

#19

UNION VIEW

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→ ITUC-AP

Domestic Work: Mobilising for an ILO Convention

A vital link in the economic chain, domestic work is undervalued and underprotected. Domestic workers, especially women migrant domestics, are exposed in their millions to the risk of exploitation and abuse reaching terrible extremes.

In addition to its organising drive, the trade union movement is campaigning for a new ILO Convention: a crucial stage on the road to decent work.

Testimonies and an encouraging insight into good trade union practices in the various regions of the world.

Domestic workers: high exposure to exploitation

"Invisible" work prey to many forms of economic exploitation as well as physical and psychological abuse.



→ Jacky Delorme

Domestic workers in the informal economy represent between 5% and 9% of the working population in many developing countries. There are about 5 million in Brazil, and another 2 million in the Indian capital of New Delhi alone. In the industrialised countries, they account for about 2.5% of the working population.

Luc Demaret (ACTRAV)

In the absence of an international standard regulating domestic work, there is still no universally accepted definition of domestic work, and the national laws covering it present it in many different ways.

Because they work in their employers' homes, scattered and hidden from view, because for many their work is "undeclared", and they appear nowhere in the employment statistics, because in many countries the national legislation does not even consider them as fully-fledged workers, it is very difficult to put a figure on the number of domestic workers around the world. The estimates speak of tens of millions of workers, most of whom are women. It is a figure that is on the increase, as a result of major socio-economic trends fuelling the overall demand for domestic service: ageing populations that increasingly need help to care for the elderly, more working women, requiring more childcare, combined with dwindling family support and an increase in single parent families accentuating the phenomenon, etc. In addition, "the privatisation of public services has led to increased demand for domestic workers and home care workers all over the world", adds Barbro Budin, IUF Equality Officer.

Despite the essential role they fulfil in our societies, domestic workers are nonetheless subjected to many abuses. Physical and psychological violence is very common, and can go as far as the killing of migrant domestic workers. Economic exploitation is manifested in the form of poverty wages, excessive working hours and workloads, insufficient holidays, if any, and indecent living conditions in the employer's home.

"I work every day from 8am to 6pm, except Sundays, for 150 rupees a day (1.30 dollars). I have no medical cover or paid leave. One of the main problems is the constant increase in the workload, especially for those who lodge with their employer, who often asks for more and more without an increase in pay," explains Nadeeka Bandara, president of the domestic workers' association in Kandy (Sri Lanka) (1). "There are many abuses in terms of extremely long working hours and non-respect for statutory days' leave. Some employers only allow their domestic to sleep for three hours a night!" denounces Sartiwen Binti Sanbardi (IMWU-Hong Kong) (2).

The economic crisis affecting many countries has only reinforced the downward pressure on working conditions, in the absence of other job opportunities. "If the boss says you are only entitled to one day off every two weeks, you have no other choice but to accept, because there are no other jobs to go to, and there is no law stipulating the contrary," confirms Marcelina Bautista (CONLACTRAHO-Mexico).

Deprived of social protection

Often not declared by their employers, domestic workers remain excluded from the cover provided by the national social legislation. In Mexico, for example, the associations defending domestic workers have been campaigning for over 12 years for a legal framework, to no avail. Where they are covered by a legal framework, if only partial, employers do not usually apply the provisions laid down. "Some laws lay down provisions such as the length of the working day,

Even in the Scandinavian countries, where it is generally held that domestic work "shouldn't exist", because everyone should do their share of the work rather than delegate it to someone else, there has been an increase in the phenomenon, which has developed outside the legislative framework. In Denmark, for example, they exploit the "au pair" system as a means of providing domestic services.

Luc Demaret (ACTRAV)

but they are not applied. Brazil, for example, is one of the countries that has adopted legislation on domestic work, but employers pay no attention to it and the authorities do nothing to ensure it is respected," explains Marcelina Bautista (CONLECTRAHO-Mexico).

The absence of social protection in case of an accident, illness or retirement is another major problem. Yet it is a very physical job, exposed to many hazards. In Senegal, for example, only 2% of domestic workers are declared and covered by social security.

Labour inspection deficit

Work in the employer's home is incompatible with any hopes of actually applying labour inspections, owing to privacy rights. In many countries, moreover, domestic workers are prohibited from joining trade unions.

"One of the basic problems is the isolation and vulnerability of domestic workers. As they are working and sometimes living in individual, private households, they are extremely dependant on the good or bad will of the employer and exposed to violence and sexual exploitation. If they have an employment contract at all, it is usually dictated by the employer, who has no reason to fear a surprise visit from labour inspectors. In many countries, domestic workers are not covered by the labour legislation, which of course undermines their status and rights as workers, including the right to freedom of association and collective bargaining." Barbro Budin, IUF Equality Officer, thus resumes the vulnerability that leaves domestic workers all the more exposed to the risk of extreme exploitation.

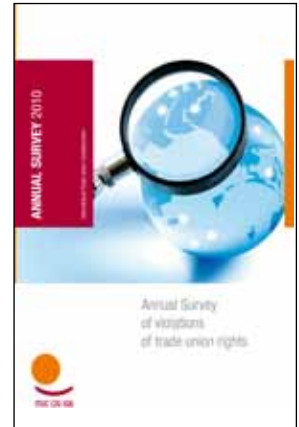
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1) See Union View: Sri Lanka: Trade unions hard at work: <http://www.ituc-csi.org/sri-lanka-trade-unions-hard-at.html>

(2) See the full interview of Sartiwén Binti Sanbard at: <http://www.ituc-csi.org/spotlight-on-sartiwén-binti.html>

ITUC annual survey identifies abuses

On 26 October 2009, Mautik Hani, an Indonesia domestic worker, died as a result of the extreme violence inflicted on her by her Malaysian employer. This and many other cases are disclosed in the ITUC annual survey, which, year after year, denounces the trade union and workers' rights



violations around the world. It reports on the serious abuses perpetrated against migrant domestic workers, particularly in the Middle East region, where migrant domestic employees very often suffer physical and sexual abuse. Pushed to the limit, some are driven to suicide, such as in Kuwait, where 13 cases of suicide or attempted suicide among Indonesian domestic workers were reported during the month of November alone. The survey highlights the plight of children working in domestic service, such as in Haiti. It also underlines the legal obstacles preventing migrant domestic workers from organising.

The 2010 survey, which covers 140 countries across the five continents and exposes the trade union rights violations perpetrated between 1 January and 31 December 2009, will be available on the ITUC website as of 9 June 2010: www.ituc-csi.org

Middle East - Asia: inadequate partial reforms

Human Rights Watch presents a damning report.

Many Middle Eastern and Asian countries receive migrant domestic workers in large numbers: there are estimated to be 196 000 in Singapore, 200 000 in Lebanon, 660 000 in Kuwait and as many as 1.5 million in Saudi Arabia. Migrant domestic work is a major source of employment for women from Indonesia, Sri Lanka, Philippines, Nepal, India and Ethiopia. The remittances of migrant workers, moreover, represent a substantial share of the billions of dollars in funds sent to these countries every year.

