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▶ **Talking to service providers about domestic work**

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▶ Talking to service providers about domestic work

Tips for the service provider champion/advocate

- ▶ **This guide equips you to answer the questions that we sometimes hear when talking with service providers about improving their services for domestic workers.** It also gives you the facts to back up these arguments – use them wisely! Not all arguments will likely be relevant in your conversation, so you will need to be selective and respond to the conversation as it is ongoing.
- ▶ **Unless you are a domestic worker yourself – in which case, great! - you are here as a service providers advocate for domestic workers.** Remember that this means sharing information that you have about domestic work, rather than standing in the place of domestic workers themselves. Ideally, domestic workers should take the role of champion/advocate, but we're grateful for anyone who will advance the discussion.
- ▶ **Be respectful of your role as an advocate.** Reinforce the purpose of service, which should be to assist in delivering what the individual seeks, to listen and learn about their needs and respond accordingly. Some of your role might also be to advocate for better or more targeted services to domestic workers, which will be informed by the work you do.
- ▶ **As the advocate,** you should question colleagues and others if they are sharing generalizations or stereotypes and steer them away from belittling statements about domestic workers. Remember, you do not need to all agree to provide meaningful service to someone in need. Your service delivery is a part of a longer process. It will take time to change minds and systems to be more responsive to domestic workers!
- ▶ **Set agreements to encourage dialogue, mutual respect and deep listening to what others share.** If you're holding a workshop on this issue, consider writing these agreements – such as 'Practice Active Listening,' 'Don't Interrupt,' and 'Assume Good Intentions' – in a visible place in the room. Hopefully, you can encourage policy makers/ politicians to be relaxed and comfortable, especially as differences in beliefs and experiences emerge. A key for successful discussion is to be interested and deeply listen to what others have experienced and what they think.

What is domestic work?

Domestic workers do a range of tasks in private homes: cleaning, cooking, washing and ironing clothes, caring for children or the disabled or elderly; they provide driving, household maintenance, gardening and security services. These tasks are considered part of the broader care economy. Where these jobs take place within private home for pay, the workers are domestic workers, and the ILO's Domestic Workers Convention, 2011 (No. 189) applies. Sometimes, in the Asia-Pacific region, these workers are known as 'aunties,' 'helpers,' 'girls' or even 'maids,' but the internationally agreed term is domestic workers.

According to the ILO's Domestic Workers Convention, 2011 (No. 189)

- a) the term domestic work means work performed in or for a household or households; and
- (b) the term domestic worker means any person engaged in domestic work within an employment relationship;

There are a lot of reasons that people do domestic work. The sector is an important livelihood source for people with little formal education or qualifications, often women, who have few other employment opportunities. Some enter the role due to discrimination based on a combination of gender, caste, class, race, age or ethnicity. Cleaning, cooking and caring for people is almost universally traditionally 'women's work,' so men rarely compete for these jobs.

Demand for domestic work is increasing across the world, as more people live outside traditional multigenerational family structures, more women take jobs outside the home, populations age and when working and combining domestic work becomes more difficult.

1. Why should I ensure we're serving domestic workers?

Domestic workers need and deserve assistance, just like all workers – perhaps even more. Sadly, in all our countries, domestic workers still experience horrendous exploitation and abuse – both when working at home and when they are migrant workers abroad. They are some of the most in need for the services you likely offer; medical, legal aid, social protection and so on.



Domestic workers need services, like all other workers. Maybe even more.

CASE STUDY – Erwiana Sulistyaningsih



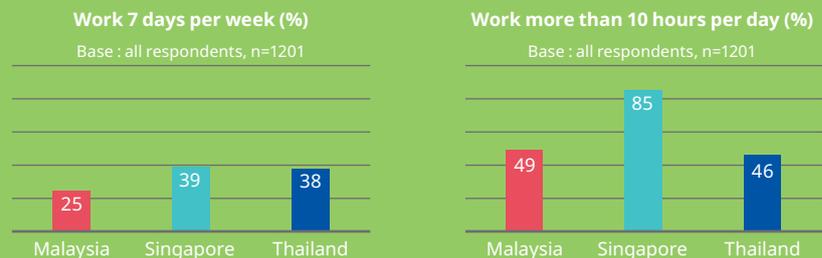
Erwiana was an Indonesian domestic worker who faced terrible and life-threatening abuse by her employer in Hong Kong. For 8 months, Erwiana was forced to sleep on the floor, work over 20 hours a day and was not given any time off. She was beaten by her employer with a mop, a ruler and a clothes hanger. Erwiana's wounds became infected but she was not allowed to see a doctor. She became unable to walk. At this point, her employer decided she should go back to Indonesia, booked her a ticket and gave her less than US\$10 to go home, threatening her parents if Erwiana told anyone about how she had suffered. Left at the Hong Kong airport, Erwiana found help when she met another Indonesian migrant worker.

