

► Policy Brief

March 2024

From global care crisis to quality care at home:

The case for including domestic workers in care policies and ensuring their rights at work

Key points

- ▶ Globally, the demand for paid care is growing, with an increasing number of countries facing a care crisis due to large unmet care needs and ageing populations.
- ▶ Among paid care workers (which include nurses, teachers, doctors, or personal care workers), domestic workers provide direct and indirect care services to private households. They can be hired directly by the household or through/by a public or private service provider.
- ▶ Domestic workers play an integral role in care provision. Even when counting only those employed directly by households, domestic workers account for 25 per cent of all care workers, with that proportion becoming much higher when also considering those employed by or through service providers.
- ▶ In the face of significant labour shortages, many countries are looking to improve female labour market participation, which is often dependent on the existence of sufficient quality care services. This requires, among other factors, that care jobs are of a sufficient quality to attract jobseekers. Yet the domestic work sector is marked by important decent work deficits.
- ▶ Domestic workers meet home-based care needs, sometimes through national care policies or systems, but often outside of the scope of these.
- ▶ Domestic workers often do not have access to labour rights and social protection and lack access to care rights and services for themselves and their families. These gaps in protection and access to services are more pronounced among those domestic workers facing multiple forms of discrimination based on migration status and ethnic or indigenous origin.
- ▶ The extent to which domestic workers enjoy formal employment and decent work notably depends on the intersecting issues of: (i) the organization and financing of care; (ii) employment arrangements (direct hire by households versus through/by service providers); and (iii) the resulting extent to which they are covered by labour and social security laws.
- ▶ Recognizing domestic workers as care workers, including them as care providers within national care policies and social security systems, and ensuring they too have access to labour and social security rights and care services can contribute to ensuring a sufficient supply of domestic workers qualified to meet the care needs of the future, while ensuring decent work for domestic workers.
- ▶ Recognizing the skills of domestic workers, whether acquired through experience or training, and ensuring commensurate levels of remuneration and other benefits will help improve working conditions in the sector.
- ▶ Trade unions, along with domestic workers' organizations, play a key role in organizing, promoting and protecting domestic workers' rights.
- ▶ Social dialogue, including domestic workers' organizations and organizations of employers of domestic workers, where they exist, have made significant contributions to ensuring adequate care policies for domestic workers as both care workers and beneficiaries of care.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

► What is care work?

Care work encompasses the activities and relations involved in meeting the physical, psychological and emotional needs of adults and children, old and young, frail and able-bodied (ILO 2018a). Care work can involve:

- Direct care, meaning face-to-face personal care;
- Indirect care, including tasks such as cooking, cleaning, gardening and other work that ensures a healthy and safe living environment;
- Paid or unpaid care work;

- Care provided through family members/household, or through the private sector, non-profits and the state public sector (Razavi 2007);
- Work performed in both the formal and the informal economies¹.

Paid care workers perform direct or indirect care work for pay.² They comprise a wide range of personal service workers, such as nurses, teachers, doctors, personal care workers and domestic workers.

► Why is demand for paid care work growing?

The availability of unpaid work to meet household care needs has reduced due to several factors. Households tend to be smaller than before, with fewer extended family living under one roof. In addition, more women are moving into the labour market, reducing their capacity to engage in unpaid care work; while the redistribution of such unpaid care to men has occurred at a slower pace. (ILO 2018a).

The number of people in need of care has been on the rise and is estimated to rise further in the coming years, in part due to increased life expectancy and improved access to pension benefits. It is estimated that 1.9 billion children under the age of 15 and 0.2 billion older persons at or above the age of healthy life expectancy will be in need of care in 2030, which represents a combined increase of 0.2 billion people compared to 2015 (ILO 2018a). In addition, the UN anticipates an increase in long-term care needs, with the proportion of older persons (60 years or more) in the global population expected to rise from 13.5 per cent in 2020 to 21.4 per cent by 2050 and to 28.2 per cent by 2100 (UNDESA 2020). There is also increased demand for care services for the world's 110–190 million people with severe disabilities (ILO 2018a).³

These demographic changes are compounded by a lack of universal and comprehensive social protection systems and a lack of quality public care services resulting from low public expenditure on the care and support needs of the very young, older persons and persons with disabilities (ILO 2018a).

In addition, many countries are facing labour shortages, which has been further exacerbated by the COVID-19 pandemic. The working-age population has started to shrink in many high-income countries, and many workers who withdrew from the labour market during the pandemic have hesitated to return to jobs marked by poor working conditions. To increase labour force participation, countries have sought to bring more women and marginalized groups into the labour market, including through care policies that create quality care services and care jobs of sufficient quality to attract jobseekers (ILO 2023a).

As a result of the above, the care economy is expected to grow in line with increased demand. If investment meets demand and guarantees decent work to care workers, the care economy could create an estimated 300 million jobs by 2035 (ILO 2022b).

¹ Workers are considered to be in the informal economy if their economic activities “are – in law or in practice – not covered or insufficiently covered by formal arrangements” (Recommendation No. 204, Para. 2(a)).

² As per the 19th International Conference of Labour Statisticians’ Resolution concerning statistics of work, employment and labour underutilization (2013).

³ These estimates look at direct care needs among children, elderly dependents, and persons with disabilities in need of support, but leave out other forms of care needs, including indirect care (typically including cleaning, cooking and housework) and other forms of direct care.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

► Who are domestic workers, and how do they provide care?

► Box 1. Who are domestic workers according to the Domestic Workers Convention, 2011 (No. 189)?

Domestic work is **work performed in or for a household or households.**

A domestic worker is **any person engaged in domestic work within an employment relationship and on an occupational basis.**

Domestic workers can be employed by a household or through/by a service provider (public or private).

Therefore, domestic workers include those care workers who provide either direct or indirect care (or both) in households.

Many care needs in households are met by unpaid caregivers, who are predominantly women – in 2018, an estimated 606 million women were unavailable for employment due to the demands of unpaid care work (ILO 2018a). However, many families also turn to paid care workers.