"The reforms undertaken by Middle Eastern and Asian governments fall far short of the minimum protections needed to tackle abuses against migrant domestic workers," says Human Rights Watch in a report (1) released ahead of 1 May, International Workers' Day. *"Despite recent improvements, millions of Asian and African women workers remain at high risk of exploitation and violence, with little hope of redress,"* adds Human Rights Watch.

The report examines the following countries: Lebanon, Jordan, Saudi Arabia, the United Arab Emirates, Bahrain,

Singapore and Malaysia. *"Several governments have made concrete improvements for migrant domestic workers in the past five years, but in general, reforms have been slow, incremental, and hard-fought,"* explains Nisha Varia, women's rights researcher at Human Rights Watch. *"Jordan deserves credit for including domestic work in their labour law, but enforcement remains a big concern. Singapore has prosecuted physical abuse against domestic workers vigorously, but fails to guarantee them even one day off a week."*

"Reforms often encounter stiff resistance both from employers used to having a domestic worker on call around the clock and labour brokers profiting handsomely off a poorly regulated system," says Nisha Varia.

The governments of Lebanon, the United Arab Emirates, Kuwait, Bahrain, Saudi Arabia and Malaysia have all publicly announced plans to amend existing labour laws or draft new legislation on domestic work. Despite years of proposals

••• however, none have yet adopted such reforms. Saudi Arabia's Consultative Council (Shura) approved an annex on domestic work to the labour law, but the government has not yet approved it. In Singapore, the Labour Ministry has repeatedly rejected calls to extend labour law protection to domestic workers.

Immigration reforms have proceeded even more slowly than labour reforms, denounces HRW. In the countries surveyed, domestic workers migrate on fixed-term visas, under which their employers act as their immigration sponsors. This system heightens the risk of abuse by giving inordinate power to employers, who can have domestic workers sent home at will or prevent them from being hired by a new employer.

The mechanisms for filing complaints are often inaccessible to domestic workers, trapped in private homes and unable to speak the local language. When cases are brought to the authorities' attention, legal proceedings often drag on for years; meanwhile the victims generally have to wait in overcrowded shelters, unable to work. Given the lengthy waits and uncertain outcomes, many domestic workers withdraw their complaints or negotiate financial settlements so they can return home quickly. In other cases, domestic workers bringing charges against their employers find themselves having to defend themselves against counter allegations of theft, witchcraft or adultery.

(1) "Slow Reform: Protection of Migrant Domestic Workers in Asia and the Middle East", report available at www.hrw.org

In August 2009, the Filipino government organised the repatriation from Saudi Arabia of 44 Filipino women that had been living in a shelter for months. They were part of a group of 127 Filipino women, mostly domestic workers, who had fled their workplaces, complaining of mistreatment, long working hours, insufficient food, and non payment of wages. (HRW)



→ UNIFEM - Abou Mahjoob

Migrant domestic workers: doubly vulnerable

Being a migrant all too often implies specific additional abuses for domestic workers, who risk falling prey to trafficking and forced labour.

Domestic work is at the core of migratory flows. The economic stakes are huge: the sums of money sent home by migrant domestic workers allow millions of families in their countries of origin to survive. It also serves, in some instances, as a springboard for migrant workers, who can return home with the money saved from working abroad and pay for their studies or invest in a small business. In the destination country, domestic workers are an essential pillar of the economy and society.

"The use, by rich countries, of domestic workers from poor countries raises numerous issues. The contribution these workers make to the host countries' economic development is something that is often overlooked. 'Outsourcing' domestic tasks to migrant workers who accept very low wages allows families in rich countries to increase the income they derive from productive activities. But the gains acquired in

this way are rarely shared in a fair and equitable manner. Domestic work remains underpaid and undervalued, and using workers from poor countries only serves to reinforce this postulate," explains Claire Courteille, head of the ITUC Equality Department.

The confiscation of their identity papers, work or resident permits, discrimination based on national origin, confinement to the employer's home, abandonment, changes to the employment contract on reaching the destination country and other abusive practices at the hands of recruitment agencies... The list of abuses migrant domestic workers suffer is long, adding to the difficulties linked to being uprooted and living in isolation. The media occasionally echoes these dramas but, for the most part, migrant domestic workers suffer in silence; some at the expense of their lives.

Recruitment agencies

Often an indispensable link between workers in the country of origin and employers in the destination country, recruitment and placement agencies are often condemned for their dishonest or even mafia-like practices, forcing women, in some cases, into debt servitude.

"The main problem facing Indonesian domestic workers in Hong Kong is wage related. During the first seven months of their contract, the domestics have to pay 3000 Hong Kong dollars (348 euros) a month to their employment agency, out of a salary that is not much higher! So they work for seven months with virtually no personal income. Many of them are dismissed after this seven-month period, and if they're not able to find another employer fast, they are sent back to their country of origin. If they then want to come back to Hong Kong, they have to start paying the same deductions again for the first seven months, which benefits the recruitment agency in Indonesia and the placement agency in Hong Kong. This practice is, in fact, illegal: the Hong Kong government establishes a maximum deduction of 10% of the first salary, that is, HK\$340 (33 euros). The law also states that the employer must pay the domestic worker's airfare, but because of the competition between agencies, the employer actually pays next to nothing and it is the agent who provides the migrants with the plane ticket," explains Sartiwen Binti Sanbardi (IMWU-Hong Kong).

"Many Somalis come to Kenya, as their country is in ruins; they come and look for work to survive. Some work just for their food and shelter, nothing more, they are not worried about a salary. There are a lot of Somali women in domestic work in Nairobi," explains Albert Njeru (KUDHEIHA-Kenya). *"The situation in Mombasa is very specific, because it is a coastal town with a big port. Human traffickers seek out vulnerable people and try to send them out of the country, particularly to Arab countries, where they do not get paid the minimum wage they were promised,"* he adds.

Trafficking and forced labour practices cloaked by tradition

Fatou Bintou Yaffa (CNTS-Senegal) denounces the customs sometimes evoked to hide what is in fact trafficking and forced labour: *"People don't dare to say this, because of customs and mindsets. There are women who would never admit that they were supposedly sent 'on holiday' by the family but that they actually found themselves doing domestic work. It may not be called by its name, but it is trafficking nonetheless; working in exchange for a meal and a little bit of money to send back to the family in the village. In the cities, it is common to hear women say that they are going to the village to look for new girls, who are often no more than 14 to 18 years old. To escape misery, many young Senegalese domestic workers try their luck abroad, at the risk of falling into the hands of human traffickers."*

Some head for neighbouring Mauritania, a potential stepping stone to Europe, where they share the plight of other migrant women from other countries in the region. They leave their home countries in difficult conditions. Many arrive by road after facing serious hurdles, sometimes having to cross several borders... They go through intermediaries who promise them get-rich-quick plans to finance their onward journey to Europe. But problems soon arise with the middlemen. *"Many migrant women find themselves at the mercy of the networks who looked after them on their arrival and to whom they must then repay large sums of money,"* says

Moulkheiry Sidiel Moustapha (Mauritania-CGTM). Low pay or non- payment of wages, ill-treatment, abduction, denial of food and medical care, excessively long working hours, harassment, rape... problems with their bosses are also quick to emerge. *"They are completely invisible, on the one hand, because they are foreigners and, on the other, because their workplace is hidden from view; they have no legal recognition and most of the time, no legal status or contract."* Lodged in their employers' home, in a corner of the kitchen, *"they have to be available around the clock. They are even woken up in the middle of the night,"* denounces Moulkheiry Sidiel Moustapha.

