



International  
Labour  
Office  
Geneva

# Standard-setting at the 100<sup>th</sup> Session of the International Labour Conference

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The International Labour Organization (ILO) is the United Nations' specialized agency responsible for setting international labour standards. In June 2011, the ILO's International Labour Conference (ILC) will discuss an agenda item entitled *Decent work for domestic workers* with a view to the adoption of new international labour standards on domestic workers.

## Frequently asked questions

### What are international labour standards?

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International labour standards are legal instruments drawn up by the ILO's tripartite constituents (governments, employers and workers) setting out basic principles and rights at work. They are either Conventions, which are legally binding international treaties that may be ratified by ILO member States, or

Recommendations, which serve as non-binding guidelines. In many cases, a Convention lays down the basic principles to be implemented by ratifying countries, while a related Recommendation supplements the Convention by providing more detailed guidelines on how it could be applied.

### Why are new international labour standards on domestic workers being considered by the ILC?

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Millions of domestic workers world-wide perform a range of tasks in other people's households. They may cook, clean and wash the laundry, and look after children, the elderly or persons with disabilities. They may work as gardeners, guardians or family chauffeurs. Most of them are women. Although domestic workers make important contributions for the functioning of households and the labour market, they have largely remained outside the scope of labour and social protection. As a result, domestic workers face serious decent work deficits.

In March 2008, the ILO Governing Body agreed that the time was ripe for the ILO to work towards the adoption of international labour standards for domestic workers as means to address existing protection gaps. In 2010, the ILC held a first discussion in this regard and decided to hold a second discussion in 2011 with a view to adopting a Convention supplemented by a Recommendation.

## What will be discussed in June 2011?

The ILC has before it a draft Convention and a draft Recommendation on decent work for domestic workers to serve as the basis for the tripartite discussions. These draft instruments are published in a report prepared by the International Labour Office [Report IV(2B)].

The draft instruments are based on conclusions adopted by the ILC in 2010

which outlined the points to be covered by future instruments, and a subsequent consultation of constituents [see Report IV(2A)]. In 2009, the ILO had conducted comprehensive research on laws and policies on domestic work around the world and sought the views of its membership by means of a detailed questionnaire.

## What are the issues addressed in the draft Convention and Recommendation?

The draft instruments contain minimum standards addressing gaps in the labour and social protection of domestic workers. The instruments are intended to ensure that domestic workers, as other workers, enjoy fair terms of employment, and decent working and living conditions. The various provisions seek to:

- reiterate existing ILO standards regarding forced labour, discrimination and child labour, and freedom of association and the right to collective bargaining;
- establish minimum protections regarding working time, remuneration, social security (including maternity protection), and occupational safety and health;
- prevent abuse, harassment and violence against domestic workers,

and to ensure that domestic workers have access to dispute settlement procedures, including the courts;

- address the particular vulnerabilities of migrant domestic workers, including through promoting cooperation between countries of origin;
- encourage the professionalization of domestic work, including through vocational training and measures to reduce informality in domestic work.

The instruments are intended to apply to all domestic workers, while providing ILO members with some flexibility to exclude certain categories of workers. The draft instruments set out minimum standards as a global reference framework for the strengthening of national laws and policies regarding domestic workers.

## What is the process for adopting new instruments in June 2011?

The discussion of the draft Convention and draft Recommendation on decent work for domestic workers will take place in the Conference Committee on Domestic Workers. It is comprised of representatives of governments and workers' and employers' organizations of ILO member States.

The Committee will report the result of its work to the Conference Plenary, including the draft instruments agreed upon. After adoption of the Committee report by the Plenary, a final decision on whether to adopt or reject draft instruments is taken by the Plenary by record vote towards the end of the ILC. The adoption of international labour standards by the Plenary requires a two-thirds majority.

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