Some paid care workers provide direct and indirect care services in or for private households, which means that they are also domestic workers (see box 1).⁴ Their employers can be households, or they may be employed through/by service providers.⁵ The direct care they provide is commonly childcare, care for older persons, or support to persons with disabilities. Indirect care commonly includes cooking, cleaning and housekeeping.

Globally there are an estimated 75.6 million domestic workers over the age of 15, including those hired directly by households and those working through or for a service provider (ILO 2021a):

- Women dominate domestic work, making up 76.2 per cent of the sector, and domestic work represents 4.5 per cent of employment among women globally (ILO 2021a).⁶

- In some countries, domestic workers come from groups that are exposed to discrimination (ILO 2023b). For example, in Latin America, many domestic workers are Afro-descendants or indigenous people who often face discrimination (ILO 2021b).
- In some countries, some of the paid domestic work is performed by children. The ILO estimates there are 7.1 million children between 5 and 17 years of age working as domestic workers, many of whom are engaged in child labour (ILO and UNICEF 2021).

The growing demand for care in many countries has led to a structural dependency on migrant domestic workers to fill critical care gaps. This has made domestic work a key sector of employment for migrant workers, with one-third of migrant workers in Latin America and the Caribbean and one-fifth in South-East Asia working as domestic workers (ILO 2021a).

If one counts only those domestic workers who are over the age of 15 and hired directly by households, these individuals still represent approximately 25 per cent of all care workers globally. However, in many countries there are many more domestic workers working through or for service providers,⁷ which could contribute to increasing the overall share of domestic workers among care workers. For example, in the European Union there are around 9.5 million domestic workers. Of these, 30 per cent are directly employed by households; while 70 per cent are employed by public or private organizations (European Commission, n.d.).

Reliance on paid domestic workers hired directly by households can be substantially lower in countries where other types of care workers make up a large share of employment. For example, Denmark, Finland and the Netherlands have high levels of mostly public employment in care sectors (education, health and social work), and a lower share of domestic workers hired directly by households. Conversely, countries in Southern Europe tend to have a higher share of domestic workers hired directly by households rather than through service

⁴ ILO Convention No. 189 does not define domestic work according to tasks. The legal scope and definition of domestic work changes from country to country, and therefore may include domestic workers who are not care workers.

⁵ These service providers may be public or private sector entities and may be for profit or not-for-profit.

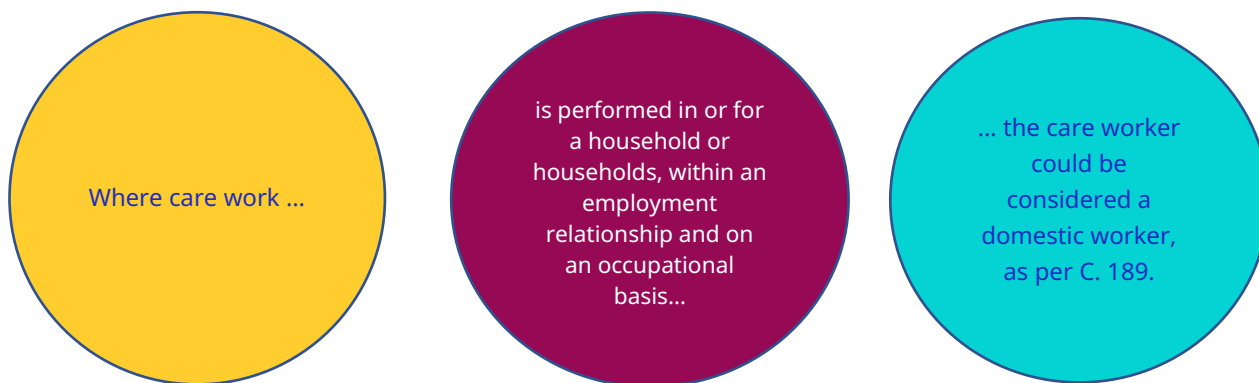
⁶ Regional variations exist in relation to domestic work as a proportion of the employment of women, with domestic workers representing one-third of women's employment in the Arab States and 11.3 per cent in Latin America and the Caribbean. In contrast, domestic workers represent just 1.6 per cent of women in employment in Europe and Central Asia (ILO 2021a)

⁷ For estimates from selected countries on employment of domestic workers directly by households and indirect employment through/by service providers, see ILO 2021a, Annex 7.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

providers, which reflects the emphasis placed in these countries on the family being primarily responsible for care provision, rather than the State (ILO 2018a).⁸ A similar trend is observed in the Arab States, where there are mid to low levels of employment in care sectors, and where domestic work represents 14.8 per cent of

employment employees (ILO 2021 a). In countries with very few care workers in care sectors, many household care needs are ultimately shouldered by paid domestic workers, including in some cases, by child domestic workers who are sometimes working in child labour situations.



► Domestic workers fill gaps in care policies, but are frequently overlooked as care providers

► Box 2. What are care policies and care services?

ILO (2018a, 2018b) reports define care policies as public policies that allocate resources (money, services, time and rights) to the provision of care and access to care rights – including through the provision of:

- early childhood care and education, and long-term care services;
- social protection benefits that facilitate the provision of or access to care;
- labour regulations that provide for maternity protection, care leave and care-responsive working arrangements;
- training, education and awareness-raising; and
- care infrastructure.

Care policies and services are often enabled by laws and policies – sometimes referred to as “national care systems” – that provide care-related rights (a right to care, to be cared for and to self-care), including related social security benefits and care services through a coordinated, multi-territorial and inter-institutional governance mechanism (Bango and Cossani 2021).

The role of domestic workers in delivering care services needs to be considered in light of increasing demand and care needs. Households often decide to meet care needs by employing domestic workers when other options are either too expensive, out of reach or unattractive, which can reflect insufficiencies in the care services provided by the State (ILO 2018a).