Behind the embassy gates

"We have been told about some truly intolerable situations in the embassies in Nouakchott, such as cases of women working double shifts for extremely low wages. The contract is signed between the intermediary and the embassy, without the Senegalese woman being involved. She is ignorant of the actual salary mentioned in the contract, which the intermediary receives, but she cannot leave the job as she has to support her children, who have stayed in her home country," continues Moulkheiry Sidiel Moustapha.

Too many embassies seem tempted to exploit diplomatic immunity with impunity, and reports of scandalous cases of modern-day slavery are on the increase. In February of this year, diplomats from Saudi Arabia and the Emirates found themselves under the spotlight of the British government agency fighting against human trafficking. According to Kalayaan, an NGO specialised in defending the rights of migrant domestic workers and a partner of the British TUC, six people working for diplomats and top dignitaries of these two Gulf countries were the victims of trafficking.

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→ Reuters



Discrimination and violence against women

Women, who form the vast majority of the domestic workforce, are often the victims of violence, including sexual abuse and harassment.

The gender dimension is at the core of the discrimination suffered by domestic workers," says Barbro Budin, IUF Equality Officer. "Various organisations representing domestic workers have done outstanding work in highlighting and articulating the gender aspects and the traditional patterns of discrimination that are perpetuated against women in these jobs. Various ILO departments have also carried out substantial studies in this area," adds Barbro Budin.

Lower pay

In Senegal, for example, the jobs done by men, such as gardening, are considerably better paid than the domestic work performed by women, such as cleaning, washing and childcare. "The income of these women is so low that with high rental costs and the need to send money back to their families in the villages, they can barely manage to survive on it," explains Fatou Bintou Yaffa (CNTS-Senegal).

Isolated, domestic workers are often sexually harassed by their employers, especially live-in and/or migrant domestics. Such assaults by the men of the household also often make domestic workers the butt of hostility from their employer's wives.

"When a live-in domestic worker is beaten by her employer, it's very difficult for her to defend herself: if she asks the police for help, they always take the side of the employer, unless she has very visible marks on her body. It's even more difficult to defend oneself in the case of sexual harassment, as it's taboo," says Grace Silva, in charge of the helpline set up by the Sri Lankan trade union NWC to report abuses against domestic workers.

Unequal balance of power

"A domestic worker comes from a poor family, so the em-



→ Reuters

ployer feels in a position of power. Some employers threaten to kill the maid if she talks, or to make sure their brother or sister lose their jobs. Even when the girl gets pregnant as a result of sexual abuse, she doesn't dare reveal who the father is, or the employer will sack her, without a care for the child," explains Albert Njeru (KUDHEIHA-Kenya).

Domestic workers faced with unwanted pregnancies after being raped are also thrown out on the street.

The risks they face are often exacerbated by their often appalling living conditions. "Many migrant domestics are not given decent lodging; they sleep on the balconies, on an armchair in the living room, etc. Not having one's own room also increases the risk of sexual abuse," explains Sartiwen Sanbardi (IMWU-Hong Kong).

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The gender dimension is at the core of the discrimination suffered by domestic workers, says Barbro Budin (IUF)



→ Jacky Delorme

"They are generally unaware of their rights"

"Sexual harassment, no employment contract, no freedom of association, very low pay. Many domestic workers have a low level of education and are not aware of their rights because they are still very young or have been employed since childhood. We carried out a survey on domestic workers in Mombasa, in collaboration with the AFL-CIO Solidarity Center. Mombasa attracts domestic workers from across the country because it has a reputation for being better off, partly because there are foreigners there who pay in dollars. The survey showed that most domestic workers are not given food by their employer, that their identity cards are confiscated, that

they are underpaid and that many of them are locked in the house when the employer leaves, with the risk of being unable to escape if there is a fire."

See the full interview of Albert Njeru (KUDHEIHA- Kenya) at: <http://www.ituc-csi.org/spotlight-interview-with-albert.html>



→ Samuel Grumiau

Employing children is not doing them a favour

Children are ideal prey for those employing domestic workers: easier to control and paid less than adults, they are completely at their employers' mercy.

The hidden and informal nature of domestic work makes it difficult to assess how many children are involved in this activity around the world. The ILO, however, estimates that there are as many as several million. The Organisation quotes recent reports according to which there are 175,000 children under age eighteen employed in domestic work in Central America, over 688,000 in Indonesia alone, and almost 54,000 under age fifteen in South Africa, etc. It underlines that there are more girls under age sixteen in domestic work than in any other form of child labour (domestic work generally involves girls, although there are larger numbers of boys in certain countries).

In many regions around the world, both the general public and the authorities are reluctant to admit that domestic work is a form of child labour. It is often considered as a favour done by the employer to help poor children and their families. In reality, the main reason for employing child domestics is that they are paid less and are easier to control than adults. They are exposed to the same hazards as adult domestics (burns and cuts while preparing meals, disorders developed from carrying water for long distances, toxic cleaning products, etc.) but the effects are often much worse for children, and can lead, for example, to serious musculoskeletal disorders.

Not all those employing domestic workers mistreat them, but children, in the isolation of a private home, are particularly vulnerable to the worst forms of abuse. Many children confide that they face regular beatings, verbal abuse, humiliation and even sexual harassment at the hands of their employers or people close to them. Many also suffer discrimination within the household. *"My boss had given instructions to her husband and children not to talk to me, on the pretext that we didn't have the same social standing. I hardly ever left the apartment, except to take and collect the two children from school. It made me sad to see a school, knowing that I was not able*



→ ILO

to go," explains Sara, from Fez (Morocco), who had to start work as a domestic at the age of ten. Albert Njeru, general secretary of the Kenyan domestic workers' union KUDHEIHA, attests to the same reality: *"Even though it is illegal, children sometimes start to work as domestics as of age ten."*

S.G.

A modern form of child slavery

Some 250,000 children are estimated to be working as domestics in Lomé alone, the capital of Togo. Most of them are girls. Many of them are seriously mistreated, under the pretext of following the tradition of "confiage" (entrusting).

According to this traditional system, better off families would take in children from less advantaged backgrounds and place them in school. In return, the children would carry out small domestic tasks. *"Nowadays, however, the confiage system has been totally distorted. Employers*

take advantage of it, and do not pay the children. They sometimes promise to enrol the child in school, but they do not do it, there are no rules," denounces Claudine Akakpo (CSTT-Togo).



See the full interview of Claudine Akakpo at: <http://www.ituc-csi.org/spotlight-on-claudine-akakpo-cstt.html>

"Putting an end to exclusion and exploitation"

Interview with Luc Demaret, responsible for the "domestic work" portfolio within the ILO's Bureau for Workers' Activities (ACTRAV).

-What is the main objective of this new ILO instrument?

