

Domestic Workers: Issues and Challenges

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Abstract

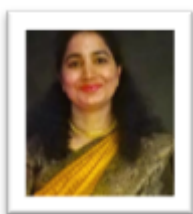
Lack of employment opportunities in the agriculture sector has pushed the rural masses especially agricultural labourers and women towards cities and this in turn has intensified the pace of urbanisation in India. Most of these migrants are illiterate and unskilled and join the unorganised sector. Women who migrate to cities are most vulnerable, having poor communication skills, lower bargaining ability and low confidence. These women do not find suitable job opportunities in the organised sector and join the unorganised sector mainly as construction workers and domestic workers. The demand for domestic help has increased in urban areas because of the sharp increase of middle class women in the workforce. Employment of servants also saves the time and energy of working house wives and also helps in balancing the work and family life. Though these domestic workers are the most important help for their employer, the work has no reputation and is generally considered as menial work in exchange for some amount. They work for long hours and are poorly paid. They don't have job security. The female domestic workers do not have any claim to any privileges as women workers in offices, schools and other establishments can claim. They are exploited physically, economically and mentally. Sexual harassment at workplaces goes mostly unreported as they fear the job leading to serious consequences like depression. Most of these women suffer serious nutrient deficiencies strengthening the vicious cycle of malnutrition. Children are often left home alone and care of elderly is very poor because of lack of money and time. These workers continue to struggle for visibility and recognition. These are ignored by the political as they are not the voters, especially in the case of inter-state migrants. Trade unions also do not fit into them because of their mobility.

Keywords: Domestic Workers, Migrants, Female Migrants, Urbanisation, Unorganised Sector.

Introduction

Low wages and seasonality of wages in the agriculture sector has led to migration of families, especially agriculture labourers and landless laborers from rural areas towards cities. Other than higher expected wages and high economic prosperity, better access to basic facilities like education for children, health services and entertainment opportunities in cities have also fascinated this unskilled rural mass to cities. Most of these migrants belong to socially and economically weaker sections of society. Majority of them are illiterate or just functional literates, unskilled leaving behind lots of family responsibilities. According to the Economic Survey of 2017, the magnitude of inter-state migration in India was approximately 9 million annually between 2011 and 2016, while census 2011 pins the total number of internal migrants in the country (accounting for inter- and intra-state movement) at a shocking 139 million. Highest migration is from Uttar Pradesh and Bihar, followed closely by Madhya Pradesh, Punjab, Rajasthan, Uttarakhand, Jammu and Kashmir and West Bengal while Delhi, Maharashtra, Tamil Nadu, Gujarat, Andhra Pradesh and Kerala are the biggest destination states.

Most of the female migrants who migrate to the cities belong to SCs and STs Caste and move to urban areas with their husband or the earning member of the family. They are illiterate or primarily educated and the propensity of their migration is increasing over the period of time. After spending some time in urban centres, they start to work as a domestic worker or in low end jobs in urban areas and they establish a social network from which the female migrants from the same village come to the city to do the same work (Neetha, 2004).



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Anthology : The Research

In a National Sample Survey (NSSO Statistics - 2011-2012, 68th round) estimate, 39 lakhs people are employed as domestic workers by private households in India out of which 26 lakhs are female domestic workers. This reveals the magnitude of women involved in domestic work.

Domestic Workers: Definition and Significance in the Economy

According to the International Labour Organisation (ILO), "Domestic Worker is the one who performs domestic work for pay. These are the workers who work in the homes of others for pay, providing a range of domestic services like sweeping, cleaning, washing clothes and dishes, shopping, cooking, care for children or the elderly, sick and disabled, and/or provide such services as gardening, driving and security."

Domestic workers are those workers who are engaged directly as employees of households to provide services mainly for consumption by the household members, irrespective of the nature of the services provided. These workers work in two ways as;

- **Stay-at-home domestic employees** are the workers who actually provide service to the household primarily for their consumption and they stay at the employer's home.
- **Stay-out domestic employees** are the domestic workers who provide services to the households but do not stay at the employer's home.

The demand for recruitment of women domestic workers has increased dramatically, especially in metropolitan cities. This is due to the increased participation of women in the formal workforce, the magnitude of work and absence of strong social policies and it is also making the balancing of family life challenging. This in turn ensures the on-going importance of, and increased demand for, domestic workers in urban areas. The work of these poor domestic workers allows many female workers with family responsibilities to be more fully active in the labour market and advance in the productive, formal economy, thereby achieving greater affluence than would otherwise be possible.