While Erwiana's case is one of the most famous, she is not alone. Domestic workers in the region report assault, rape, confinement and excessive working hours and demands all too regularly. Domestic workers also report underpayment, document retention, having their phone taken away and a whole range of other situations that require assistance.

Services need to be provided so that both can meet the immediate or emergency needs of domestic workers (such as food, shelter or medical assistance), provide them legal assistance and contribute to improving their working conditions and lives. How our policies, services and societies provide for domestic workers is a measure of the health and humanity of our communities and a measure of the success of your service.

FACTS

Domestic workers face some of the worst working conditions of all sectors. An upcoming study from the ILO finds that all migrant domestic workers surveyed received at least US\$100 under the minimum wage/month and a large majority worked excessive hours.



ILO, *Skilled to care, forced to work? Recognizing the skills profiles of migrant domestic workers in ASEAN amid forced labour and exploitation*

There are a lot of domestic workers who need your help

FACTS

The Southeast Asia and the Pacific subregion employs 4.8 million domestic workers, with women accounting for 80.5 per cent of domestic workers in the region. Within the subregion the Philippines (1.9 million), Indonesia (1.2 million) and Thailand (290,000) are the largest employers of domestic workers.

In Asia and the Pacific, domestic workers account for **4.6 per cent of all employees**.

ILO, *Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)*, June 2021, p. 33.

Domestic work is a major employer of women, especially those who haven't had a chance to attend school or gain formal qualifications. Domestic work is also vital in the COVID-19 recovery, given that job losses are likely to have created vulnerabilities – unemployed domestic workers may be severely financially in need, more likely to accept jobs with poor conditions or low pay and may have become irregular through job loss.

Talking to service providers about domestic work

Consider the broad goals of your organization related to the world of work and gender equality. Domestic work is a critical sector of employment for outbound migrant workers – especially women – who perform vital work in the homes they serve.

FACTS



Evidence from the Philippines and Viet Nam indicates that domestic workers were 2-3 times more likely than other workers to lose their jobs during the pandemic.

ILO, *Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)*, June 2021, p. 33.

Domestic workers contribute – and could contribute even more – with your help

And migrant domestic workers – mainly women – contribute more than you might think. It is a part of the role of the service provider to ensure that the contribution made by migrant domestic workers is maximized. Domestic workers themselves can also assist with and contribute to service providers. They are likely to have a good understanding of the services that domestic workers need as well as have the knowledge and capacity to reach out to them.

2. But we already have so many clients to serve. Why would we target domestic workers?

Domestic work shouldn't be considered an inconvenient 'add on' to your work. It is a critical economic and employment sector, especially for women workers and especially at risk given poor coverage by labour laws, policy and regular services. Consider also perhaps the most humane reason that we need to better serve domestic workers.

We all have needed, and most likely will need, care in our lives. Domestic workers need care too.

A lot of that care is provided by domestic workers in our homes. Washing dishes, doing housework, caring for children and family members is essential, and we all need this support. This essential work deserves fair compensation, decent working conditions and respect. Caring for the carers is equally important. Consider the values and ethos of your organization – it is your role to provide support for domestic workers who support our communities.

Domestic work is work, and domestic workers need to be protected like all other workers

Your service provision is a part of ensuring that domestic workers are able to claim all their rights, and network together to collectively advocate for expansion of their rights.

The need for domestic work is growing, and your organization will encounter more and more domestic workers

Demand for domestic workers is increasing, given the aging societies of ASEAN. This means more and more domestic workers will need services. Starting to provide these now will allow you to refine your standard operating procedures and understanding of the issues before it becomes overwhelming.

FACTS

According to UN Department of Economic and Social Affairs, the proportion of older persons (60 years or more) is predicted to rise from **13.5 per cent in 2020** to **21.4 per cent by 2050** and **28.2 per cent by 2100**.

2.1 billion people were in need of care in 2015, including 1.9 billion children under 15 and 200 million older persons. By 2030, this number is expected to reach 2.3 billion, driven by an additional 200 million older persons and children.