The main objective is to give these workers back their dignity, to transform an exploitative relationship into a legal relationship. The principal motivation behind the ILO's decision to take action was the realisation that tens of millions of people are excluded from any form of recognition and protection and that exclusion means exploitation. Exclusion is the root of all the problems faced by domestic workers, notably the very negative image they have in our societies.

When we look back we can see that slavery was followed by the setting up of a legislative framework to protect labour. But domestic workers, like agricultural workers, were left out of this "leap forward" in the labour world. It is no accident that cases of actual domestic slavery are regularly discovered. As a result of an historic oversight this sector has been in a situation where the working relationship is still based on domination.

-How can domestic work be defined in order to provide an objective basis to work on?

That will be the crucial issue for the Conference, and there are two pitfalls that must be avoided. First, care must be taken to avoid all forms of exclusion. The call for a new instrument is based precisely on the need to put an end to the exclusion of a whole group of workers. There has to be a sufficiently generic approach. But at the same time it is important to avoid having too broad a definition, that covers workers already covered elsewhere. Such as nurses for example, or caregivers in the home, who are already recognised by their own industrial relations system. It is important to be very careful not to have a one-size-fits-all definition that would mean a dangerous lack of clarity, and the risk of losing advantages that some workers already have.

-Why does there need to be a Recommendation as well?

A Recommendation will give governments implementation mechanisms designed to meet the very specific needs of domestic work, in terms of working hours, leave, housing, etc. The Recommendation will also help guide governments who are prepared to go beyond the minimum rights protected by a Convention. It is important to consider ways of enhancing the workers' status, by means of training for example. Domestic work has become more and more necessary to the smooth running of our societies, it has many facets and huge development potential.

– Back in 1948 the International Labour Conference adopted a resolution expressing its concern about the situation of domestic workers. Why have we had to wait so long?

It is true that as early as 1948, and again in 1965, the ILO had already expressed concern. It is not that the ILO hasn't done anything since then, but there has not been enough pressure for it to take any significant steps. It was around

2005 that more and more women domestic workers began to realise the need to organise. Women domestic workers' associations multiplied, particularly in Latin America and Europe, and as they began to feel the limitations on their forms of organisation, they moved closer to the trade union movement. Furthermore, the discussions on migrant labour in 2004, and the discussions on the elimination of child labour, also had an impact, as they strayed into the more nebulous territory of domestic labour.

-What role did the trade union movement play in the demand for a new standard at the ILO?

The relationship between domestic workers' associations and trade unions has become much stronger, leading to their demands being voiced at the ILO. It was clearly thanks to the Workers' Group in the ILO that this subject has been put on the agenda. Some associations have turned into unions, like in Hong Kong, for example. The trade union movement itself has worked hard at organising domestic workers.

But union organising also has its limits, particularly in the all too many countries where domestic workers don't have the right to form a union. Hence the need voiced by the trade unions for a normative instrument to overcome this stalemate.

The mere prospect of a Convention created great enthusiasm both among domestic workers and in the trade unions. Their mobilisation has already attracted the attention of governments and employers, even before the existence of a Convention. So although the debate has not yet officially begun, the mere prospect of a Convention has had a major political impact.

-What role can the trade union movement still play at this stage of the International Labour Conference?

On the basis of a questionnaire sent to all the parties in January 2009, the International Labour Office has submitted conclusions that will serve as the basis for the discussions. Each provision will be subject to tripartite scrutiny. The task will be to negotiate with and convince the other parties in order to obtain a Convention that is both effective and ratifiable. In other words one that provides solid minimum standards that will make it possible to improve the initial situation at the national level and then move on to a process of continued progress through the industrial relations system.

-What are the main areas of reluctance and resistance the workers' group can expect?

Governments have questioned the implementation of such an instrument, essentially because work in a private home is in theory difficult for labour inspectors to access. Some also question the financial issues, in terms of social security. Some countries have already found the answers to these concerns however, such as Brazil, Uruguay and South Africa. In Europe, some countries have involved the employers, to



Replacing an exploitative relationship with a legal relationship and giving domestic workers the means to achieve emancipation and greater respect.



Luc Demaret (ILO-ACTRAV)



See the full interview at: <http://www.ituc-csi.org/spotlight-interview-with-luc.html>

bring domestic services out of the informal sector. There is a critical mass of experiences that could be used as a source of inspiration for these discussions. It will also be important to enter into dialogue with the employers. In Belgium, for example, the proposal for a Convention and Recommendation is supported by all the social partners, including therefore the employers.

-What is the next step, after the International Labour Conference?

At this year's Conference the task is to review the proposals made by the International Labour Office in order to draw up a draft Convention and Recommendation that will be sent back to the Member States and social partners. The text will be revised on the basis of any comments made and a second tripartite discussion at the 2011 International Labour Conference, after which the texts of the Convention and Recommendation need to be adopted by a two-thirds majority of delegates representing the governments, employers and trade unions of the 183 Member States of the ILO. This stage is crucial and the workers' group will have to use the force of their conviction. The next stage is ratification. The ILO will have to launch a ratification campaign, but

trade union mobilising will also be essential to make things happen at the national level.

-In practical terms, how can a new ILO instrument help a woman domestic worker who has been the victim of abuse in any given country?

Once a Convention is ratified it has the force of law in the countries that are party to it. Fear of the police will no doubt have an immediate effect, with a lot of people who use domestic labour abiding by the new rules. Domestic workers will know their rights and trade union information campaigns can help with that. If for example a woman domestic worker is dismissed simply because she is pregnant, she can win compensation from a tribunal. She could receive help from a trade union organisation. It will be difficult for people who use domestic labour to do so unseen: decent work conditions will have to be respected, with minimum social protection, leave days, and a weekly rest day. There could be specific collective agreements, as is already the case in some countries. They will move from a world of exploitation to one of dignity. This isn't theory, it is a tool for real change.

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An ILO Convention, an essential instrument for decent work

The debate at the ILO Conference in June 2010 is a crucial stage in a long-standing battle waged by the trade union movement.

"The international trade union movement is campaigning intensively for an ILO Convention combined with a Recommendation. It is high time that governments and the social partners moved to bring an end to this exploitation of misery, by offering these workers the possibility of a decent job," says Claire Courteille, head of the ITUC Equality Department.

"Like unions, employers and the government are social partners within the ILO. It will be easier to raise employers' awareness if we have this standard. A convention would really help us a lot in our day-to-day work when we are campaigning for the remuneration of domestic workers, against child labour, for decent work, for the application of existing legislation.... It would provide an international framework that could support our action," hopes Albert Njeru (KUDHEIHA-Kenya).

Based on a questionnaire submitted to all the parties in January 2009, the International Labour Organisation has submitted conclusions that will serve as the basis for the discussions. Each provision will be the object of a tripartite effort. The unions are particularly keen to see protection ensured for categories of workers such as migrants, young people and workers residing in the employer's home, or even part-time workers. As part of its campaign to promote fundamental rights and principles at work for domestic employees, the trade union movement is insisting on respect for freedom of association and collective bargaining, an indispensable condition for access to these basic rights.

"They must be legally protected by the application of laws

adapted to the specific nature of their working conditions; they must be informed of their rights, have access to courts and be able to organise between themselves to defend their interests," adds Claire Courteille.

