compliance with rights-based curricula.*

Programmes are not linked to effective labour matching mechanisms at origin or destination, or between origin and destination. A skills' mismatch leads to a care drain in in their home countries and to deskilling of migrants in countries of destination. Both a care drain and deskilling result in labour market deficiencies and reduce the sector's capacity to foster the development of migrants and that of countries of origin and destination. Further, the absence of skills' recognition frameworks in the sector leads to information asymmetries between employers who have no way of being sure of the competencies of the worker whom they are paying and workers who are either not equipped to perform the tasks required of them or have the potential to perform much more complicated tasks. This mismatch irrefutably results in frustrations which ultimately transform into labour disputes. *Effective labour matching must be undertaken to prevent "care drain" and the "deskilling" of migrant women, which effectively reduce the development potential of migrants, and of countries of origin and destination.*

The growth in the interregional migration of domestic workers, as seen in Asia, Latin America and Africa, is not matched by regional model competency standards (RMCS) that recognize the skills of men and women in this sector. In addition to facilitating mobility, *these standards can capture and recognize their upward progression within the sector and contribute to their ability to find employment in higher complexity occupations within and outside the sector on returning in their countries of origin. These RMCS need to be reflected in the national legal systems and should be complementary to national social cohesion plans for reintegrating returnees and to plans on promoting productive employment to avoid the returnees' deskilling.*

- Skills' programmes should strike the right balance between leveraging and recognizing existing skills, on the one hand, and skilling, on the other. Leveraging existing skills will reinforce workers' and employers' recognition of the professional value of the work performed by women in households broadly.
- Compliance is reinforced when skills' programmes are grounded in fundamental principles and rights at work, and receive the support of public institutions or the social partners.

Reducing the costs of labour migration through fair recruitment practices

Labour recruiters are part of an increasingly powerful migration industry that has grown in size and profitability since the mid-1990s (Jones, 2015, p. 9). In 2013, 60.9 million people gained access to the labour market in one way or another through the employment and recruitment industry (CIETT 2015). Labour recruiters assist families and workers in navigating the complex immigration and employment laws and procedures in the relevant jurisdictions.

While the recruitment model in the domestic work sector varies significantly depending on the country and/or individual context, the most common involves cooperation between labour recruiters in countries of origin and destination.

This cross-border industry for recruiting and placing migrant women in the domestic work sector encompasses small and micro-enterprises, public-private enterprises, mega-recruitment agencies and multinationals. In countries of origin, domestic work seems to be concentrated in family-owned enterprises with a small staff, limited financial capital and a local client base (Jones, 2015, p. 15). Labour recruiters in countries of origin contract out to sub-agents in villages and rural areas. While many recruiters are formal and subject to both legal and industry standards, sub-agents may be unregistered and have limited accountability.

At destination, placement is performed via cooperatives, government authorities with a corporate identity, small and medium-size enterprises (PEAs or cleaning companies) and mega-recruitment agencies.

3. Attitudinal skills are a subset of transversal skills. These "skills" capture a worker's predisposition towards work (e.g., motivation, initiative, responsiveness, etc.).

Where migration is intraregional or between neighbouring countries, job matching and placement are facilitated by social and informal networks, sometimes in conjunction with labour recruiters. Placement can also be governed by a simple procedure that allows the direct recruitment of a migrant domestic worker by her/his employer.

The fragmented nature of recruitment combined with the political power that labour recruiters wield in origin and destination countries acts to the detriment of migrants causing excessive fees, working conditions akin to forced labour, contract substitution, visa trading and ineffective complaint and grievance procedures. Excessive recruitment fees are transferred onto workers in the form of direct payments, large loans requiring repayment at extremely high interest rates or salary deduction schemes.

While many allegations and reports of abuse persist, countries of origin and destination are devising strategies to regulate and monitor PEAs. These strategies include agreements, joint liability schemes, BLAs, MOUs, inspections, fines, and black lists, etc.

One of the key challenges to regulating the international labour recruitment industry in the domestic work sector is coordinating regulation and enforcement between different national and international legal systems; Employers and placement agencies are in one country while recruitment agencies and workers' families are in another.

- For recruitment to lead to decent work, a number of conditions have to be met. Discrimination in the mobility of workers (e.g., bans on the deployment of women workers) should be eliminated to limit the power of informal recruiters and to ensure the transparency of the recruitment process.
- Further, the accountability of labour recruiters across the supply chain needs to be ensured through proper regulation and effective monitoring and enforcement systems.⁴ BLAs that are grounded in International Labour Standards are important in this regard.

Domestic workers organizing across borders and winning rights

The organizing of migrant domestic workers is important in affording workers labour protections. Workers' organizations have campaigned for domestic workers' right to labour protections, raised awareness to workers' rights, supported individual workers and employers in their contract negotiations, and called on authorities to address labour abuses. Collective bargaining between domestic workers' and employers' organizations ensures that working terms and conditions are satisfactory to all and increase compliance which can greatly improve working conditions and the quality of the work performed by domestic workers (Hobden, 2015, 2).

In the years leading up to adoption of the Domestic Workers Convention, 2011 (No. 189), the domestic workers' movement picked up further momentum, as domestic workers' organizations around the world began consolidating their efforts, progressively forming the International Domestic Workers' Network (IDWN). In 2013, the IDWN held its founding congress and became the International Domestic Workers' Federation (IDWF), an affiliate of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF).