In other cases, the choice of hiring a domestic worker can reflect household preferences for home-based care services. For example, research in Europe and the United States of America indicates that older people generally prefer to receive care in their home rather than move to institutional care (Eurofound 2013; Binette and Farago 2021).

⁸ Beyond traditions of family care, there are 70 countries in the world in which families are legally obliged to provide care for older relatives (ILO 2022b), in which case family members are likely to seek out the help of domestic workers in fulfilling that obligation.

Domestic workers as providers of care services

Domestic workers participate directly in the provision of care through a variety of arrangements with varying levels of protection. Frequently, they do so outside the framework of care policies or social protection systems. In Thailand, for example, where there is no public provision of childcare for children under the age of three and where maternity leave is 90 days long⁹ (of which only 45 days are covered by a full salary from the government welfare system), households with childcare needs that cannot be met by unpaid leave turn to domestic workers to fill the childcare gap. Whether hired directly by households or through private agencies, these workers are only covered by limited labour protections¹⁰ (ILO and WIEGO 2020; WIEGO, forthcoming).

Social protection systems can act as an important point of access and source of financing for the provision of care services, including potentially by enabling domestic workers to participate directly within the care policy or social protection services framework (Addati et al. 2022 and ILO 2021e, as cited in ILO 2022a).¹¹ For example, in Spain, the Government provides financial help to hire domestic workers to assist with activities of daily living when those activities cannot be done independently for reasons of illness, disability or age (ELA 2021, as cited in ILO 2022a).

In some cases, governments have created and financed mechanisms to recognize care-related services provided by domestic workers in the national social protection system or other relevant national systems. For example, in France, under certain conditions, working parents can benefit from a family allowance to have their child under age six looked after.¹² This family allowance provides partial funding for childcare costs, which can be used to hire domestic workers, among other childcare solutions. In case of a direct hire by the household, up to 85 per cent

of costs can be covered by the allowance. Moreover, these workers are covered by collective agreements, whether they are employed directly by a private household or through/by a service provider.¹³

Childcare services

In regard to childcare, there are two common policy gaps:

- many countries still do not provide maternity, paternity and/or parental paid leave¹⁴, which are essential for providing infant care; and
- even when such leave is provided, there is frequently a gap in time between the point at which leave entitlements end and when state-provided education or childcare services begin. Globally, this childcare policy gap averages 4.2 years, and in 91 out of 175 countries – home to 1.9 billion potential parents – the gap is greater than 5 years (ILO 2022b).

While these gaps in childcare policy provision are often covered by unpaid care workers (commonly family members), many households also turn to paid care solutions, including private daycare services or, in many cases, domestic workers.

Where childcare policies and services exist, they rarely expressly recognize domestic workers as providers of care. Yet, explicit recognition of domestic workers as care providers or as workers who deliver care services under care policies often has implications as to the level of protection these domestic workers receive. In the Republic of Korea, for example, there are three basic ways that domestic workers might end up providing childcare in private households: (i) through selected service providers operating under a government scheme; (ii) through private sector providers who serve as the domestic worker's employer; and (iii) being directly hired by the household. All three types fit the Convention No. 189

⁹ As per the ILO's TRAVAIL Legal Databases and Care Policy Portal.

¹⁰ Although the 2012 Ministerial Regulation No. 14 (B.E. 2555) added domestic workers to coverage under the Labour Protection Act (1998), the Regulation did not extend full labour rights to domestic workers in Thailand, and left out protections relating to occupational health and safety, working hours, maternity protection, arrangement of basic welfare services, minimum wages, prohibition of wage deduction, and compensation in the case of termination of employment.

¹¹ It should be noted, however, that currently most workers do not have effective access to social security, and therefore would not necessarily have access to care services provided through these means.

¹² Details are available at: [Mes Alloc, "Complément de libre choix du mode de garde PAJE"](#).

¹³ The texts of these agreements are available (in French) at: <https://www.servicessalapersonne.gouv.fr/travailler-dans-sap/conditions-de-travail/droits-sociaux-et-conditions-de-travail>

¹⁴ In 2021, 98 out of 185 countries (almost 53 per cent) had laws aligned with the ILO's Maternity Protection Convention, 2000 (No. 183), which provides for maternity leave of not less than 14 weeks paid at two-thirds of previous earnings through compulsory social insurance or public funds. Over 60 per cent (115 countries) provide statutory leave entitlements to fathers, with only 10 countries providing paid paternity leave of 30 days or more (ILO 2022b).

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

definition of a “domestic worker”,¹⁵ but they do not benefit from the same levels of protection: the first group receives social security protections and full labour law coverage; while the second receives reduced protections under the Domestic Workers Act (2022). The direct hires, however, are not covered by any labour or social security legislation.

Long-term care or support services

Long-term care or support services are those provided to persons of all ages who have long-term functional dependency. In some instances such care can be collectively financed through contributions or taxes, and can be provided by way of: (i) services provided by the public sector; (ii) private providers that are fully or partially compensated by the State through contributory or non-contributory long-term care schemes; or (iii) cash benefits provided to households to support the financing of care services.¹⁶ These services are often associated with specific sectors, such as healthcare, social care and domestic work (Tessier, De Wulf, and Momose 2022). Where long-term care is delivered in a private household, the care worker (often referred to as a “personal assistant” or “care assistant”) could fall under the scope of the definition of a domestic worker as per Convention No. 189 (whether employed by the household or through/by a service provider), even if they are not classified as such under national laws.

Eldercare is increasingly being met by home-based long-term care services. In Organisation for Economic Co-operation and Development (OECD) countries, the proportion of long-term care recipients receiving care at home rose from 64 per cent in 2007 to 68 per cent in 2017 (ILO 2022b), which is also a reflection of preferences for receiving care services at home (see above).