Once these instruments are in place, the trade union movement will move on to the next stage: ensuring their ratification on as large a scale as possible, as well as their full application. In view of the awareness raising conducted by unions and their partners at national level, the application of this standard is all the more feasible.

Beside its action at the ILO and with civil society partners sharing the same objectives, the trade union movement is determined to keep up and step up its drive to organise domestic workers. It is an immense and arduous task, but one that is already producing a range of practical and encouraging results (see articles p10 to 16).

"Malaysia usually respects international conventions; it does not like having international bodies drawing its attention to situations where it allows exploitation. So we are seriously hoping that this new Convention will be adopted," explains G. Rajasekaran, general secretary of the Malaysian MTUC, which, far from passively awaiting this new legal instrument, is campaigning intensively for domestic workers' rights, raising awareness in as many households as possible, and calling on NGOs, religious movements and civil society partners to talk about this social issue, in a bid to lay the ground for the government to pass laws in this direction (see article on page 15).



Breaking isolation and taking domestic workers out of the shadows



Claire Courteille (ITUC)



Good trade union practices for unionising domestic workers

How to overcome organising difficulties? Examples of customized and innovative recruitment techniques.

As part of the overall drive to organise the informal economy and the campaign for decent work for all, trade unions around the world are trying to organise domestic workers, despite the difficulties of this task. *"It is much easier to organize a factory than individual workers in private homes. Other reasons for the low organisation rate are the many obstacles preventing domestic workers from meeting, aside from the fear of losing their job if they join a union,"* B. Budin (IUF). *"In the absence of a trade union culture among this type of worker, trade unions have to be creative if they want to come up with strategies to organise these women and then hold on to them as members,"* says Marcelina Bautista (CONLACTRAHO-Mexico), who quotes the example of setting up placement agencies as a means of informing employers of their obligations.

The media and meeting places

Contact through the media is a first key step trade unions can take to make themselves known to domestic workers. *"Every time we talk about their problems in the media, we receive telephone calls from domestic workers wanting to come to us for information,"* confirms Ida Le Blanc (NUDE-Trinidad and Tobago) (1). Some unions make contact with them by identifying the places they go in their leisure time, such as public parks, or the religious or expatriate communities they join. Like the DWU in the United States, trade unionists can also go out and try to pinpoint them in the streets and on public transport, approaching potential domestic workers, such as women pushing prams. Neighbourhood networks and door-to-door canvassing are another approach. In the case of migrant domestic workers, making contact with them as soon as they arrive in the destination country is crucial, such as at airports, to inform them about their rights.

Domestic workers are generally not aware of the few rights that they actually have. In South Africa, for example, *"many domestic workers who are dismissed think that they simply have to leave their job, not realising that the employer owes them money, and doesn't have the right to throw them out from one day to the next,"* explains Hester Stevens (SADSAWU).

Changing mentalities...

Domestic work is generally undervalued and often even viewed with disdain. Trade unions can work towards changing society's image of domestic workers and give them renewed dignity and confidence. *"It is important to involve domestic workers in campaigns to raise public awareness, to make their work visible to all, to give them a sense of purpose in defending their rights,"* says Marcelina Bautista. Training can also contribute to boosting their confidence and improving their negotiating skills.

...within unions too

In Senegal, following initial research on the ground, the CNTS began organising domestic workers as part of its campaign to organise women in the informal economy. *"We*



"Our demands? First of all, respect, better pay and a day off on Sundays and public holidays. I would also like have training," explains Diouf, a young Senegalese domestic worker affiliated to the domestic workers' union of the CNTS. *"Once we are well trained we can hope for better wages,"* adds N'Dioui, president of this union (on the left of the photo).

had to offer these women lower union dues, to help them to get a trade union card, which they are extremely proud of," explains Fatou Bintou Yaffa, president of the Women's Committee and deputy general secretary of the CNTS. *"We take care to fit in with their constraints, for example, by meeting them on Sundays; they cannot take time off on any other day, as they would risk losing their jobs,"* continues Fatou Bintou Yaffa, who insists on the need for unions to help these women train and educate themselves (2).

Changing mentalities within unions themselves is also a key objective, as many members are also potential employers of domestic workers. Greater respect can be developed for domestic workers by involving them in as many trade union activities as possible.

IDWN - An international network for domestic workers

At the forefront of the trade union campaign to defend domestic workers, the IUF has set up a network to promote domestic workers' rights, within the framework of the international project "Protection for Domestic Workers!" (1).

The network brings together domestic workers' unions and other bodies grouping domestic employees, as well as organisations supporting initiatives aimed at improving their situation. The IDWN steering committee insists on the need to use the ILO process as a vehicle for unionising domestic employees and consolidating existing unions.

(1) More info on the website: www.domesticworkerrights.org

"Once our government has ratified this prospective ILO Convention, no one will look at us oddly and say, 'How can you defend domestic servants?'. On the contrary, we will be seen as citizens who are protecting the interests of a group of people who are just as important as everyone else."

Titus Mlengya (CHO-DAWU-Tanzania).

Model contract

The European Trade Union Confederation (ETUC) is offering a model contract for domestic services on its website (www.etuc.org/a/2810).

"After having marched alongside female domestic workers on 1 May and 7 October, women from the formal sector say that they will change their attitudes. On the way home from the march, one woman said to me, 'My maid will no longer sleep on the floor in the kitchen, I will give her a mattress in the living room.' Men from the union also say, 'That's enough of treating the maid like that!' There is a genuine awareness that they deserve more respect," rejoices Fatou Bintou Yaffa.

At the podium of various trade union and political conferences, *"the sheer strength of the women talking about their experiences highlighted the importance of the campaign and from then on nobody asked if it was a priority,"* underlined Diana Holland (TUC-Great Britain).

Legal advice

A domestic worker seeking legal redress against her employer is often fighting a losing battle, but trade unions can offer invaluable support in terms of legal assistance, at the same time as pressing for improvements in national laws. They can also offer them legal advice if they are undocumented, as do several unions in Europe and North America. In Switzerland, the SIT union is one of the pioneers in the lobby to regularise undocumented migrant workers.

Several unions such as the Indonesian migrant workers' union in Hong Kong also provide shelter for migrant domestics who have had to flee from their employers, having been ill-treated.

Unions can also assist domestic workers' associations with the mechanisms for filing complaints to the ILO.

As regards pays, domestic workers find themselves in a very weak bargaining position. Trade unions can fight by their side for more decent wages, like the Tanzanian union CHO-DAWU, which has managed to negotiate a national minimum wage for them.

Several unions, such as the DWU in the United States (see p. 14), offer domestic workers practical services such as health

May Day 2010: mobilisation

From Hong Kong to Brussels, Lima to Nouakchott, international workers' day celebrations across the globe highlighted the flouting of domestic workers' rights. It was a May Day that reiterated the urgent need for an ILO Convention for these workers.