ILO, Care work and care jobs for the future of decent work



FACTS

- ▶ In Asia and the Pacific, 61.5 per cent of domestic workers remain fully excluded from labour law.
- ▶ 84.3 per cent of domestic workers in the region are in informal employment.
- ▶ 64 per cent of domestic workers remain excluded from the right to weekly rest in Asia and the Pacific.
- ▶ Only 19 per cent of domestic workers in the region have the same entitlements to annual leave as other workers.
- ▶ Most domestic workers in the region (71 per cent) remain without any limits on their normal weekly hours.
- ▶ Half of all domestic workers in Asia and the Pacific work more than 48 hours per week.

ILO, *Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)*, June 2021, p. 64

3. Anyway, domestic workers are like members of the family, not workers – we don't have a role to serve them



The idea that domestic workers are 'members of the family' is a nice idea and might enable better working conditions in *some* cases, but also can be used as an excuse as to why service providers don't provide comprehensive legal protection for domestic workers. Therefore, the idea that domestic workers are 'members of the family' means that they are likely to be *even more* in need of services, as their conditions are not regulated by law, they can't always access regular social protection schemes or get attention from law enforcement authorities.

While being 'part of the family;' might sound welcoming and open, families are spaces that are loaded with power and status, with domestic workers with least power to negotiate their conditions of work. Being described as 'family' does not necessarily bring with it dignity, respect, equality – or decent working conditions.

FACTS

Consider what workers and employers say about being 'part of the family.' Does this sound like family to you?

"They say if they give high salary, it won't be a family anymore"
- Karen domestic worker

"In our house everyone eats together... although my maid sits at another table, as we want to be able to chat amongst ourselves obviously"
- Malaysian employer of a domestic worker

"They will tell us the time to mop, time to sweep, time to wipe things clean... At the employer's house, they decide on time, in our house, we decide on time"
- Indonesian domestic worker

"I heard about minimum wage, day off, processing the immigration card, and health check-ups... So I told them... 'Mae [mother in Thai], you have to give three/ four days off a month.'... She laughed" - Myanmar domestic worker

Worker, helper, auntie, maid?: Working conditions and attitudes experienced by migrant domestic workers in Thailand and Malaysia

Domestic Workers' Convention, 2011 (No. 189)

Article 3: ILO fundamental principles and rights at work: 1) freedom of association and right to collective bargaining; 2) elimination of forced labour; 3) abolition of child labour; 4) elimination of discrimination.

Article 4: protection of children, including setting a minimum age in line with Minimum Age Convention, 1973

Article 5: protection from all forms of abuse, violence, and harassment

Article 6: fair terms of employment, decent working conditions and decent living conditions

Article 7: information about terms of employment, preferably in a written contract

Article 8: migrant-specific protections, including a written job offer or employment contract prior to migrating.

Article 9: freedom to choose living arrangements, prohibition of confinement of live-in domestic workers and domestic workers can keep identify documents/ passport

Article 10: equal treatment between domestic and other workers on work hours, overtime, rest and annual leave

Article 11: minimum wage coverage where it exists

Article 12: regular payment, at least once a month, and limited payment in-kind

Article 13: occupational safety and health

Article 14: equal treatment in respect to social security, including maternity protection

Article 15: regulation of recruitment agencies including investigation of complaints, establishment of operational guidelines, penalties for violation, fees charged not to be deducted from wages

Article 16: access to justice, effective access to courts, tribunals, or other dispute resolution mechanisms

Article 17: effective and accessible complaint mechanisms, including measures for labour inspection, enforcement, and penalties, and access to households

The ILO, through the Domestic Workers Convention, 2011 (No. 189), clearly stated that domestic work *is work* and set minimum standards over a decade ago. Your country is a member of the ILO and has an inherent commitment through membership to working towards the realization of decent work, including for domestic workers.

How can you help domestic workers know about all their rights in the Convention and how can you help to claim these rights?



