

DOMESTIC WOMEN WORKERS IN URBAN INFORMAL SECTOR

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INTRODUCTION

Women workers in the informal economy consist of the most vulnerable working segments in society. They came from a marginalized population whose legal, economic and political status limit their ability to demand their rights. These women include domestic workers whose social and economic contributions to society are invisible to the public, the law and policies of the country. They face challenges because their work is not considered rural work so that their rights to minimum standards of decent work are continually violated. The unique feature of their work place, which is the home of their employer, makes them vulnerable to abuses and exploitation. This is because the state would always be reluctant to consider a home a workplace that they can regulate. The lack of capacity, support and unity as that in organized sector make the challenges they face doubly difficult. As a result, this paper attempts to look at these challenges through studies into the profile of domestic workers, their burdens and vulnerabilities in work, existing labour and other legislations that are applicable to them, efforts of the government to address the issues and efforts of domestic workers and partner organizations to organize them. This paper also covers issues related to minimum standards of decent work, including definitions, terms and conditions of domestic work, live in and live out arrangements, wages, leaves and social security.

The stigma attached to domestic work has long been ingrained in the mindset of the Indian society. Domestic work is seen as menial and impure occupation traditionally performed by people, mostly women and children, whose lives are still dominated by a caste system that assigned people his/her place in the society.

Long Time Practice

Domestic work has a long history in India with both men and women working in others homes as servants. The affluent had servants; mostly men with loyalty obligation and patronage bring the salient aspects of this relationship. Caste defined the hierarchy – lower castes performed the dirty work of cleaning while higher caste men cooked. Though domestic work is not a new phenomenon in India, it cannot simply be viewed as an extension of historical feudal culture where the affluent employed ‘servants’. Both in the urban and rural contexts, the nature of work and workers have been rapidly changing. The sector now primarily comprises women domestic workers who are not recognized as workers while their work is undervalued. This is primarily due to the gendered notion of housework; value is not ascribed to women’s work in their homes, and by extension, even paid work in other’s

homes is not given any value or regarded as work. It is also undervalued because it is often performed by poor, migrant women from lower castes. All these contribute to the inferior states of their work, both in their own minds and in society.

Domestic work, however, is still undervalued. It is looked upon as unskilled because most women have traditionally been considered capable of doing the work, and the skills they are taught by other women in the home are perceived to be innate. When paid, therefore, the work remains undervalued and poorly regulated. By contrast, studies that provide space for domestic workers to speak often reveal their belief in the dignity of their hard work, and, as such, it warrants recognition and respect and calls for regulation (D. Roberts 1997).

Domestic work includes mental, manual and emotional aspects, including care work communities (Anderson 2000). Domestic work is thus viewed as reproductive work that creates not only labour units but also people and social relations. Anderson further draws attention to domestic work being rooted in the community. By the doing of domestic work we literally reproduce our communities and our place with in them (ibid: 14). In this context, it is important to note who does the domestic work as this reflects the relation between genders race and class.

The employer-employee relationship is a complex one and is viewed as one of domination, dependence and inequality. Also, this is an area of work where the employer and the employee are mostly females. As a home is the site of work, relations between employer and employee are often not limited to work but spill over as larger support systems.

Domestic workers in India look access to sufficient and effective statutory measures and institutional mechanisms for their protection. Steps have been taken by the government both at the national and state levels to protect their rights. Nevertheless, the few labour laws enacted by the national and state governments addressing domestic workers face the challenge of implementation. This is aggravated by the discriminating attitude of many employers against the domestic workers, including caste prejudices. As a result those who carry out domestic work are largely ignored working sectors often specially excluded and economically exploited. On the other hand, the government recognizes the prominent role of migrant domestic workers as a source of foreign exchange in the Indian economy and a solution to the country's unemployment issues. Compared to their local counterparts, a higher degree of regulation is exerted by the government in the process of their deployment. But despite efforts by the government, Indian domestic workers with in and outside the country remain vulnerable to all forms of exploitation from the moment they enter the recruitment process till they enter the workplace.