Globally, 69 countries have statutory provision of in-home long-term care services provided in the usual residence of the older person in need. These services are supplied by both health and non-health professionals – including domestic workers – who help dependent people perform the basic activities of daily living, as well as housework. Out of 179 countries, 89 have public long-term care services for the elderly, but only 29 countries (mostly high-income) have set up a universal publicly funded long-term care service scheme in national legislation that does not require out-of-pocket payments. Of the remaining 60 countries with some public provision, 55 have targeted or means-tested schemes (ILO 2022b). There remains, therefore, a sizeable global need for care workers in this area, with a substantial portion of this need being met by domestic workers hired directly by households, often on an informal basis.

However, not all domestic workers providing home-based care are recognized as care workers, and therefore they do not enjoy the same labour and social security rights as other care workers who provide similar services. For example, in Singapore, where 32 per cent of the population are over 65 (ILO 2022b) and care needs for older people are significant, the Employment Act 1968 applies only to care workers (including those providing home-based care) employed by companies, as these workers are considered to be in the services sector. Domestic workers hired directly by natural persons – which is the case for all migrant domestic workers – are not considered to be in the services sector and are therefore excluded from several key sections of the Employment Act, including provisions that cover maximum hours of work, daily rest, overtime and holidays (ILO 2023b).

► How can decent work in the domestic work sector enhance overall labour market participation?

Improving labour market participation rates – especially among women – is often dependent on the existence of sufficient quality care services, including care services provided by domestic workers. Ensuring decent working conditions in the domestic work sector can attract

jobseekers to such work and enhance the quality of care services, and by consequence increase the overall participation of women in the labour force – both as domestic workers and in other areas because their care responsibilities are being at least partially addressed by

¹⁵ Meaning they fulfil the three criteria outlined in the Convention of (i) working in or for a household, (ii) within an employment relationship, (iii) on an occupational basis.

¹⁶ It should be noted that workers in the informal economy by definition do not benefit from contributory schemes, and that non-contributory schemes tend to have limited coverage in settings where the informal economy is predominant.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

domestic workers. However, challenges to achieving decent work in the domestic work sector remain:

- Domestic workers face important decent work deficits due to their exclusion from labour and social security laws, or due to lack of implementation of these laws. Domestic workers are frequently not legally recognized as workers, and 8 out of every 10 are informally employed – nearly twice the share of informal employment among other employees (ILO 2021a).¹⁷
- Globally, at least half of all domestic workers do not enjoy rights equal to those of other workers with respect to working time and minimum wages (ILO 2021a), and only 6 per cent of domestic workers are covered by all social security branches (ILO 2021a; ILO 2022a).¹⁸

Progress on social security access for domestic workers: An example

In Europe and Central Asia, 57.3 per cent of domestic workers are legally covered for all benefits (ILO 2022a). This is thanks to recent progress, such as in Belgium, where, since 2014, all domestic workers are covered by all social security benefits, and every citizen who hires a domestic worker for any amount of time is required to pay social security contributions on behalf of the domestic worker.¹⁹

Lack of formal recognition of domestic work as work is rooted in gendered notions that devalue women's labour, and results in domestic work having some of the poorest working conditions in the labour market, including long hours, low or non-payment of wages, and exposure to violence and harassment (ILO 2021a). The undervaluation of domestic work is reflected in the low wages paid to women domestic workers, who earn just half (51.1 per cent) of the average monthly wages of other employees (ILO 2021a).

Beyond the legal exclusions, there are multiple barriers in practice. Of the 81 per cent of domestic workers in

informal employment, 34 per cent are actually covered by existing labour and social security laws, but are nonetheless still considered to be informally employed due to gaps in implementation (ILO 2021a). Additional barriers to accessing labour and social protection include administrative barriers; limited contributory capacities; lack of enforcement of and low compliance with labour and social security laws; lack of information and awareness; and the limited voice and representation of domestic workers (ILO 2021c).

► Box 3. Forced labour

Domestic work is among the five sectors accounting for the majority of total adult forced labour, and one of the main sectors where children in forced labour are found (ILO, Walk Free and IOM 2022a).

Migrant domestic workers experience additional barriers:

- Migration policies can – intentionally and unintentionally – act as a further barrier to domestic workers' access to labour rights and social protection, in particular by stratifying access to certain protections to migrants depending on their migration pathway, or by excluding migrant workers – particularly those in an irregular status – from laws and policies.
- In some cases, the working conditions and labour rights of migrant domestic workers are regulated not by national laws in the country of destination, but rather by bilateral agreements (BLAs) and memoranda of understanding (MOUs) between countries of origin and destination, which often results in discriminatory levels of protection.²⁰
- In addition, the cost of hiring migrant domestic workers is often cheaper than hiring local domestic workers, resulting in a tension between care and migration policies and related consequences regarding conditions of work, the value of care work and equal treatment (King-Dejardin 2019).

Poor working conditions for domestic workers are also the result of the exclusion of domestic workers, particularly

¹⁷ Workers are considered to be in the informal economy if their economic activities “are – in law or in practice – not covered or insufficiently covered by formal arrangements” (Recommendation No. 204, Para. 2(a)).

¹⁸ Usually old-age, disability and survivors' benefits and medical care, and to a slightly lesser degree for maternity benefits and sickness benefits (ILO 2022a).

¹⁹ See [Royal Decree of 13 July 2014](#), extending social security to domestic workers, equal to other workers, which entered into force on 1 October 2014. The decree excludes only gardeners from its scope. See: [Belgium, Social Security, “Personnel de maison: Instructions administratives ONSS – 2023/4”](#).

²⁰ See page 62 of United Nations Network of [Migration's Guidance on Bilateral Labour Migration Agreements for guidance on migrant domestic workers](#).

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

migrant domestic workers, from the right to freedom of association and collective bargaining, both in law and in practice (ILO 2015; ILO 2023b).

Skills training and recognition

Developing the domestic workforce to strengthen care service provision can also be accomplished through skills recognition and skills training initiatives that ensure that formal valuation of their work as skilled work leads to commensurate working conditions and wages.

