

Out of the Shadows?

by Celia Mather

Published in *International Union Rights*, Vol. 13, Issue 1, 2006

Domestic work is one of the fastest growing economic sectors in Europe. Employing a domestic worker is increasingly common among middle class Europeans, who need help in order to combine work and family life. Increasingly too, the sick and elderly among the working classes are dependent on homecare by domestic workers.

Yet, as General Secretary of the European Trades Union Confederation, John Monks, says, "Domestic workers are a large but mostly invisible workforce in Europe, and they are extremely vulnerable to exploitation. They require any and every help the trade union movement can give them. It is also about how we are to organise household services in a more sustainable way."

In April 2005 the ETUC held a ground-breaking conference on the subject, attended by trade unions and migrant workers' associations and support groups from across Europe. The aim was to find out more about trends in domestic work, the impact on the workers involved, and how the workers concerned and trade unions can and are responding.

No-one knows how many domestic workers there are in the 25 countries of the EU. Estimates are often disputed on the grounds that they only cover certain types of work. Also, official data-gathering misses many domestic workers because they are 'invisible', especially the undocumented migrants among them.

There are many reasons why demand for domestic labour is growing. Life-expectancy in Europe is increasing and so the population is ageing. The European Pensioners' Union (FERPA) calculates there are 50 million elderly Europeans who cannot look after themselves. Many are women on very low incomes. There are not enough places in old-age homes, even if they want to move there.

Similarly, not enough places are provided for childcare and healthcare, and the policy trend is to support people in their own homes. Meanwhile, more people in Europe live alone, and mutual networks of family and community support are weaker. With a growing divorce and separation rate, there are more single-parent households. School hours are not well integrated with working hours, and so many parents need to employ someone to look after children between the end of the school day and the end of the working day.

Another factor is the greater integration of women into the paid workforce at the same time as little shift in the division of domestic labour between men and women. As Catelene Passchier, who organised the conference for the ETUC, says, "Increasingly low-paid, mostly migrant, women are paying the price to allow other women (and men!) to participate in the labour market". In

fact, domestic workers can be seen as the “oil that keeps the wheels of the formal economy running”, in the words of co-organisier Anneke van Luijken from the International Restructuring Education Network Europe (IRENE).

Annie Dussuet, a sociologist from the University of Nantes, notes that this work has never been clearly defined. “What does it mean to look after children or run a household? Is it work? Is it love? When a woman does these tasks for her family, she is not really ‘working’ but ‘caring’. So, what about when it is done by a paid worker? She is not giving love, but her time and energy. And yet it is a type of giving and caring too.”

By contrast, household work that is generally considered as ‘men’s work’ (repairs and maintenance, decorating, etc.) is more likely to be done under proper contract.

Welfare reforms in many EU countries mean that there is less provision of household services by the State. The need for domestic labour is being picked up by a growing market of private care service agencies and individual workers, under poorer working terms and conditions.

Governments see the sector as a way of soaking up unemployment, particularly among so-called ‘unskilled’ women, older women, or the long-term unemployed. Some, such as the governments of France and Belgium, are trying to boost and regularise the sector by introducing homecare allowances, service vouchers, or tax credit schemes to individuals who need home-help. In the Netherlands, the FNV union federation is arguing that tax reductions should go to those employers who offer domestic workers full legal protection and pay taxes and premiums for them, as an incentive towards better quality employment.

And still the gap between demand and supply for domestic labour grows. According to Robert Anderson from the European Foundation for the Improvement of Living and Working Conditions there are vacancies for about 200,000 jobs in personal services in Germany, and nearly half a million in community services in France, though all figures must be treated cautiously.

With such high unmet demand, the sector is attracting many migrant workers from outside Europe. Domestic work is a sector where migrant women in particular can get work and importantly also accommodation.

However, with domestic work so poorly recognised as ‘work’, migrant work permit schemes are often weak and push these workers into the twilight zone of the undocumented. In the UK, for example, domestic workers are granted visas to be an ‘au pair’ (allowed ‘pocket money’ of up to £55 or 80 Euros a week), or a ‘working holidaymaker’, or a ‘volunteer’. This shows, says Bridget Anderson of the Centre on Migration, Policy and Society (COMPAS) at the University of Oxford, how “the familial or emotional relationship is the focus; it is not identified as ‘proper work’”.

In fact, across Europe, domestic workers are more often managed through immigration regulations than employment regulations. In some cases, domestic workers are specifically omitted from employment provisions or subject to discriminatory ones.