In its contemporary manifestations, domestic work is a global phenomenon that perpetuates hierarchies based on race, ethnicity, indigenous status, caste and nationality, (J. Andall 2004). Care work in the household – whether performed by paid employees or by unpaid household members as part of their family responsibilities and as a “labour of love” – is quite simply indispensable for the economy outside the household function (D. Roberts 1997). The growing participation of women in the labour force, changes in the organization of work and the intensification of work, as well as the lack of policies reconciling work and family life, the decline in state provision of care services, the feminization of international migration and the ageing of societies have all increased the demand for care work in recent years.

Migrant Nature

One of the most striking changes in domestic work in the past 30 years has been the growing prevalence of migrant work. In several regions, including Europe, Gulf countries and the Middle East, majority of domestic labourers today are migrant women (ILO 2004). Another phenomenon, notable particularly in the industrialized world and a growing number of Southern American countries, is the higher proportion of domestic workers who work for more than one employer for just one employer but do not live in his or her household (J. Rodgers: 2008). As for the age of domestic workers, young girls can be found alongside older age groups. In Ghana, for instance, legal child domestic workers are reported as constituting the majority of those employed in the household sector, and a study on Abidjan, Cote d'Ivoire, reports that the lower-middle class tends to resort to girls less than 20 years of age (M. Jacquemin 2002). On the other hand, in the Southern Cone of Latin America, the bulk of domestic workers are between 29 and 49 years old, while in Jordan 70 percent of migrant domestic workers are 30 years old and above.

Different Categories of Domestic Work

Over the last few years, studies on domestic work in India have noted the increase in the numbers of migrant female domestic workers in the cities. They have also observed that domestic work is highly informal in its organization and highlighted the vulnerabilities of domestic workers who belong to the poorer and uneducated sections of society. These studies also note that women from marginalized castes form a substantive group of domestic workers (Kaur 2006)

In the Indian context, domestic work is generally defined in terms of types of work performed and the time spent at work, i.e., in the employer's home. Live-out and live-in are two distinct categories of domestic work. Live-out work is primarily of two types: first, those who work in one house for the whole day and go back to their homes in the evening and; secondly, those who work in different houses, moving from one to the other, performing one or more tasks in each household. They may clean in one house, chop vegetables in another and wash clothes in the third, while some others may perform only one task, such as cooking. They often visit these households twice a day though the requirements in some families may be limited to only once a day. Another form of part-time live-out work is in terms of piece-rate. It is often applied to washing clothes and wages are calculated on the basis of family size.

Another critical issue is that of the age of the domestic worker. Despite laws to prevent it, child domestic labour is still prevalent in India. The Child Labour (Prohibition and Regulations) Act 1986 lists domestic work in the schedule of "hazards" whereby the permissible age for work is 18 years. Yet, given the socio-economic conditions in the country, 15 years may appear permissible but most organizations working on the issue and child rights advocate the age of admission to domestic work as 18 years. They argue that these children work long hours, are not given nutritious food, are often sexually abused and have no way of raising their voices.

Based on the 2001 census, about 185,595 children are employed as domestic workers and in *dhabas* (roadside tea and food stall) (UNICEF 2007). Employers prefer children as they are cheap. They are often paid as little as rupees 300 per month for work that lasts ten hour

each day and seven days a week. They are also beaten up and in some cases, sexually abused. Dimensions of trafficking can be seen here as well. Children are often brought in from poor areas of the country and made to work as bonded labourers. Many are not allowed to contact their families. They live in their employers' homes without any support system.

Profile of Domestic Workers

Domestic workers constitute one of the largest women sectors in India. They also represent one of the largest numbers of workers in the informal economy of the country. The varying statistics on their population would illustrate the significance of their participation in India's workforce. According to Indian National Sample Survey (NSS) data, there were 2.0 million female workers and 0.3 million male workers in 2001 as compared to 1.2 million female and 0.3 male workers in 1983, showing a substantial issues in the number of female workers (Mehrotra 2008, 2). It is generally held that the official figures are unreliable and grossly inadequate as domestic work is notoriously under enumerated. (Gothoskar 2005, 29; Raghuram 2005, Social Alert (2000, 19) on the basis of information from several Indian civil society organizations, it is estimated that there are around 20 million domestic workers in India. Of them about 20% are estimated to be aged fewer than fourteen and 20-25% are fifteen to twenty. While domestic workers in most countries are mainly women and girls, in India there are relatively large numbers of male workers. Despite this, domestic work is increasingly feminized in India (Ray 2000b), around 90% of these workers being female (Social Alert 2000). This makes it one of the few sectors which has a female majority (Raghuram 2005, 5), and one of the largest employment providers for women and girls in India. According to the National Domestic Workers' Movement [NDWM], an estimated 20million people work as domestics throughout the country. Of these workers, 90 percent are women and children between the ages of 12 to 75 while those below 14years old make up 25 percent of the workers (NDWM).