Recent studies have demonstrated that, quite apart from being “unskilled”, when assessed against internationally agreed skills classifications, domestic workers are demonstrably skilled, including as domestic housekeepers, as childcare workers, and as personal care workers (ILO 2023b). Indeed, the International Standard Classification of Occupations (ISCO-08) classifies Home-Based Personal Care as medium-skilled work.

Lack of recognition of skills results in domestic workers being excluded from initiatives that seek to elevate skills in the care economy. It also results in the deskilling of migrant domestic workers, who may have professional skills in their country of origin that are not recognized in the country of destination (nurses, for example). Recognition of skills can also be a key point of stratification of labour and migration policies, with higher-skilled migrants commonly afforded preferential treatment, while workers perceived as lower-skilled are subject to restrictions.

Using skills development to improve decent work outcomes: An Example

In Argentina, a trade union-run school that trains domestic workers ensures that contracts are signed between the worker and the employing household when they are recruited through the school’s hiring centre.²¹

► Domestic workers often lack access to care

Domestic workers – and particularly the women domestic workers who make up 76 per cent of the sector – also have their own family responsibilities and related care needs (ILO 2021a). However, despite providing care for so many others, domestic workers – like many workers in the informal economy – often do not have effective access to the rights, benefits and institutions that typically deliver care. This is by and large due to their exclusion from labour and social security laws.

Throughout the life cycle, domestic workers face barriers to exercising their care rights. For most women domestic workers, exclusion from the right to maternity leave stands as the first barrier to providing care to their own children. Even where they are covered by maternity leave and maternity benefits, many women domestic workers still do not enjoy effective access to these rights due to lack of implementation of and compliance with these laws. According to ILO estimates, only 45.6 per cent of female domestic workers had a legal right to maternity leave in 2020 (ILO 2021a). However, given the aforementioned lack of implementation and the high levels of informality in the sector, as measured by payment of contributions to social security, it is likely that the majority of female domestic

workers who do have the legal right to maternity leave do not enjoy effective access to this right in practice.

Social protection and care policies are complementary, with significant intersections. Beyond the fact that domestic workers, who are an integral part of the care economy, should have access to comprehensive and adequate social protection, including the full range of benefits set out in the Social Security (Minimum Standards) Convention, 1952 (No. 102), social protection is also an important element of care policies in that it can support caregivers and workers with family responsibilities, and thereby facilitate work–family balance. Social protection systems that are gender-responsive and provide such benefits and measures can promote the implementation of care policies and support gender equality. If designed in a gender-sensitive way that encourages the participation of men in the provision of care, such benefits can also help to remove the “motherhood penalty” women experience and equalize the distribution of care work among women and men.

As workers with family responsibilities, domestic workers should also enjoy effective access to social protection benefits and measures. However, only 39.9 per cent of

²¹ For detailed guidance on integrating domestic workers into skills training programmes, see: ILO, https://www.oitcenterfor.org/sites/default/files/file_publicacion/guia.pdf, 2023.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

domestic workers have a legal right to maternity cash benefits (ILO 2022a). Moreover, only 13.4 per cent of domestic workers are covered by family benefits, the lowest rate of coverage among the nine benefits²² of social security under contributory schemes (ILO 2022a).

Recent progress on extending family leave to domestic workers: An example

In August 2023, Argentina's Chamber of Deputies issued a favourable opinion about a Bill that extends family leave and expressly includes domestic workers among the beneficiaries (Argentina, MOWGD 2023).

► Box 4. The Sustainable Development Goals and domestic workers in the care economy

The Sustainable Development Goals (SDGs) include multiple targets that meet the needs of domestic workers in the care economy, including:

- The rights of domestic workers to social protection under SDG target 1.3: Implement nationally appropriate **social protection systems and measures for all**, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.
- The role that domestic work can play in the care economy as a publicly provided service under target 5.4: Recognize and value unpaid care and **domestic work through the provision of public services, infrastructure and social protection policies** and the promotion of shared responsibility within the household and the family as nationally appropriate.
- The rights of domestic workers to decent work under target 8.5: Achieve full and productive employment and decent work for all women and men, including young people and persons with disabilities, and equal pay for work of equal value.

Domestic workers also often lack access to childcare services. First, this is the result of a global gap in the provision of a statutory right to childcare services. In only 57 out of 178 countries surveyed by the ILO is there statutory provision of early childhood educational development (ECED) programmes for children aged 0–2 years. This means only 2 in 10 potential parents live in countries with such a statutory right (ILO 2022b). Second, even when this right is legally mandated, effective coverage is extremely limited, especially for the most vulnerable – a group to which many domestic workers belong. According to a review of survey data from 31 developing countries, 44 per cent of the poorest working women with children under the age of 6 reported caring for their children themselves while working (UN Women 2015). Only 1 per cent of these poorest women made use of an organized childcare or nursery arrangement. The lack of access to affordable childcare can compel workers to seek work in the informal economy, including in domestic work or other occupations that provide some

semblance of flexibility in childcare (Cassirer and Addati 2007). The absence of affordable childcare services in domestic workers' home communities or countries may contribute to the perpetuation of a chain of care (often referred to as a "global care chain", when it extends across borders) that relies on increasingly less well paid workers – often women in informal employment (ILO 2013).

Extending childcare access to workers in the informal economy: An example

As a response to the lack of access to childcare services, the Government of Mexico promoted community and home-based childcare services for women who were not registered in the social security system and could not benefit from creches paid for through social security contributions.

