

# Domestic Workers in India: Conditions, Organisation, and Policy Initiatives



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The NSSO data for 2004-05 shows a dramatic increase for the number of women engaged in domestic service. A comparison between the data for 1999-2000 and 2011-12 makes it clear that, especially in urban India, domestic work accounts for growing and increasingly significant share of total female employment. The number of women employed in various subcategories (housemaid/servant, cook and governess/babysitter), 'private households with employed persons' as well as personal services, as per the 2009-10 employment data is 2.4 million. The share of female workers in domestic work has also remained as high, at 85%.

- Domestic work accounts for a significant proportion of women's employment, particularly in urban India. Declining workforce participation rates for women in India juxtaposed with the increase in the number of paid female domestic workers, shows that latter is a response to the general employment squeeze for women.
- Economic changes leading to increased inequalities, marked by agrarian distress, indebtedness and rural-urban migration encouraged the growth of paid domestic work, as they produced both a class of employers who can afford it and a surplus of unskilled workers.
- Domestic work is a part of the larger category of 'care work'.
- Three aspects of care work that defines our understanding of paid domestic work: disproportionate presence of women, nature of work, and undervaluation.
- Gender coupled with caste results in the devaluation of care work, both as labour and in monetary terms.



## Mapping conditions of work

- **Nomenclature and working hours:** Live-in and live-out are the preferred terms than part-time and full-time paid domestic worker. While ‘live-outs’ have the option of working with multiple employers, live-in domestic workers live and work with a single employer throughout the day.
- **Leave:** Neither category of workers has any weekly off or paid holiday. Any leave that is negotiated is mostly without pay.
- **Tasks:** Domestic workers perform a wide range of tasks. Absence of any detailed listing of tasks allows for the employer to expand the list and a further extraction of labour.
- **Wages:** Cooking fetches the highest rate of wages, followed by elderly and child care and the lowest rates are for menial cleaning work. In the absence of any formal arrangement, wage fixation is highly arbitrary. The perception that this is “unskilled” work also contributes to low wage rates.
- **Other benefits:** They have no access to other social benefits like pensions and any kind of insurance.

## Socio-economic profile of workers

- **Caste and religion:** Other Backward Classes (OBC) accounted for the highest proportion of domestic servants (32.4%), followed by Scheduled Castes (SC) (31.2%), and upper castes (28.4%) (NSSO 2009-10). Lower proportion of Muslim domestic workers could be due to cultural reasons.
- **Demographic profile:** NSSO data 2009-10 shows that a large proportion of domestic workers are between the ages of 31-40 (33.3%), and 41-50 (22.6%). The share of those above 50 is also high, at 17%. There is preference for younger women owing to their greater abilities. Significant proportion of elderly women are also involved due to the lack of any social security.
- **Migration:** Economic push and pull factors operate as the basic reasons for migration. Global care chain has led many domestic workers to migrate from developing countries to developed countries. Dependency on the employers increases the vulnerability of workers.
- **Living conditions:** Given their low level of wages, most domestic workers live in poor settlements in cities without potable drinking water, sanitation and other civic facilities.
- **Housing:** Housing is a critical issue for domestic workers, especially if they are migrants. They most usually live in slums, in semi-permanent housing for which they have to pay rents that eat up a substantial portion of their wages.



- **Health conditions:** Common ailments are backaches, knee problems, allergies due to detergents, and urinary infections due to lack of access to toilets. There is also no provision of maternity leave or other social benefits from the employers.
- **Violence and discrimination:** They face sexual harassment at their workplaces, but they are reluctant to admit that. Fear of loss of employment is the main reason.
- **Access to civic facilities and government programs:** Although they mostly depend on public facilities for their daily needs, their access to government schemes and programs is limited.

## **Organization and mobilization**

- Organizing domestic workers is a challenging task for several reasons:
  - 1) Multiple locations and times of work.
  - 2) Fragmented nature of their location.
  - 3) Fear of loss of employment.
  - 4) Lack of benefit after collective action.
- Major demands have focussed on the following: recognition of domestic work as work, regulation of working conditions, minimum wages, paid leave, inclusion in social security programs/schemes etc.

### **Case I :**

In December of 2013, an Indian woman diplomat in the US stood accused of grossly underpaying her (Indian) migrant domestic worker. In the furore that ensued, the spotlight conveniently shifted away from the violation of the worker's rights to diplomatic propriety.

### **Case II :**

In September 2015, two Nepali domestic workers alleged rape and torture by a Saudi Arabian diplomat residing in Delhi. The diplomat later left the country, using diplomatic immunity to protect himself from prosecution.

## **Policy initiatives**

- Paid domestic work was traditionally excluded from labour legislations.
- An inflexible interpretation of terms such as “establishment”, “industry”, worker or “employer” has resulted in the exclusion of domestic workers from important laws such as the Workmen's Compensation Act, 1923, Trade Unions Act, 1926, Industrial Disputes Act, 1947 and the Minimum Wages Act, 1948.
- Sparked off by the tragic death of a child domestic worker in Mumbai, the Child Labour (Prohibition and Regulation Act) 1986 was amended in October 2006 such that it classified domestic work as “hazardous” and banned children under 14 from doing paid domestic work.
- The Shramshakti Report in 1988 took note of the large number of women in this



informal sector of the economy and recommended registration as well as minimum wages and social security for domestic workers.

- Central government welfare schemes available to all other eligible citizens have been implemented for domestic workers as well.
- In 2009, impelled by the approaching ILO Convention, the Government of India (UPA-II) set up a Task Force to evolve a policy framework for domestic workers.
- The Domestic Workers Welfare and Social Security Bill was finalised in 2010.
- Most states have included domestic workers in their minimum wage schedule except Delhi and Maharashtra.
- The Sexual Harassment at the Workplace Act that was passed in 2013 later included domestic workers in the Act.
- In 2015, the Domestic Workers Sector Skill Council was set up with the objective of establishing a national institutional network for skill development of domestic workers in India.
- New draft National Policy for Domestic Workers in India was brought about in 2015.
- Draft National Policy for Domestic Workers, 2017 was the latest document suffering from the weaknesses present in the previous drafts.
- The Domestic Workers (Regulation of Work and Social Security) Bill, 2017 has been introduced in the Lok Sabha and the Rajya Sabha due to the efforts of the National Platform of Domestic Workers (NPDW).
- The Ministry of Labour and Employment is considering formulation of a National Policy on domestic workers.

## **Failures at Policy Level**

- The basic issue of the regulation of working conditions remains unaddressed.
- The minimum wages notifications remain largely unimplemented.
- There is no machinery to register the workers and renew their registration.
- The welfare boards have proved to be ineffective in terms of providing substantive welfare measures such as pension or maternity benefits.
- The implementation of policies of privatization in critical areas such as health, education and civic services is further affecting the workers adversely, leading to a decline in their living conditions.