A significant population of women and children domestic workers tends to be concentrated in large cities of the country. In Mumbai city alone, an estimated 600,000 domestic workers exist, of whom 80,000 are on full time employment (D. Lakshmi Rani & Mr. Manabendranath Roy, 2005). Bangalore is reportedly a host to 500,000 domestic workers. They are mainly migrant women workers, 25 percent of whom are girls 10-16 years of age who dropped out of primary school and accompany their mothers to work and would soon end up being workers in their own right (D. Lakshmi Rani & Mr. Manabendranath Roy, 2005). Ahmedabad city has more than 50,000 domestic workers constituting mostly women (SEWA, 2008). On the other hand, 5,000 children mostly girls work as domestic in the Bhubaneswar, the large city of Orissa, India (Press Trust of India, 2005).

Table 1. Statistical estimates of Indian domestic workers

Date	Organization	Place	Age	Women	Children	Total
			Range	DW	DW below	
2008	NDWM	India	12-75 years	90%	25% (below 14 years)	20 M
2000	Social Alert	India	0	92%	20% (below 14 years)	20 M
2000	Social Alert	Mumbai City	0	0		600000
2005	SC-UK	Bangalore city	0	They are comprised mainly by migrant women & children	25% (10 to 16 years)	500000
As report ed in 2008	SEWA	Ahmedabad city	0	Constitute mostly women workers (did not specify number of girl children)	0	50000
As report ed in 2005	Press Trust of India	Bhubhanesh war city	0	0	5000	0

Source: NDWM, Social Alert, SEWA, Press Trust of India

Table 1 illustrates the profile of Indian domestic workers by different groups, either all throughout the nation or in a particular city.

Domestic workers constitute mainly low caste migrant women workers from neighboring rural areas or from other provinces or Indian states who would take their children along, to work with them. Majority of these workers have very little or no education. In a socio-economic survey conducted by Self Employed Women's Association, it was found that almost half of the 1000 women surveyed were uneducated (**SEWA**). Table 2 illustrates the educational attainment of women domestic workers surveyed.

Table 2. Level of education of women domestic workers surveyed

Sr. No	Level of Education	Total No. of workers
1	Un educated	421
2	1 to 3	79
3	4 to 6	152
4	7 to 9	296
5	10 to 12	87
6	Graduate	10
7	Post graduate	0

Source: SEWA

Domestic workers, in particular women domestic workers, are a constantly growing section of workers in the informal sector of urban India. The last three decades have seen a sharp increase in their numbers, especially in contrast to male domestic workers (Neetha 2004). Research has shown that till 2000, the urban workforce participation of women in India has been lower than those of rural women. Marginal increases were observed in 2000-04. In 2004, the figure of national urban female workforce participation reached an all-time high of 16 percent. In 2004-05, there were 30.5 million women domestic workers in urban India marking an increase by 22 percent from 1999-2000 (Chandrashekar and Ghosh 2007)

This increase in the number of domestic workers is linked to shift from agrarian – based economy to a manufacture and service based economy. It is also associated with the growth of the urban middle class, especially the increase in the number of women working outside their homes and the availability of cheap domestic labour. The migration from the tribal belt is ascribed to “ecological degradation, landlessness and land alienation, unemployment and poverty” (Kujar and Jha 2008:25). Migration of girls is also attributed to the transition in the tribal societies as educated tribal girls do not want to work in the agriculture sector (ibid).

Push and pull factors for local domestic workers

NDWM identified the following socio-economic circumstances (NDWM).