²² The nine benefits include: pensions (old-age, invalidity and survivors'), medical care, maternity benefit, employment injury benefit, sickness benefit, family benefit, and unemployment benefit.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

► **Box 5. Facilitating access to care**

Access to care is important for everyone, including the domestic workers who are responsible for providing so many care services in the households of others. Through the provision of broad access to care, domestic workers are: (i) placed in a better position to secure work providing care to others; and (ii) better able access to quality care services that can support their own well-being and improve their own capacity to engage in domestic work. Access to care is delivered through a variety of rights and mechanisms, including:

- The right to **care leave benefits**, including maternity, paternity, parental, emergency and other family leave, supported by employment protection and non-discrimination policies.
- Rights to **policies that reconcile paid work and unpaid work**: In addition to care leave, these would include: terms and conditions of employment, including:
 - access to family-friendly working arrangements rest periods and holidays;
 - the progressive reduction of daily hours of work and the reduction of overtime;
 - training and labour market integration programmes;
 - social security coverage, including of part-time workers and temporary workers equivalent to those of full-time and permanent workers, respectively;
 - labour-saving infrastructure and layouts; and
 - education and awareness-raising programmes.
- The right to **breastfeeding facilities, childcare, long-term care services** and other services to provide care and support to persons with disabilities of all ages. These facilities/services should be:
 - free of charge or at a reasonable charge in accordance with the workers' ability to pay;
 - developed along flexible lines and meeting the needs of children of different ages, of other dependents requiring care and of workers with family responsibilities; and
 - staffed with an adequate number of trained personnel.
- **Social protection systems** that provide benefits that can facilitate access to:
 - **healthcare** in respect of a condition requiring medical care of a preventive or curative nature, including maternal health (prenatal, childbirth and postnatal healthcare);
 - **maternity benefits, paternity benefits and parental leave paid benefits** in the form of payments for periods of suspended earnings resulting from pregnancy, childbirth, parenthood or other family responsibilities;
 - **family benefits** and other benefits that facilitate access to **childcare** – in the form of payments and/or services that provide access to nutrition, clothing, housing, education, care and any other necessary goods and services for children; and
 - benefits that address **long-term care** needs – in the form of payments and/or services that provide access to disability benefits and benefits covering disability-related costs, supplementary benefits for persons requiring constant help or the attendance of others, long-term care benefits, and so on.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

► What is the role of employers' and workers' organizations in the adoption of care policies?

As representatives of key care workers and beneficiaries of care, respectively, domestic workers' organizations and organizations of employers of domestic workers, where they exist, have a key role to play in the development of care policies.²³

Recent progress in engaging with domestic workers' organizations: An example

In their "Buenos Aires Commitment" adopted in 2022, the Member States of the Economic Commission for Latin America and the Caribbean (ECLAC) agreed to "actively support the participation of ... organizations of paid domestic workers ... in the design, implementation and monitoring of care policies".²⁴

Despite challenges to organizing, there are an increasing number of domestic workers' organizations around the world. In 2013, these organizations held the founding

Congress of the International Domestic Workers Federation (IDWF), an affiliate of the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Association (IUF), representing more than half a million domestic workers around the world (IDWF, n.d.).

Employers of domestic workers – whether households or public or private service providers – are rarely organized, making social dialogue a challenge. Yet, even here, organizations of employers of domestic workers exist in a growing number of countries, which has paved the way for the conclusion of collective bargaining agreements in Argentina, Brazil (São Paulo), France, Italy and Uruguay, leading to higher levels of protection for domestic workers (ILO 2021a).

Bipartite and tripartite social dialogues have made significant contributions to ensuring adequate care policies for both workers and beneficiaries of care.

Social dialogue concerning care work by domestic workers: Examples

In the US State of California, some domestic workers are employed by households but receive their paychecks from the California Department of Social Services, which administers the California In-Home Supportive Services (IHSS) programme. Through the organizing efforts of the Service Employees International Union (SEIU) and the United Domestic Workers of America (UDW), a bill was adopted granting IHSS employees the right to collective bargaining and allowing counties to establish public authorities to serve as "employers of record". County-level boards were established, including representatives from the trade union, the public authority and households, acknowledging the latter's role in determining the day-to-day working conditions of domestic workers. The trade unions and the beneficiaries of care (that is, householders), then lobbied for Government to increase funding for publicly financed home caregivers, enabling employers to pay a collectively bargained minimum wage.

At the European Union (EU) level, social partners have also joined forces to increase public recognition of domestic work as care work, and to establish social dialogue in the domestic work sector. Following the adoption of the EU Care Strategy, EFFAT, EFFE, EFSI and UNI Europa, representing both trade unions and employers of the personal and household services sector, joined forces to improve the EU's recognition of the role and skills of domestic workers providing long-term care, and to lay the foundation for sustainable sectoral social dialogue at EU level to strengthen collective bargaining in the sector.

²³ For specific references to the inclusion of organizations representative of domestic workers and those representative of employers of domestic workers in social dialogue, see Convention No. 189, Articles 2, 13–15.

²⁴ The Buenos Aires Commitment was adopted at the 15th session of the Regional Conference on Women in Latin America and the Caribbean, which was organized by the ECLAC, UN Women's Regional Office for the Americas and the Caribbean, and the Government of Argentina, and was held in Buenos Aires on 7–11 November 2022.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

► Key actions to ensure decent work for domestic workers within the framework of national care policies

► Box 6. What is the 5R Framework and how does it apply to domestic work?

The 5R Framework is a human rights-based and gender-responsive approach to public policy, designed to mitigate care-related inequalities. Initially developed to recognize, reduce and redistribute the work of unpaid carers, it was subsequently expanded to recognize paid care workers, in particular through rewarding and promoting decent work for care workers and by strengthening representation, social dialogue and collective bargaining for care workers, as well as to promote the participation and voice of unpaid carers and care recipients in decision-making.

The 5R Framework applies to domestic workers in a variety of ways. As workers with family responsibilities, the unpaid work of domestic workers in their own homes must also be recognized, reduced and redistributed. Policies and programmes designed to recognize, reduce and redistribute unpaid care work in the home should also consider the situation of domestic workers, who often do not have effective access to care policies. Moreover, as paid workers, domestic workers should enjoy the same level of labour and social security rights as those enjoyed by other workers, both in law and in practice, in line with the standards set out in Convention No. 189. Finally, domestic workers and employers of domestic workers should enjoy their own voice and representation in social dialogue relating to care policies and decent work.