Involvement of women outside the home in paid work leads women to either compromise in their rest and leisure time or seeking help of other family members in taking care of children and elderly at home, this increases the stress and strain on the women. If the family can afford, they can employ someone else to do the household chores and care of family members which is normally done by the woman herself. These ways domestic workers contribute substantially in economic growth enabling an increase in dual-income families.

Domestic workers in employment constitute a significant proportion of the national workforce and they make a significant contribution to the national economy, playing an important role in caring for ageing populations, children, and persons with disabilities.

Challenges of Domestic Workers

Domestic workers who stand by the side of other working female force in the organised sector, easing their family stress while helping them in performing their best at work; their own life is stressful with lot of problems like,

- a. They are poorly paid in comparison to work performed, having low bargaining ability and nowhere to challenge the decision of the employer.
- b. Long exhausting working hours combined with job insecurity leads to many health problems.
- c. Constant job insecurity creates low confidence and lower self-esteem.
- d. Employees are consistently harsh to them and they face physical and sexual abuse. This goes unreported because they fear they will be removed from their job and complexity of legal rights is difficult to be dealt with by them.

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- e. Poor lifestyle, inadequate food, irregular meals and nutrient poor diet causes many nutrient deficiencies and hormonal imbalance which marks ever-lasting impact and also complements to the vicious cycle of malnutrition.
- f. Children are usually left home alone and elderly are neglected at their own home.
- g. Majority of their male partners are daily wagers, poorly paid and often drunkards. This leads to family stress both emotionally as well as economically. They face violence, abuse and insolence at home.

Status of Domestic Work in the Economy

A general assessment of law and practice on domestic work across the world is that it is “undervalued, underpaid, unprotected and poorly regulated” in spite of the contributions that domestic workers make to the care and welfare of millions of households (ILO, 2010).

Because domestic work has been viewed as outside “productive” labour market activity, it has often been excluded from labour and employment legislation, either explicitly or implicitly. Domestic work is treated otherwise because of the fact that it is performed in the home of a private individual, often in the absence of co-workers, and frequently in the absence of a written contract of employment or any external monitoring. Yet similar tasks performed outside the household are treated differently. Though domestic work sector absorbs significant number of workers, many of whom belong to the poorest segments of society with little access to other work or employment, generally as a result of limited educational opportunities and this work is performed to a large extent or even exclusively by migrant workers, mainly women, who migrate in order to earn money to support their families staying back in villages. These factors are ample reasons for the domestic work sector to be considered least important for legislatures. That is why domestic work has not been recognised as formal organised employment. This makes these migrant women workers more vulnerable towards life and exploitation. They are among the lowest-paid of all workers and frequently do not enjoy the same social and legal protections as other workers. Many are 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.

Objective of the Study

Objective of the paper is to review the available literature and understand the current status of migrant female domestic workers in India.

The way forward

Legislation and regulatory policy are the essential tools for eliminating the negative aspects of informality in the domestic work sector while at the same time ensuring that opportunities for decent work and employment offered by domestic work are not compromised.

The Government of India is already implementing Unorganised Workers' Social Security Act, 2008, to provide social security relating to life and disability cover, health and maternity benefits, old age protection to the unorganised workers including domestic workers. Other fields of law such as civil law, criminal law or human rights law also offer protection to domestic workers, but specifically designed legislation will satisfy the needs and challenges of domestic workers in a better way. Extending the reach of labour law to domestic workers is an important means of bringing them within the formal economy and it will be a matter of gender equality and equal protection under the law: a question of human rights as a large majority of the workers are women and migrants.

While designing the policy it is important to analyse the domestic work sector in the country while obtaining a good understanding of its magnitude, the characteristics of domestic workers and their employers and the prevailing patterns and arrangements under which domestic work is performed. Among the areas that require particular attention are protection from abuse,

Anthology : The Research

harassment and violence, gender-based pay discrimination, maternity protection and measures to facilitate the balancing of work and family responsibilities.

Conclusion

The current status of female domestic workers is vulnerable as most of them are illiterate and belong to lower socio-economic status. They are exploited by the employers as they have low bargaining power and work in isolation. The existing legislations also do not have not any teeth to protect the rights of this marginalised group. Inclusive labour laws that ensure gender equality and protect the rights of migrant female domestic workers are the need of hour.

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