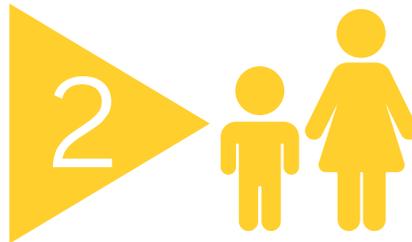
4. Domestic workers don't come to visit us anyway



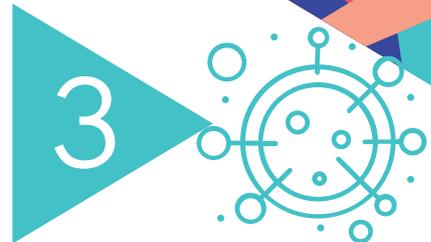
If your organization doesn't receive domestic worker visitors, that's definitely going to prevent you from providing domestic workers with appropriate services!



First up, think about your opening hours. Domestic workers rarely have time off during 9-5 business hours, so is there a way that you might be able to remain open in the evenings, or open early in the mornings? Most regularly, domestic workers have Sundays off (when they are given days off at all!), so opening on a Sunday and providing a fun or informative activity then could be one way to attract domestic workers.



Secondly, think about where domestic workers go. Are there ways to do outreach activities in markets or parks where domestic workers shop, spend their days off, or take children to play? Are there specific communities where domestic workers live? Or are the particular areas from which a large number of domestic workers migrate?



Thirdly, the online community has been flourishing in recent years and has been used much more since the COVID-19 pandemic. It is vital for service providers to have online presence and connect with the online community of migrant domestic workers. Some migrant domestic workers, however, may not have regular access to mobile phones or the internet, so online should be just one of your outreach tools.



Be creative! Women's groups and community organizations, migrant groups, schools, particular neighbourhoods or local authorities, businesses and religious congregations could all be great partners in efforts to reach and serve domestic workers. Workers organizations and trade unions are also natural allies. Consider a mapping of potential partners, including looking towards global leadership, like the International Domestic Workers Federation.



The International Domestic Workers Federation is the peak union body

International Domestic Workers Federation (IDWF)

IDWF is a membership-based global organization of domestic and household workers. As of December 2022, the IDWF is made up of **87 affiliates** from **67 countries**, serving a **membership of over 670,000** domestic/household workers' members. Most are organized in trade unions and others in associations, networks and workers' cooperatives. Get to know the local affiliates in your country.



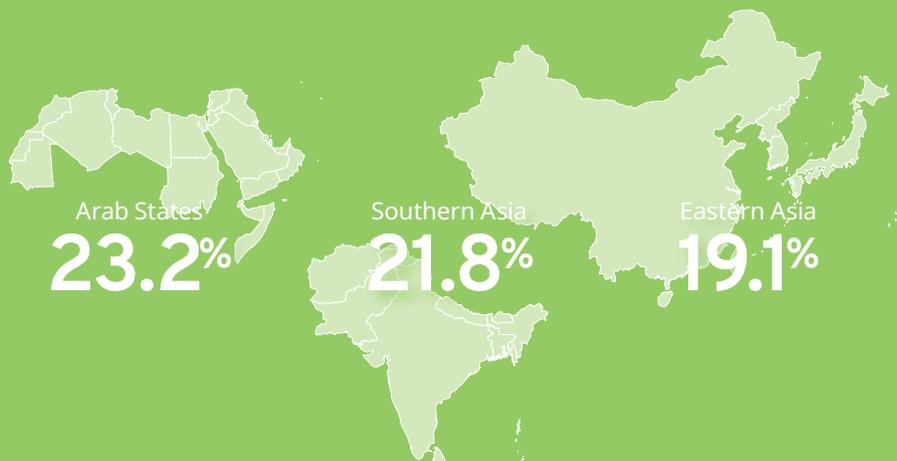
5. But they're most often women –we don't have a lot of women staff to serve them

Domestic work is everyone's issue. Not only do almost all people benefit from domestic work performed in their own homes, men are also domestic workers.

Men are also domestic workers... >>>

FACTS

Men make up nearly one quarter of domestic workers. Among male domestic workers, the largest group can be found in the Arab States (23.2 per cent), followed by Southern Asia (21.8 per cent) and Eastern Asia (19.1 per cent). Men outnumber women in domestic work in the Arab States (63.4 per cent) and represent an almost equal share in Southern Asia (42.6 per cent). Often men are drivers, gardeners and security guards, but all are domestic workers.



ILO, *Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)*, June 2021, p. xviii.

>>> ... and can be powerful advocates for domestic workers

(Re)negotiating equality and power is key to service delivery – the whole ethos of your organization is trying to redress the balance of power between migrant workers and other actors, including employers. That balance of power also often means that women are in a less powerful position than men. Progress towards gender equality should be central to your organization's goals. This means actively seeking more women in your organizations and staff, and in decision-making roles, in part to attract more women to your institution, and to better serve women and domestic workers in your work. Family-friendly policies within your own organization, which can include decent work for domestic workers, are critical in realizing a more just world.