In London, for example, J4DW (Justice for Domestic Workers), part of UNITE, an affiliate of the TUC, took advantage of May Day to launch a new petition calling on the UK government to change its position and endorse the ILO Convention. In Peru, the domestic workers' union SINTTRAHOL took part in the public rally held by the national workers' confederation, CGTP. In Mauritania, the association of Senegalese migrant domestic workers marched through the streets of Nouakchott with the national trade union centre CGTM, to denounce the appalling working conditions. In Trinidad and Tobago, the National Union of Domestic Employees wrote an open letter to the government, urging it to change its position and support an ILO Convention. Meanwhile in Tanzania, the unions refused to invite the president to the event following his failure to meet their demands on this issue.

In Asia, the ITUC Regional Organisation for Asia-Pacific (ITUC-AP), along with the major Asian labour networks, decided to celebrate May Day as Asian Domestic Workers' Day, and called for the signing of a joint declaration in favour of an ILO Convention.

checkups, which are especially valuable to irregular migrant workers.

N.D.

(1) Quoted in Labour Education, 2007/3-4, p.35.

(2) See the complete interview with Fatou Bintou Yaffa (CNTS), ""Training is a Priority Objective for Improving the Situation of Domestic Workers", at: <http://www.ituc-csi.org/spotlight-interview-with-fatou.html>

→ ITUC-AP



Towards a global approach to migration that is more compatible with decent work

Demanding more equitable treatment for migrants and promoting cross-border cooperation between trade unions to defend and organise them.

For the international trade union movement, recognition of the positive contribution made by migrant workers to the economies in their countries of origin and destination is essential, and this recognition must translate into more equitable treatment. The gaps in this area are all the wider in these times of crisis, as false propaganda all too often uses migrants as scapegoats for unemployment and insecurity.

The founding Congress of the ITUC in Vienna, held in November 2006, placed the fight against discrimination at the core of its top priorities for action. The second Congress of the ITUC, to be held from 21 to 25 June in Vancouver, will examine how to improve the defence of migrant workers' rights and ensure their full participation in trade unions. Special emphasis is being placed on the gender dimension of the actions to be undertaken to better protect female migrant workers, who form the vast majority of trafficking victims.

"There is a need for unions in sending and receiving countries to play a much more active and coordinated role with regard to the migration authorities and employment agencies, to stop the worst forms of exploitation. Employment agencies have to be put under much stricter control, as some of them make big money out of unscrupulous

contracts. Cross-border cooperation between unions is important to ensure that as many migrant workers as possible are informed of their rights and have the contact details of the relevant unions in the receiving country," says Barbro Budin (IUF) (1).

Bilateral partnership agreements

As part of its efforts to strengthen South/South solidarity, the ITUC has initiated partnership agreements between its affiliates in different regions. Supported by the LO-TCO Sweden and the British TUC, these pilot projects involve Indonesia (KSBSI) and Malaysia (MTUC), Senegal (CNTS) and Mauritania (CGTM), Nicaragua (CST, CUS, CUSa) and Costa Rica (CTRN), Brazil (CUT) and Paraguay (CNT), India (NTUC) and Bahrain (GBFTU). Information and support centres for migrant workers have been set up by the MTUC in Malaysia, the CGTM in Mauritania and the CTRN in Costa Rica. Other affiliates have developed similar initiatives, such as the CGT in Colombia, which has set up a migrant workers' centre in Bogota.

N.D.

(1) Read the full interview with Barbro Budin (IUF): <http://www.ituc-csi.org/spotlight-interview-with-barbro.html>



http://www.ituc-csi.org/IMG/pdf/TU_Guide_Forced_labour_EN.pdf

"These women need a strong trade union"

In Great Britain, the TUC has led a campaign to amend the slave-like status of migrant domestic workers. Diana Holland, president of the ITUC Women's Committee and deputy general secretary in charge of equality and organising with the British union UNITE, presents the strategies deployed by the TUC to help and organise them (1).

Women domestic workers have different expectations from unions than other categories of workers. They are clearly not asking for collective bargaining with an employer. It is possible that we will get a national collective agreement at a later stage, but for the time being we are still dealing with individual relationships. What these women need is a strong trade union and to feel they are part of an organisation with hundreds of thousands of other workers alongside them.

Having a union membership card also provides these migrant domestic workers with an identity, since that identity may have been stolen by their employer hanging on to their passport, or because their status on entering the country did not entitle them to individual rights as workers.

How do you approach them?

In fact, they approached me. They invited me to one of their meetings. They explained their situation and then stuck a microphone in my hand and asked me what I could do about it! We started with the organisation that these migrant domestic workers already had and worked out how it could

cooperate with the unions. We had to adapt our working methods as a union; for instance, we have a group of union fees collectors, since many of these women cannot get bank accounts... Trade union representatives now go to the community centres where many domestic workers regularly meet and offer them advice.

Information on departure and arrival

It is essential that migrant domestic workers are better informed about their rights and the situation in the host countries, together with the sorts of contacts they can have with trade unions or communities that can help them. Our own union works with the Filipino trade union movement in this area. In Britain we got an agreement whereby migrant domestic workers entering the country receive a document pack that includes references to our union and to Kalayaan (2).

(1) Read the full interview with Diana Holland: <http://www.ituc-csi.org/spotlight-interview-with-diana.html>

(2) <http://www.kalayaan.org.uk/>

International focus

Increasing international attention is being placed on the exploitation of child domestics. The roadmap adopted by the Global Child Labour Conference (1) held in The Hague (Netherlands), in May, recognises, for example, the need to collect more data on working children that are hard to reach, such as those employed in domestic work.

(1) http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/meetingdocument/wcms_127018.pdf

Also read issue 18 of the "Union View" (May 2010) on the global trade union fight against child labour at: http://www.ituc-csi.org/IMG/pdf/V5_mi-grant_EN-2.pdf



Migrants' centre in Nouakchott

In September 2009, the CGTM held a seminar on forced labour and people trafficking among migrant domestic workers at the migrants' centre in Nouakchott. "It was very moving to hear the testimonies of several severely exploited young women. Many migrant women find themselves at the mercy of the networks who looked after them on their arrival and to whom they must then repay large sums of money," explains Moukheiry Sidiel Moustapha (CGTM-Mauritania), president of the CGTM watch committee for migrants. "The committee works in partnership with the other civil society groups linked to the issue of trafficking and forced labour involving female domestic workers. The union has been running a wide scale awareness raising campaign with associations grouping migrants from Guinea, Senegal, Mali, Côte d'Ivoire, Gambia, Guinea-Bissau, Burkina Faso and



Togo. Open around the clock, the priority of the trade union centre for migrants is to make contact and keep the dialogue with these women open. Aside from information and awareness raising, the trade union centre for migrants also takes cases of abuse against domestic workers or the non-payment of wages to the courts."

"Decent Work, Decent Life for Women"

Domestic workers' rights at the centre of the priorities emerging from the first ITUC World Women's Conference.

Meeting in Brussels (Belgium) from 19 to 21 October 2009 around the theme "Decent Work, Decent Life for Women", 450 delegates examined the repercussions of the global jobs crisis on women, and mapped out international trade union action to improve their job security, pay and working conditions. The conference programme was focused on the need to reach out to the most vulnerable and exploited women, such as domestic workers.

