

Migrant domestic workers

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Domestic workers

The extreme dependency on an employer, combined with the lack of rights and the isolated and unprotected nature of domestic work, can render domestic workers vulnerable to abuse. In the case of migrant domestic workers, in particular, their often precarious legal status in the destination country, and their lack of knowledge of the local language and laws, make them especially vulnerable to exploitation and abuse.

Domestic work

Precarious work

Vulnerable workers

Precarious work

The features of precarious or contingent work are that it is often work for more than one employer, it is not 'full-time' and is limited in duration

Vulnerable workers

Someone working in an environment where the risk of being denied employment rights is high and who does not have the capacity or means to protect themselves from that abuse.

Vulnerable workers

While we expected to find poor treatment, its extent has stunned us all. Worst of all, much of it took place within a legal framework that fails to prevent exploitation. We have met production-line agency staff working long days and nights for less pay than permanent colleagues. Homeworkers have told us about lifetimes of poverty, being paid less than £1 per item of clothing they sewed, and receiving no paid holiday or sickness leave. We have heard from construction workers who had been injured at work but were not entitled to welfare protection or sick pay because of their contractual and immigration status. Office cleaners on casual contracts told us that they had no choice but to keep working when they were ill, as they could neither afford to lose a day's pay nor risk the sack.

Migrant workers

The United Nations estimates that there are some 200 million international migrant workers and their families. This figure excludes those who are involuntary migrants resulting from fear of persecution or violence. The majority of migrants live in the richer countries of North America and Europe. In Europe one in eight people of working age is a migrant and in North America this figure becomes one in four.

Migrant workers

In many countries, migrant workers are more likely to work on fixed-term contracts, and less likely to be retained in employment. Some countries have a policy of issuing short-term work permits: hence, workers can only take jobs of limited duration. Many migrants work in seasonal sectors, and in some countries temporary employment agencies are a key recruiter of migrant workers.

Migrant workers

Migrant workers often worked mainly with other migrant workers

Their most likely method of accessing work was through word of mouth;

The general pattern of migrant work consisted of long working hours; More than a third of the migrants interviewed had not received any training in health and safety and for the remaining two-thirds the training that had been offered was generally limited to a short session at induction;

Among those interviewees who were undocumented the fact that they were working without documentation meant that they were at greater risk of dismissal where the employer feared an immigration raid.

Domestic workers

Many domestic workers are still excluded from provisions that other workers take for granted with respect to essential working conditions, such as paid annual leave, working time, minimum wage coverage and maternity protection.

Domestic Workers Convention

- the term 'domestic work' means work performed in or for a household or households;
- the term 'domestic worker' means any person engaged in domestic work within an employment relationship;
- a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.

Domestic workers

According to the ILO analysis there were (in 2010) some 52.6 million men and women employed in domestic work. This is an increase from 33.2 million just 15 years earlier in 1995. The gendered nature of this work is evident when the analysis shows that, of the 52.6 million, some 43.6 million are female domestic workers, compared to some 8.3 million men. Women's share of domestic work ranges from some 63 per cent in the Middle East to some 92 per cent in Latin America. In fact, one in every 13 female wage workers globally is a domestic worker (some 7.5 per cent of the total).

Domestic work

Domestic work is also linked to international migration and there is a trend of migration from poorer to richer countries in search of work and better opportunities. The amount of migration varies from region to region, but in Europe the biggest employers of migrant domestic workers are Spain, France and Italy. In Spain some 36 per cent of all migrant women workers find work as domestic workers. The figures for France and Italy are 21.1 per cent and 27.9 per cent respectively. In the UK there are some 138,000 domestic workers who worked in private households with a lower proportion of females, at 61 per cent, than many other countries.

Domestic workers

Most are women moving from poorer to richer countries for economic reasons, and most leave their children behind, often in the care of relatives or a hired local maid, creating global care chains. The availability of foreign maids, in turn, allows women with children in destination countries to work for wages, so that many of the world's women between the ages of 15 and 64 years are able to pursue paid employment outside the home.

Domestic workers

In many countries, labour, safety, and other laws do not cover domestic workers, so that there are no legal norms for their treatment or offices and inspectors to enforce them. Even if they are protected by legislation, it can be very difficult for domestic workers to learn about or benefit from available protections, the result being widespread violations of protective labour laws.

10 per cent of domestic workers receive the same legal protection as other workers but almost 30 per cent are completely excluded from the scope of national labour laws.

Issues

When many domestic workers lose their employment, they sometimes also lose resident status.

Providing safe houses as temporary accommodation, accompanied by an efficient support network, is crucial

Work permits should not have a condition that requires the worker to live in the employer's home. This can be an encouragement to forced labour.

Abuse by some employment agencies need to be controlled.

Issues

- Unsuitable sleeping arrangements
- Long working hours
- Insufficient rest time
- Musculoskeletal problems
- Insufficient nourishment
- Dangerous cleaning products
- Social and cultural isolation
- Lack of, or insufficient, health insurance
- Restricted freedom of movement
- Inability to access medical care

Domestic work convention

Each Member shall take measures to ensure the effective promotion and protection of the human rights of all domestic workers, as set out in this Convention.

Article 3(1)

Domestic work

For me one of the most startling aspects is the complete non-comprehension by the employer that these women are workers first and foremost needing to earn a living wage. The fact that they live in on the job should not detract from that reality. Many of the employers in this survey are business people and professionals themselves who wouldn't dream of treating their business staff in this way.