



## **International Domestic Workers Federation (IDWF)**

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### **Domestic Workers' Position Paper on the 109<sup>th</sup> session of the International Labour Conference (ILC) 2021 “Inequalities in the world of work”**

#### **Introduction and context**

Since ILO Convention 189 was adopted, domestic workers have obtained legal protection in 35 countries, 18 of which are in Latin America and the Caribbean. In the Arab States and Asia and the Pacific, most domestic workers are either excluded from the scope of labor legislation or have minimal and inadequate coverage. This means that there are huge disparities between regions in terms of legal coverage for the sector. More than 40 million domestic workers are not covered by any labor or social security legislation. And more than 20 million are covered by laws that are not adequately enforced in practice.

But even in countries where domestic workers have legislation that includes them, decent work for them remains a pending debt. Of the more than 75 million domestic workers worldwide, eight out of ten are in the informal sector, lacking effective labor and social protections. Their wages represent just 56.4 percent of the average monthly salary of other workers. And this is even worse for informal workers, whose average wages are only 37.6 percent of the monthly salary of formal paid workers.

Our sector is made up of 76.2 percent women: 4.5 percent of female employment worldwide. Most of us are also Afro-descendant, indigenous or migrant women, which places us in a situation of greater vulnerability, characterized by the intersection of various forms of oppression, discrimination and violence.

**Achieving decent work in this sector means effectively combating social and economic injustice and achieving gender equity in the world's societies.**

The Covid-19 pandemic has impacted us in a particularly devastating way, causing massive job losses, a sharp reduction in working hours and a drastic drop in income for us and our families. In the second quarter of 2020, the number of active domestic workers fell by around 50 percent in Latin America and the Caribbean, with extreme peaks such as that registered in Peru, where unemployment affected 70 percent of female workers.

The Covid-19 pandemic has impacted us in a particularly devastating way and has revealed a structural contradiction: on the one hand, care work is valued, but on the other hand, the *workers* who perform this work are not valued.

**The recovery of the economy and post-pandemic society requires reconciling this structural contradiction and demands more than ever solutions with a gender equity perspective where the role and work of care is at the center and at the forefront of the fight against poverty.** The role of Domestic Workers, as a sector that meets the growing care needs of society, is essential for recovery.

## **Society's Historical Debt to Domestic Workers**

**Although the ratification of C189, the adaptation of norms and legal reforms are important steps that we have achieved as a movement towards the recognition of the value of paid domestic work, these are still *insufficient* to guarantee the full exercise of rights and democracy. In practice and in everyday life, in our workplaces we continue to experience exclusions, unfair and differentiated treatment, lack of protection, dignity and respect for us and our work.**

The main inequity gaps are manifested inside and outside the labor market in the following ways:

- » **Informality:** More than 80% of Domestic Workers worldwide work in informality, due to different circumstances:
  - Exclusion of the sector from labor and social security laws (more than 40 million DWs).
  - Lack of practical enforcement or insufficient legal coverage (more than 20 million DWs)
- » **Harassment and Violence:** Domestic workers face various forms of exclusion, oppression and discrimination due to their race, ethnicity, class, gender, sexual orientation, migratory status and religion, among others. The domestic sector is, therefore, one of the most vulnerable sectors to experience various forms of violence: economic, labor, physical, psychological and sexual..
- » **Low wages that perpetuate poverty in our sector:** Our wages represent only 56.4 percent of the average monthly salary of other workers. But for domestic workers in situations of informality that figure is even worse: it only reaches 37.6 percent.
- » **Working time:** Fewer working hours for informal workers, which translates into job instability and lower incomes. And longer hours for non-retired, permanent or full-time domestic workers, which implies work overload, exploitation and also comparatively lower incomes.
- » **Lack of Health and Safety at Work:** Our sector lacks rules and regulations that guarantee a safe working environment. This is because there is still no awareness and critical mass to recognize –in legislation and practice– that in the care economy, private homes cease to be private and exempt from labor regulations from the moment a salaried domestic worker works in them. cease to be private and exempt from labor regulations from the moment a salaried domestic worker works in them.

## Nothing for Us Without Us: Demands and Proposals

Strategies for effectively combating social inequity and structural poverty cannot continue to ignore the unprotected conditions in which the domestic sector works – a sector that represents 11.5% of employment for Latin American women. The goal of achieving decent work for domestic workers in the Latin American context involves mainly promoting and encouraging a culture of effective compliance with existing laws and regulations in those countries where legal frameworks already exist, and the creation and/or legal reforms in those countries where such regulatory structures do not yet exist.

**In this sense, it is urgent and essential.:**

- » To make visible and value the vital role of domestic work and the people who perform it, both in regulations and in practice.
- » Ratification of C189 and closing legal gaps and exclusions.
- » Ensure a culture of regulatory compliance and improved control systems.
- » Strengthen domestic workers' organizations and unions and encourage the formation of employers' groups to ensure tripartism and social dialogue for negotiation on equal terms.
- » Ensure efficient mechanisms for access to justice and complaints.
- » In the face of mass unemployment and deterioration of labor rights during the pandemic, it is urgent to take practical measures to ensure that government support initiatives, basic income programs, fiscal spending and employment promotion effectively reach all domestic workers, regardless of their immigration status.
- » Promote professionalization, training and recognition of competences.
- » Effective inclusion of migrant domestic workers in labour and social protections.
- » Prevention and effective protection against harassment and violence through the ratification of C190 and the regulation of articles 5, 6, 8 and 9 of C189.
- » Creation of comprehensive national care systems, taking into account the population in need of care and paid and unpaid caregivers.
- » Ensure access, registration and fulfilment of the right to social security through:
  - Compulsory programmes, rather than "voluntary" schemes.
  - Adaptation of the modalities of employment and multi-employment that characterize the sector.
  - Simplification of registration mechanisms for domestic workers and employers.
  - Enforcement of fines and incentives to employers.
  - Broad dissemination and constant registration campaigns in coordination with domestic workers' unions.
  - Creative and effective fiscal mechanisms