In the face of demographic transition and labour shortages, there is an urgent need to invest in the provision of care services through quality care jobs, a pillar of the ILO gender-transformative agenda and of the UN Secretary-General's Common Agenda (2021). Doing so would help reach the two key objectives of: (1) reducing labour shortages in care by mobilizing inactive workers into the domestic workforce; and (2) increasing labour market participation.

The services provided by domestic workers must be valued through the adoption of care policies that recognize their skills, ensure adequate remuneration, and provide fair recruitment and decent working conditions. Recognizing domestic workers as care workers, including them as providers of care services within national care policies or systems, and ensuring they too have access to care rights and services can contribute to ensuring a sufficient supply of domestic workers to meet the care needs of the future.

In adopting care policies, governments and social partners can take into account the following action points to ensure that domestic workers enjoy decent work and access to care within the framework of care policies:

- **Recognize** domestic workers as part of the care workforce, as they provide indirect and direct care in private households.
 - Clearly identify domestic workers (including both those hired directly by households and those employed through/by services providers) among care workers when collecting data.

- Measure and recognize the contribution that domestic workers make to the care economy and to the economy and society as a whole.
- Raise awareness of the critical role that domestic workers play in caring – directly and indirectly – for children, older persons, persons with disabilities in need of support, and those in need of long-term care.

A recent example of recognizing the contributions of care workers, including domestic workers

Mindful of the need to invest in the care economy and to create robust, resilient and gender-responsive, disability-inclusive and age-sensitive care and support systems with full respect for human rights with a view to recognizing, reducing, valuing and redistributing unpaid care and domestic work and support, the UN General Assembly decided to proclaim 29 October as International Day of Care and Support. The Resolution adopted by the General Assembly on 24 July 2023 stressed the need to recognize and value care workers as essential workers, and noted that those providing domestic care and support constitute a significant proportion of the workforce who are particularly vulnerable to discrimination in respect of conditions of employment and of work.

- **Ensure labour rights and social protection for domestic workers**, including those that enable

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

access to care, and ensure domestic workers have access to care services.

- Ratify and implement Convention No. 189 as a central pillar of a national care policy, or otherwise extend labour laws and social protection coverage to domestic workers under conditions no less favourable than those of other workers. Improving working conditions in the domestic work sector contributes to making it more attractive, which is urgently needed in order to bridge current labour shortages, especially in countries with rapidly ageing populations (ILO 2022a).
- Develop coherent care and migration policies, determining how and the extent to which migration can play a role in filling care needs, and ensure migrant domestic workers enjoy the same protections as other workers.
- When adopting care policies, include pathways to support transitions from the informal to the formal economy for domestic workers, making use of the ILO's Road to Decent Work for Domestic Workers.
- Recognize and value the skills of domestic workers acquired through training or experience, and fairly remunerate these when establishing terms and conditions of employment, including through wage scales.
- Ensure domestic workers have access to maternity protection, care services and the full set of rights and mechanisms that are essential to achieving the right to care and be cared for (box 5).

► **Include domestic workers within care policies as providers of care.**

The recognition of domestic workers as part of the system through which care is delivered can improve the working conditions of domestic workers, as well as better ensuring quality care services for households (ILO 2018a). To this end, governments can:

- Expressly recognize domestic workers in care policies as care providers, including in schemes that incentive or subsidize care by providing publicly subsidized care services in private households.
- Provide domestic workers effective access to skills training linked to formal employment opportunities, thus improving the quality of care provision and working conditions.

Recent examples of efforts to ensure the rights and social protection of domestic workers

In its resolution of 24 July 2023 to proclaim 29 October as International Day of Care and Support, the General Assembly stressed “the need to recognize and value paid care work and care workers as essential workers and the need to adopt measures that combat gender stereotypes related to care and support, as well as those related to, inter alia, race, ethnicity, age and migratory status, to reduce occupational segregation for care work,(...) facilitate the transition from informal to formal work and decent work, including with regard to paid care and domestic work, and create quality jobs in the care economy and increase the rewards and representation of paid domestic workers” (Preamble).

Since the adoption of Convention No. 189, countries across all regions have extended labour and social security laws to domestic workers. Numerous examples of such efforts can be found in the ILO reports Making Decent Work a Reality for Domestic Workers, Making the Right to Social Security Rights a Reality for Domestic Workers, and The Road to Decent Work for Domestic Workers.

In 2023, during the first Ibero-American Symposium on Care and Domestic Work held in Colombia, participants adopted the “Roadmap: Investing in Care to Make Domestic Work Decent Work” (2023d), which provides guidance to achieve decent work in the care sector, and particularly for domestic workers.

Including domestic workers within care policies as providers of care: Examples

Uruguay, in 2015, adopted a national care policy aimed at both those who provide and those who receive care services. The policy integrates care as a fourth pillar of social protection, expanding the provision of care leave and services staffed by trained care workers and including a formalization path for domestic workers.²⁵

In the **Dominican Republic**, domestic workers have been incorporated in the new direct care certification scheme.

²⁵ For more, see the example of Uruguay's INEFOP in ILO 2023c, 70.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

► **Ensure the voice and representation of domestic workers and employers of domestic workers in social dialogue.**

- Where they exist, include organizations of domestic workers and organizations of employers of domestic workers, whether households or service providers, in social dialogue and other national, regional, sectoral and community decision-making on care systems and policies on decent work.
- Promote freedom of association and collective bargaining in the domestic work sector as a key means of ensuring effective participation of domestic workers and their employers in social dialogue.

- Promote international, national and sectoral consultations and awareness-raising with the aim of unifying narratives on care work and domestic work (ITUC et al. 2020; United Nations, n.d.).

Amplifying domestic workers' voice and representation: An example

The Global Union Group on Care, convened by the International Trade Union Confederation (ITUC), includes all of the global unions representing care workers, including the International Domestic Workers Federation (IDWF).

► **References**

Argentina, MOWGD (Ministry of Women, Genders and Diversity). 2023. "Obtuvo dictamen la ampliación de las licencias familiares en la Cámara de Diputados", press release, 22 August 2023.