Referral service is service

In some cases, it might be better for other professionals to help out. Lawyers, counsellors, shelter, medical health professionals, disability advocates, shelters, job training and financial advice might all be services that domestic workers need. Or they may need to speak only to a woman about their issue. Refer them! Your organization can't be an expert in everything, and you should keep a referral directory so that you can direct domestic workers and other clients to more appropriate or tailored services. Make a referral directory of services available in your area and contact all these service providers to talk about processes for referrals.



6. They're most often migrants anyway, so there are language and other differences that make it hard to help

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Your organization must commit to reaching all migrants and members of their families, despite the obstacles

Migrants, and especially migrant workers, are a critical part of your country, whether your country is an origin or destination for migration. Your organization should foster an environment that is welcoming to migrant domestic workers, egalitarian and committed to diversity.

The challenges are real, however. Understanding can be difficult when dealing with languages and cultures you don't understand or aren't familiar with, but these challenges are surmountable.



Ideally, serving migrant communities can happen with the participation of the community itself, so that they might be able to provide interpretation and cultural support for migrant workers seeking assistance. Migrant workers and members of their community can be engaged in your service provision through volunteering, being staff, or being support people for clients. Be creative in ways you engage the community and you will begin to see benefits – seek out community leaders and others able to assist.

FACTS

Southeast Asia and the Pacific is host to a large number of migrant workers. Of the 11.7 million migrant workers estimated as working in the region in 2013, 19 per cent work as domestic workers. Migrant domestic workers account for almost a quarter (24.7 per cent) of all domestic workers in Southeast Asia and the Pacific.

ILO, ILO Global Estimates on Migrant Workers, December 2015.

It should be noted that although there are estimates on the number of migrant domestic workers in Southeast Asia and the Pacific, the exact number is unknown as many migrant workers migrate through irregular channels and are not counted in official statistics (ILO 2018).

Language support is likely going to be necessary when serving domestic workers in migrant destinations. If you don't have language capacity within the service provider team, try to include this as key hiring criteria for future positions. You can also create a network of translators which you can call on when domestic workers need this. Budget for these adequately. And don't forget the myriad of tools that can help; technological tools including automatic translation or translation over a phone call, and people, like reaching out to Embassy staff or similar.

7. Domestic workers often can't migrate regularly or have regular status, so how can we help?



Service provision can be activism. It is – at its core – providing a tool to redress power imbalances and deliver what is needed or deserved by those who are seeking services. As service providers, we fight against injustice faced by domestic workers. Their lack of regular status is often a part of that injustice. Showing the domestic workers that service providers can meet their needs, regardless of status or migration pathway is the strongest argument that your institution can use in calling the government to change laws to better protect domestic workers. Your efforts to support domestic workers' needs and to advocate for legal change can go hand in hand! If your service provider is facing legal restrictions, other organizations might be able to step in and assist domestic workers. Remember that referral can be your best tool in effective service provision!

8. What do domestic workers need anyway?

A lot of domestic workers will have major issues with pay – underpayment, no payment, payment in kind and other issues around wages still persist in domestic work. Hopefully, your service can help domestic workers claim the pay to which they are entitled.

Domestic workers need legal aid

Domestic workers need assistance in claiming unpaid wages, enforcing contract provisions, addressing immigration issues, reporting crimes and many other issues. If your service can provide legal aid, great. Consider how you can share information about rights with domestic workers to encourage workers to come forward with any legal issues. If your organization doesn't or can't provide legal aid, find a referral partner that can. Local community legal aid should be able to assist domestic workers. Work with them to sensitize those service providers to domestic work issues.

CASE STUDY

Nathalia left her home in the Philippines to work in Hong Kong in order to support her family. While working, Nathalia started to feel unwell. Subsequently, she went to the hospital for a checkup and later, Nathalia underwent a colonoscopy at the hospital, after which she was given three follow-up appointments. Yet less than a week after her procedure, Nathalia's employers abruptly terminated her employment. When pressed for the reason for her dismissal, her employer insisted that it was not due to her medical condition and even denied having any knowledge of her medical condition, even though she had been going to the hospital while working for them.