In December 2011, the ITUC launched the "12 by 12" campaign in partnership with the IDWF. The campaign aimed for the ratification of the Domestic Workers Convention, 2011 (No. 189), by 12 countries by the end of 2012.⁵ Twenty-two countries have already ratified Convention No. 189 and over 30 countries have adopted law and policy reforms and at least another 18 have embarked on labour reforms. Moreover, an estimated 100,000 domestic workers joined a union. Around 30 million domestic workers now enjoy more rights and protection in labour law, including the right to a minimum wage or higher wage, access to social protection, regulation of working time and written contracts. A second phase of the "12 by 12" campaign was launched at the ITUC's Third World Congress in May 2014, dubbed "12+12", aiming at 12 plus 12 ratifications and the organization of 100,000 more domestic workers by 2018.

4. Report of ILO's Interregional Knowledge Sharing Forum: good practices and lessons learned on promoting international cooperation and partnerships to realize a fair migration agenda for migrant domestic workers in Africa, the Arab States and Asia, (5-7, May 2016), Antananarivo, Madagascar (see presentation by Bosc, I.).

5. The European Trade Union Confederation, Public Services International, Human Rights Watch, Amnesty International, Anti-Slavery International, Migrant Forum in Asia, SOLIDAR and Caritas joined the campaign, lending more strength to the national advocacy and organizing campaigns.

At country level, these organizations have overcome significant challenges to organizing and advocating for the protection of migrant domestic workers. Organizing domestic workers involves significant challenges, due to the dispersion of the workforce, the long working hours of domestic workers, and the fear they face of losing their jobs (Hobden, 2015, 1). Where there is a high concentration of migrant domestic workers, additional challenges arise around the worker's right to freedom of association, language barriers, cultural differences, and freedom of movement.

Domestic workers seeking to organize in the context of a union face numerous challenges in law and practice. **Legally**, domestic workers are sometimes excluded from the right to freedom of association and therefore cannot form or join trade unions. **Operationally**, the workplace isolation of domestic workers does not fit into the traditional model of workplace organizing as in the case of construction and factory workers. From an **organizational culture** perspective, the female composition of the domestic workforce stands in contradiction with the overwhelmingly male composition of unions.

The challenges are exacerbated when it comes to **migrant** domestic workers. In some cases, migrant domestic workers are specifically excluded from the right to join or form unions, or to hold elected positions within the unions. If domestic workers are in *irregular situation*, the task of organizing them is complicated further due to the fear of not only losing their jobs, but also being deported. *Language barriers* and cultural differences are another operational constraint to building organizations based on worker identity, rather than on nationality, ethnicity or language group. This may be particularly true where there are both local and migrant domestic workers.

In this context, unions have configured new ways to recruit members to work around these barriers. Unions have adopted a community-based model versus the traditional workplace model of organizing or adopted a service-oriented approach to advocacy in order to attract new members. Unions have also developed strategies or political campaigns that target the structural sources of exploitation of this group of workers (Ally, 2005, pp. 184-207).

In the case of migrant domestic workers, organizations in countries of origin enter into bilateral and multilateral agreements with trade unions in countries of destination providing for the exchange of information and transfers of membership. Some organizations have also opened branches in countries of destination.

There are various forms of domestic workers' organization. Domestic workers can set up or join trade unions, revert to the association model of organizing (e.g. community-based organizations and cooperatives), and/or experiment with arrangements straddling the association and union models. Many of these organizations consolidate horizontally (in national federations of domestic workers' unions and/or organizations, union federations or mixed alliances) and vertically (in regional confederations of domestic workers' organizations and/or organizations for domestic workers and global networks of domestic workers' organizations and/or organizations for domestic workers) in order to increase their power base, gain wider recognition and visibility and lobby to gain access to those in power at higher levels (Bonner, 2010, pp. 10-15). *Context (i.e., legal framework and the practical barriers) is important in determining forms of organizing among migrant domestic workers.*

As workers' organizations build their capacity the next step is to bargain collectively with employers to ensure decent working conditions. Conceptualizing and institutionalizing employment contracts and collective bargaining agreements between domestic workers and their employers is complicated. Employers may be from any class and from any of the social partner groups in the ILO tripartite system – worker, employer or government. Second, although there are some employers' organizations, most private employers of domestic workers are not organized. Furthermore, the "third-party" agency that contracts domestic workers may be a public sector, private sector, or non-profit agency (Chen, 2011, pp. 167-184).

Employer structures also depend on the way domestic work is institutionalized and regulated in the country. For example, public sector institutions in the United States broker the relationship between homecare clients, providers and the public sector that funds homecare. A number of European Governments, such as those of France, Belgium, and Switzerland (e.g., Geneva and Vaud) require employers to purchase service vouchers, the cost of which includes contributions to all mandatory taxes and insurance funds (Chen, 2011, pp. 173-174).

- Collective bargaining at national level in the sector needs to be supported by social dialogue involving countries of origin, transit and destination as well as RECs when relevant. This is because challenges relating to migrant domestic workers need to be addressed across borders and along the care chains that produce domestic work and the conditions that characterize the sector. The global recruitment industry that supports migration for domestic work is a key piece of this global dimension.

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