"My husband came to Belgium and we then joined him here. As money was short, I had no option but to work as a domestic in a private home. But I fell ill so often that the doctors diagnosed me with depression. I could not believe it. It just doesn't exist in the Philippines; we are always smiling in spite of our problems. But the frustration of not being able to exercise my profession as an accountant and the many difficulties my family were having to cope with made me very sad," explains Leonida Belgion, who is now an accountant at Samahan, the association of Filipino migrant workers

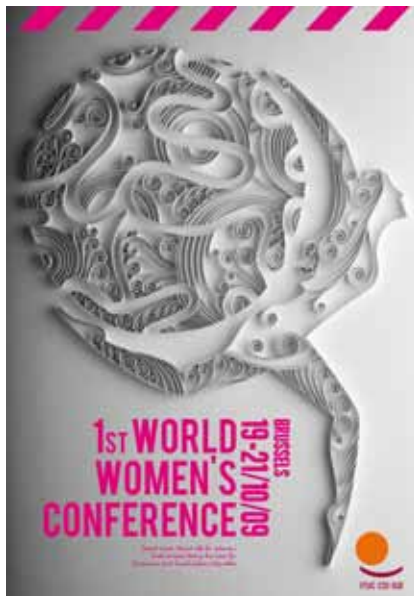


Leonida Belgion (Samahan) gave a moving testimony. → Jacky Delorme

in Belgium. Her testimony moved the conference delegates, who all stood up to applaud her courage. Leonida Belgion spoke at the conference during a roundtable on organising domestic workers, in which Manuela Tomei (ILO social protection section) and Marcelina Bautista (CONLECTRAHO - Mexico) were also involved.

Recommendation

The conference, in its final recommendations, insisted on the need to adopt an international standard for domestic workers and to ensure the full participation of domestic workers in the International Labour Conference of 2010-11. The delegates stressed the importance of protecting women migrant workers, many of whom work as domestic employees. This is also one of the action priorities of the ITUC "Decent Work, Decent Life for Women" campaign (<http://www.ituc-csi.org/-1st-world-women-s-conference-.html?lang=en>).



Americas: "Everyone tends to believe the employer"

Legal recognition as "workers", prevention of work-related illnesses, legal support... Trade unions across the American continent are coming to the aid of domestic workers in ever increasing numbers.

Being recognised as a "worker" is often one of the first challenges facing domestic workers. Several trade unions in the Americas have managed to secure progress in this area, and are now able to assist domestic employees with the procedures to gain recognition of their rights. "One of our victories includes having convinced the government to amend the minimum wage legislation, which now applies to domestic workers and gives them rights such as public holiday pay, sick leave and maternity leave," explains Ida Le Blanc, general secretary of the National Union of Domestic Employees (NUDE) in Trinidad and Tobago. "The problem is that the law is not always properly enforced by labour inspectors. It does, however, allow us to go before the courts to represent domestic workers in the event of violations of the Minimum Wage Law."

Court action is usually complicated, given the difficulty furnishing proof of the violations suffered by a domestic worker, as these usually take place in the absence of witnesses outside the employer's family circle. It is the domestic worker's word against that of her employer, and without the legal know-how of a trade union structure, the chances of securing damages are slim. "Often, if accused of some form of abuse, the employer responds by accusing the domestic worker of a crime such as theft, for example," says Marcelina Bautista, general secretary of CONLACTRAHO (2), the confederation of domestic workers from Latin America and the Caribbean. "Everyone tends to take the employer's word for it, as there are cases of theft in some households. It is therefore essential that the domestic worker can count on the support of an association or a trade union that is used to dealing with such cases; otherwise there is very little chance of her winning."

Domestic workers' unions often face financial difficulties owing to the low level of dues their member can afford to pay. In Trinidad and Tobago, legal actions sometimes bring in a little revenue. "We represent our members free of charge during labour disputes taken to the Labour Ministry or labour

tribunals, but the workers who join only to benefit from these services have to pay us 10% of the damages obtained if they win the case," explains Ida Le Blanc. Court action is also a way for unions to raise public awareness about the exploitation suffered by domestic workers. The cases are often given media coverage or publicised during the national domestic workers days celebrated in several countries of Latin America.

Domestic workers often belong to one of the social classes that have difficulties gaining access to health care, especially those who are migrants and, worse still, if they are working in the host country illegally. A number of unions are providing assistance at this level. In the United States, for example, Domestic Workers' United (DWU) has already invited doctors to its congresses, and all the participants are invited to consult them, to have their blood pressure taken, their blood sugar levels checked, to ask for advice, etc. DWU is also working with the best specialists to offer its members education and advice regarding the prevention of work-related illnesses and disorders. "We ask, for example, the advice of physiotherapists, to teach our members how to prevent work-related injuries," explains Erline Browne, a member of DWU. "He explains the best techniques for walking, bending down, lifting heavy objects... Another problem is that when you clean, you use a lot of chemical products that, over the years, can be harmful. We are in contact with a university in Manhattan that gives courses on these subjects, and delivers a certificate at the end of them."

S.G.

(1) National Union of Domestic Employees. See interview with Ida Le Blanc on 14/11/2007, at <http://www.ituc-csi.org/gros-plan-sur-ida-le-blanc.html>

(2) Confederación Latinoamericana y del Caribe de Trabajadoras del Hogar. See interview with Marcelina Bautista on 20/10/2009 at <http://www.ituc-csi.org/gros-plan-sur-marcelina-bautista.html>



Domestic workers make it possible for their bosses to go out to work in the public or private sector, doing jobs that are key to economic development. If you are at the office today, it is maybe thanks to the domestic worker you have at home, who prepares your meals, cleans your house, irons your clothes, etc.

Marcelina Bautista, general secretary of CONLACTRAHO



→ Jacky Delorme

"I left my childhood to one side"

Marcelina Bautista, general secretary of CONLACTRAHO, had to start work as a domestic at the age of 14. Testimony. (1)

I left school at the end of my primary education. I had no alternative; I had to make a living. I had to leave for Mexico City, an eight-hour journey by road from home. I dreamt of being able to study, but my only alternative to living on the street was to work as a live-in domestic in a family home. I had to look after their children and do the housework... all that without speaking any Spanish, which I went on to learn little by little. I worked every day from six in the morning till nine at night, with one day off every two weeks. As is often the case with domestic work, the list of tasks was endless. It's very hard to take on such responsibilities at that age; you have to put your own childhood to one side. It was when trying to find out how I could study, in spite of my situation, that I came into contact with a group of women activists and became involved in the cause.

(1) See the full interview of Marcelina Bautista at: <http://www.ituc-csi.org/spotlight-interview-with-marcelina.html>

Asia: "We can confront the employers with their acts"

The collective strength of a union can help domestic workers, despite the individual nature of their relationship with the employer. Asian trade unions are increasingly overcoming the obstacles to organising these workers and are securing very concrete results in their favour.

"An isolated domestic worker has little chance of making her voice heard, faced with an employer who is determined to exploit her," explains Sanu Danuwar, president of the NIDWU (1), a union for domestic workers formed in Nepal in January of this year. "Within a union, we can go to the employers and confront them with their behaviour. We can take them to court in the event of ill-treatment. We recently helped a girl who had been working for five years without any pay at all. When the employer recruited her through her parents, he promised to pay her 500 rupees (7 dollars) a month and to give her financial help when she got married. She asked him for the help promised when she was getting married, but all she received from her employer was a good beating. She escaped. We threatened the employer with legal proceedings. In exchange for our silence, he agreed to pay out 65,000 rupees (890 dollars) to his former employee."