Binette, Joanne, and Fanni Farago. 2021. "Where We Live, Where We Age: Trends in Home and Community Preferences – 2021 Home and Community Preferences Survey: A National Survey of Adults Age 18-Plus", *AARP Policy & Research Blog*, 18 November.

Cassirer, Naomi, and Laura Addati. 2007. "Expanding Women's Employment Opportunities: Informal Economy Workers and the Need for Childcare", ILO Conditions of Work and Employment Programme Working Paper.

Bango, Julio, and Patricia Cossani. 2021. *Towards the Construction of Comprehensive Care Systems in Latin America and the Caribbean: Elements for Implementation*. ECLAC and UN Women.

ECLAC (Economic Commission for Latin America and the Caribbean). 2022. *The Care Society. A Horizon for Sustainable Recovery with Gender Equality*.

European Commission. N.d. "Personal and Household Services", available at: <https://ec.europa.eu/social/main.jsp?catId=1427&langId=en>.

Eurofound (European Foundation for the Improvement of Living and Working Conditions). 2013. More and better jobs in home-care services, Publications Office of the European Union, Luxembourg, available at: <https://www.eurofound.europa.eu/en/publications/2013/more-and-better-jobs-home-care-services>

IDWF (International Domestic Workers Federation). N.d. "Who We Are", available at: <https://idwfed.org/about-us/>.

ILO. 2013. "'Meeting the Needs of My Family Too': Maternity Protection and Work-Family Measures for Domestic Workers", ILO Domestic Work Policy Brief No. 6.

—. 2015. "Domestic Work Voice and Representation through Organizing", ILO Domestic Work Policy Brief No. 8.

—. 2018a. Care work and care jobs: For the future of decent work

—. 2018b. Addressing care for inclusive labour markets and gender equality, Issue Brief 3: Cluster 2: Bringing an end to pervasive global women's inequality in the workplace, available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---cabinet/documents/publication/wcms_618165.pdf

—. 2021a. *Making Decent Work a Reality for Domestic Workers: Progress and Prospects Ten Years after the Adoption of the Domestic Workers Convention, 2011 (No. 189)*.

—. 2021b. *El trabajo doméstico remunerado en América Latina y el Caribe, a diez años del Convenio núm. 189*.

—. 2021c. "Extending Social Security to Domestic Workers: Lessons from International Experience", ILO Social Protection Spotlight Brief, June.

From global care crisis to quality care at home: The case for including domestic workers in care policies and ensuring their rights at work

- 2022a. *Making the Right to Social Security a Reality for Domestic Workers: A Global Review of Policy Trends, Statistics and Extension Strategies*.
 - 2022b. *Care at Work: Investing in Care Leave and Services for a More Gender Equal World of Work*.
 - 2023a. *World Employment Social Outlook: Trends 2023*.
 - 2023b. *Skilled to Care, Forced to Work? Recognizing the Skills Profiles of Migrant Domestic Workers in ASEAN Amid Forced Labour and Exploitation*.
 - 2023c. *El papel en auge de las Instituciones de Formación Profesional de América Latina: Servicios de formación y certificación para el trabajo de cuidados*.
 - 2023d. Hacer del trabajo doméstico un trabajo decente: Invertir en cuidado. Una agenda común Hoja de ruta y recomendaciones para políticas públicas, available at: https://www.ilo.org/wcmsp5/groups/public/---americas/-ro-lima/documents/publication/wcms_877643.pdf
- ILO, Walk Free and IOM (UN Migration) 2022. *Global estimates of modern slavery: Forced labour and forced marriage*, available at: https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@ipecc/documents/publication/wcms_854733.pdf
- ILO and UNICEF (United Nations Children's Fund). 2021. *Child Labour: Global Estimates 2020, Trends and the Road Forward*.
- ILO and WIEGO (Women in Informal Employment: Globalizing and Organizing). 2020. "Extending Childcare Services to Workers in the Informal Economy: Policy Lessons from Country Experiences", ILO and WIEGO Policy Brief No. 3.
- ITUC (International Trade Union Confederation), UNI Global Union, PSI (Public Services International), Education International, IDWF (International Domestic Workers Federation), and WIEGO (Women in Informal Employment: Globalizing and Organizing). 2020. "Joint Statement on Global Day of Action for Care: Unions and Civil Society Mobilising to Demand Investments in Care for Building More Inclusive, Accessible, Resilient, and Caring Economies", 29 October 2020.
- King-Dejardin, Amelita. 2019. *The Social Construction of Migrant Care Work: At the Intersection of Care, Migration and Gender*. ILO.
- Razavi, Shahra. 2007. *The Political and Social Economy of Care in a Development Context: Conceptual Issues, Research Questions and Policy Options*, UNRISD Gender Development Programme Paper No. 3.
- Republic of Korea, MOGEF (Ministry of Gender Equality and Family). N.d. "Childcare Service", available at: https://www.mogef.go.kr/eng/pc/eng_pc_f007.do.
- Tessier, Lou, Nathalie De Wulf, and Yula Momose. 2022. "Long-Term Care in the Context of Population Ageing: A Rights-based Approach to Universal Coverage", ILO Working Paper No. 82.
- United Nations. n.d. "International Day of Care and Support: 29 October", available at: <https://www.un.org/en/observances/care-and-support-day>.
- UN Women. 2015. *Progress of the World's Women 2015-2016*.
- UNDESA (United Nations Department of Economic and Social Affairs). 2020. "Total Population (Both Sexes Combined) by Broad Age Group, Region, Subregion and Country, 1950-2100 (Thousands)", World Population Prospects 2019.
- WIEGO (Women in Informal Employment: Globalizing and Organizing). forthcoming. *Demystifying Care in Asia for Domestic Workers. Mapping of Care Policies: Regional Report*.

Contact details

International Labour Organization

Route des Morillons 4
CH-1211 Geneva 22
Switzerland

Conditions of Work and Equality Department

E: inwork@ilo.org
DOI: <https://doi.org/10.54394/HTVE8572>