Migrant domestic workers are particularly vulnerable to abuse and exploitation. Kalayaan, the organisation for domestic workers in the UK, interviewed 755 workers. They worked an average of 17.2 hours a day, with 91% saying they were denied time off from duties, and 82% not paid regularly or less than agreed. Over half had to sleep in the hallway, kitchen or bathroom. 88% had suffered psychological abuse such as name-calling, shouting and insults, 38% physical abuse, and 11% actual, attempted or threatened sexual assault or rape.

The conference heard movingly from Raquel (not her real name) from Samahan, an organisation of Filipino domestic workers in Belgium. Her mother has worked in the country since 1990, providing the resources to educate her children back home. On the list of her 'rights' that she has compiled are 'the right to say "yes" all the time', 'the right to be cheerful always' and 'the right to be dismissed at any time'. Despite qualifying as an accountant in the Philippines, Raquel has now joined her mother as an undocumented domestic worker in Europe.

Most employers do not want to think of themselves as 'monsters'. However, the reality is that they have the power to withdraw even the right to stay in the country. This creates a heavy dependence by migrant workers on their employers, a kind of power not adequately captured by employment regulations.

So how can trade unions help? Obviously, where care workers are employed by public bodies or supply agencies, union representation and negotiation is essential. It is much harder where the employers are thousands of individuals, each reaching a personal agreement with a domestic worker – who may herself attend to the needs of several employers/clients. In most countries there is no employers' body with whom to reach a collective agreement.

In Italy, however, a comprehensive national agreement has existed since 1974, negotiated with two national federations of private householders. It is recognised by the Ministry of Labour and the courts, and applies to all domestic workers, whether union members or not. There are offices across the country to provide advice, including to undocumented migrant workers.

Secondly, trade unions should use the laws that exist, and argue for stronger legal coverage for domestic workers, promoting the argument that this is 'work'. Law enforcement is not as easy as in other workplaces, however. The private household is not a workplace that can easily be inspected, and many domestic workers are too scared to report to the authorities.

So, promoting employment contracts is key. So too is informing domestic workers of their rights alongside awareness-raising among the public -

including union members, as well as parliamentarians and diplomats - about their responsibilities as employers of domestic workers. The conference report includes a model employment contract.

It is also vital to recognise that migrant workers often organise themselves, to provide mutual support. Samahan in Belgium and Kalayaan in the UK are two examples. Both associations speak of the boost to morale that comes simply from building a relationship with a trade union in the host country.

Diana Holland of the T&G union in the UK, which has strong links with Kalayaan and other migrant groups, says that unions must find out what the migrant workers want rather than presume. In the UK, this included a union card – helping to give them an identity and status – an opportunity to tell their story, and the benefit of a link to the louder voice of a large trade union. In turn, she says the union has also benefited. “At a time when morale can be low, the engagement of the T&G in support of migrant domestic workers has been an inspiration to many in the union in Britain”.

In the north-eastern region of Catalonia, Spain, two union federations are collaborating with four municipalities, an employers’ organisation, a professional organisation, a local university, women workers’ groups and domestic workers’ associations in the Emergim project. Of the estimated 3,500 domestic workers in the four cities of the region, they found only 500 officially declared. So, they are testing out ways to stimulate more work contracts and other forms of official recognition such as service vouchers. They have set up advice centres and they are raising public awareness through poster campaigns and the media. They are also arguing for legislative reform to give women domestic workers the rights that exist for other workers.

There is more to be done at the international level too. In November 2000, the European Parliament adopted a report and resolution on the need to regulate domestic help. They called for recognition as an occupation in its own right, to improve the image and status of domestic workers, and for more protective measures in each EU member state. There has been little progress since, however.

As well as taking this up, the ETUC sees a need to restart the debate in the ILO – which has been going on for four decades - for a Domestic Work Convention or some such instrument. The debate in this year’s ILO conference on the scope of the employment relationship provides an opportunity, as does next year’s discussions on gender equality.

CELIA MATHER is a freelance writer on global labour issues based in the UK.

‘Out of the Shadows. Organising and protecting domestic workers in Europe: the role of trade unions’

Report of a conference organised by the European Trade Union Confederation (ETUC), edited by Celia Mather, November 2005

Available in English and French.

www.etuc.org/r/883

This article first appeared in **International Union Rights** (Vol. 13, Issue 1, 2006) the journal of the International Centre for Trade Union Rights (www.ictur.org).