One of the unions' key tasks is to help build domestic workers' awareness of their rights. It is particularly crucial for migrant workers, who often have no idea about the laws in force in the countries where they are working, or the organisations they can turn to if they have a problem. In Hong Kong, a number of migrants' unions affiliated to the HKCTU (2) are putting a great deal of energy into informing the domestic workers from their communities. They meet up with them on Sundays, for example, in the city's parks.

In Sri Lanka, the NWC (3) has launched a support and assistance programme for migrant workers, especially domestic workers. The work starts prior to their departure, through a network of migrant workers' associations, which offer education and training. Unlike the government training programmes, focused on the development of occupational

skills, the trade union training is centred on workers' rights, the working conditions they can expect and demand, the culture in the destination country, the prevention of HIV, etc. The migrant workers' associations also try to prevent human trafficking by raising awareness about the risks of dealing with unscrupulous recruitment agents.

Abuse helpline

The NWC has set up a national helpline for anyone wishing to report the abuse of a domestic worker. The number has been widely publicized, including in the regions that most domestic workers come from. Most of the requests for help are linked to the non-payment of the wages promised by verbal agreement. A telephone call from the NWC to the employer is usually all that is needed to reach an agreement without the domestic worker losing her job.

In many countries, trade union campaigns have succeeded in securing legal reforms benefiting domestic workers. One example is Malaysia: on 2 September 2009, the Interior Ministry announced that Indonesian domestic employees (who form the majority of this workforce) in Malaysia would, as of now on, be entitled to one day's leave a week and would be authorised to keep their passports during their stay. The demand for these rights had been put forward by the Malaysian Trade Union Congress (MTUC). There is still a long way to go, however, to ensure respect for migrant domestic workers' rights in Malaysia. The MTUC is still continually lobbying the government to allow domestic workers to form a union, for example, or at least an association to defend their interests.

(1) Nepal Independent Domestic Workers Union, affiliated to GEFONT. See Union View no. 17, March 2010
(2) Hong Kong Confederation of Trade Unions.
(3) National Workers' Congress, see Union View no. 11, October 2008.

The employer doesn't understand

"It is astonishing to see how badly domestic workers are treated by employers who are often ordinary workers themselves. They do not put themselves in their employee's position. When we say that a domestic worker is doing a 15-hour day, their employers see it differently: for them, sweeping up and cleaning the house are not very arduous tasks. They don't understand that people need time for themselves, on Sundays, for example."

G. Rajasekaran, general secretary of the MTUC



(See the full interview published on 11/6/2009 by the ITUC: <http://www.ituc-csi.org/spotlight-interview-with-g.html>)



Africa: "Spreading awareness"

D/2010/11.962/21

African domestic workers are able to count on the support of a growing number of unions. Examples in South Africa, Tanzania and Kenya.

Trade unions around the world know how difficult it is to make contact with domestic employees, given that their workplace is inside private household. In Africa, many trade unions are developing strategies to come to their aid. Such is the case in South Africa, where members of SADSAWU (1) are distributing leaflets to women who might be domestic workers on trains in poor districts, supermarkets and other public places. Going door-to-door also reaps good results, as Esther Stevens, president of SADSAWU, explains: *"We are trying to set up small street committees that go from house to house distributing our brochures. There are about a hundred domestic workers in my street, for example. If I make contact with two or three of them, they then talk to others, and we are able to get a message around announcing a meeting to be held, for example, at such or such a place. In my case, I sometimes organise these meetings in my own room. That's where I start to explain the importance of joining a union to them."*

Domestic workers do not usually benefit from a minimum wage, one reason being that there is no organisation negotiating on their behalf. Wages are therefore set on a case-by-case basis, according to the practices in place in a certain neighbourhood or social class, or according to the worker's nationality. Some unions have, however, managed to negotiate a national minimum wage, such as CHODAWU (2) in Tanzania: *"In 2008, a minimum wage of around 60 dollars was set for domestic workers, following the negotiations we held with the government and the employers' association,"* notes Titus Mlengeya, president of CHODAWU. *"The employers' association does not formally represent domestic workers' employers, but it is able to speak on their behalf, as its members employ them. Respect for the minimum wage*

is not widespread, but we are heading in the right direction. Families with access to the media know that there is now a law that obliges them to apply this wage. Our duty as a union is to help spread this awareness, in the same way that it is the government's duty to enforce the law."

Trade unions can also help domestic workers to assert their rights through legal proceedings. The threat of legal action is often enough to scare employers and convince them to compensate the person exploited. *"We explain to them that if they know of a case of exploitation, they must tell the authorities, the police, because it will spark an outcry, and people will realise that there is a union taking care of women domestic workers,"* points out Albert Njeru, general secretary of the Kenyan domestic workers' union KUDHEIHA (3). *"We have contacts with the police stations, which help us; we have taught them about the plight of domestic workers. When an employer realises he or she is in the wrong, they may try to bribe their way out of the situation, but from then on they usually try harder to respect their domestic employee's fundamental rights, if only to avoid problems in future."* Esther Stevens explains the importance of trade union support: *"A domestic worker would not go to court alone, she is too afraid of her employer. She has to be supported; otherwise, she would accept whatever amount the employer offers."*

(1) South African Domestic Service and Allied Workers' Union. See interview with Esther Stevens on 8/10/2007 at: <http://www.ituc-csi.org/spotlight-interview-with-esther.html>

(2) Conservation, Hotels, Domestic and Allied Workers' Union. See interview with Titus Mlengeya on 28/7/2009 at: <http://www.ituc-csi.org/spotlight-interview-with-titus,4118.html>

(3) Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers. See interview with Albert Njeru on 29/1/2010, <http://www.ituc-csi.org/spotlight-interview-with-albert.html>

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"Domestic workers have to dare to speak out"

Esther Stevens, who has worked as a domestic employee for over 45 years, is the president of the South African domestic workers' union SADSAWU (1). She shares her recipe for convincing an employer to negotiate.

"Domestic employees work in their employer's home. They know their moods, and can tell when they are having a bad day. If I see my boss is in a good mood, I offer to make her a cup of tea. ... She asks me why, and I say that there's something I'd like to discuss with her. She'll let me know when she's free to talk. The main problem is that domestic workers tend to leave their jobs rather than trying to discuss things with their employers. I advise them not to flee; there are so many ways to deal with the situation. If the employer really doesn't want to talk, the domestic worker should take a pen and paper and, if she can write, leave a note on her boss's bed or pillow, where it's sure to be seen, and it may be possible to talk then."

Sometimes I ask myself when they will finally find the courage to "educate" their employers, to give them a tap on the shoulder, for instance, and tell them, 'It's my day off today'. I tell our members that no one will help them if they don't make an effort themselves, that their employers will never know they have a problem if they don't tell them about it."



(1) South African Domestic Service and Allied Workers' Union
See the full interview at: <http://www.ituc-csi.org/spotlight-interview-with-esther.html>