Her dismissal meant that Nathalia would not be able to continue seeking treatment in Hong Kong or be covered by her medical insurance. Sadly, Nathalia was left with no choice but to return to the Philippines. With legal assistance, she was able to recover her termination entitlements and lodge a complaint for health-related discrimination at the Equal Opportunities Commission (EOC) before leaving Hong Kong. Lawyers were able to press her case, and finally Nathalia secure a settlement of more than HKD35,000 – the equivalent of around eight months of her wages.

Justice Without Borders, [Discriminated for a Disability: A Domestic Worker's Victory Against Wrongful Dismissal](#), December 2020.



Domestic workers need help to claim their wages



FACTS

The Domestic Work Convention, 2011 (No.189) gives domestic workers the right to minimum wage, in line with all other workers but only 11 per cent of domestic workers in the region enjoy the minimum wage to the same extent as other workers.

ILO, [Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 \(No. 189\)](#), June 2021, p. 106

Talking to service providers about domestic work

The international standard says that domestic workers should be paid at least minimum wage, in line with all other workers, but consider the arrangements in your country. Is there a Memorandum of Understanding or a Bilateral Labour Agreement that sets a minimum wage standard for domestic workers, or is there a specific minimum wage in legislation or subordinate legal instruments?

Many households can afford and should pay their domestic workers minimum wage. Your organization should encourage payment at or above the minimum wage, but also bear in mind that all domestic workers – regardless of their migration status – are entitled to payment for work completed.

Domestic workers need social protection

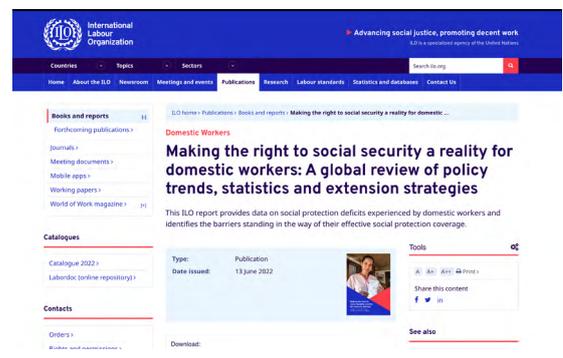
Domestic workers and migrant domestic workers also need social protection! Your organization might be able to assist with signing workers up to the relevant social security schemes, or helping them make claims within that system.



FACTS

The human right to social security is enshrined in the Universal Declaration of Human Rights. Still, domestic workers are over-represented in the 53 per cent of the world population that is deprived of this fundamental right. Domestic workers are nearly two times less likely to be registered under social insurance schemes.

ILO, *Making the right to social security a reality for domestic workers*, June 2022, p. xii.



If your country excludes domestic workers from social security protections, ask why. If your country 'can't afford' social protection for an entire sector of workers, it might be an expression of values, rather than financial constraint. Lobby with the relevant policy makers about how social security protection is vital for domestic workers and would alleviate the need for some of your services.



CASE STUDY – Malaysia

In 2021, the Malaysian Social Security Organization (SOCSO) announced the extension of social security protection coverage to domestic workers, including migrant domestic workers. Migrant domestic workers could then be covered under the 'Employment Injury Scheme' which allows claims for workplace accidents resulting in medical costs, disability and death.



Financing modalities will need to be tailored to domestic workers and their employers, but it is also clear that many employers are willing to pay these costs. Domestic workers and employers are largely positive about making contributions towards social security.

Domestic workers need referrals to shelter care, emergency funding options, medical care and psychological counselling

As discussed above, referral service is service, and domestic workers need access to as many services as you can think of. Make sure your referral networks are broad, varied and trustworthy.

And now, for action!

What can you and your union do to take this conversation forward today? This week? This year? Make personal and organizational commitments to bringing domestic work within the union ambit. This is our shared fight. And this is just the beginning...

▶ Talking to service providers about domestic work

Want to ensure a service is supporting domestic workers as best as possible?

This guide equips advocates and champions to answer the questions often heard when talking to service providers about improving their services for domestic workers. It also gives the facts to back up these arguments.

If you're going to have conversation about how service providers can – and should - better meet the needs of domestic workers, and think you'll face some resistance, this guide is for you!

This booklet is published by the ILO and the ASEAN Trade Union Council (ATUC). ATUC unites 18 national labor centers and confederations from ASEAN member states, excluding Brunei but including Timor Leste, advocating for the voices and interests of workers without distinction within ASEAN processes.

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