- Poverty is the main reason why many women and children engage in domestic work. In almost all cases, these domestic workers are the product of internal migration in search of employment.
- Family problems including rural and male unemployment, disputes at home.
- Ill treatment and loss of parents have resulted in their leaving the house to work as domestics.
- It is also not unusual to find domestic workers who are single parents, widowed or separated from their husbands or those with alcoholic husbands who are compelled to work for the survival of their children.
- Natural calamities and conflict situation such as insurgency are also factors forcing them to migrate because of displacement and loss of livelihood and the lack of rehabilitation programmes.
- As well, their debts due to falling crops also drive them to domestic work.
- On the other hand the demand of cheap labor in the growing market economies has caused many women and children to seek employment in the cities and urban areas. The urbanization, the break-up of traditional joint family system, and the increased demand for domestic workers from middle-class women who are taking up jobs outside the home also contribute to more poor women and girls migrating from rural villages to cities and urban areas in search of domestic work (CWA News Letter, 2004).
- The glamour of city life and the raising consumerism also lure them to domestic work.

- The lack of access to education, especially among young girls, and false image of security and a stable, environment at the employer's home are factors that entice them to domestic work.
- The increasing development and urbanization of certain industries in India have also led to unemployment of workers in certain sectors.
- For instance, the adverse repercussions of mechanizations of agriculture led to loss of livelihood by agriculture workers. As a result, women and children migrate for work as domestic to address the economic problems of their family.
- Children end up in domestic work in other areas through different recruitment patterns that facilitate their migration. Children from rural areas coming from poor families are sent to live with better off relatives in urban areas with promise that they will be treated by relatives as their own children; some are sent together with other household goods for purposes of child marriage; most have ran away from home and ended up as domestics in urban areas; and they are recruited from their villages by middle men and women (CWA News Letter, 2004).
- The practice of child debt bondage to domestic labor in India is also a cause for migration of the child to live and work in the employer's home usually in urban areas to pay the debts of the child's family.
- A significant number of children are believed to be in bondage domestic work. This is a common practice in India although no studies are available to determine the number of children in bondage of domestic work. The effect of enforcement of child labor law may have established a pattern of driving bonded child laborers' from factories into households and other home-based production units that are less likely to be visible to regulation (William F. Stafford, 2007).

Wages and Working Conditions

Domestic work includes performing the tasks such as house cleaning, laundry, cooking, dish washing, care of children and the aged, and various other activities associated with the regular and smooth functioning of a household.

Many studies have reported that there are no standard norms that decide working conditions for domestic workers. Specified working hours does not exist for many domestic workers. They can work from 8 to 18 hours a day while live in domestic workers are on call 24 hours each day (Kalpana Sarma 2003). Some dome not gets any rest during the day while others may not be given proper food or living space. Child domestic workers in particular are found to have unspecified hours of work, usually an average of 15 hours each day seven days a week and are on call day and night (SC-UK Supra Note 5) Because they have no fixed hours of work they sleep as late as 2 or 3 am and wake up at 5:30 a.m. Live out domestic workers also suffer long working hours in differing households each day from early morning until the evening. (SEWA)

Domestic workers are among the lowest paid workers in India and are paid an amount which is even below the minimum wage of semi-skilled and unskilled workers (NDWM). In 2008, the wages of women domestic workers were less than the national floor level minimum wage

of 80 rupees per day, both in rural and urban areas. (Ministry of labour and employment). Wage rates also vary by region and type of work, although some of this variation may be a result of the relatively small numbers surveyed. Cooking is the best paid occupation, but in all categories female wages are lower than male wages, as is the case in other occupations. It is striking that while qualitative finding indicate that girls/ women are preferred as child minders and governesses, male wages are higher even in this category.

The wages of urban, part time workers are first of all differentiated by the board division of work, such as cooking, cleaning, and babysitting, cleaning tasks, which are paid between 100-400 rupees per month (in 2008): the work also includes dusting, sweeping and mopping, laundry and dishwashing, (Palriwala and Neetha). The wage is tied to the hours that are spent at this task daily, which vary with frequency of visits in a day, the size of the house, and the number of house hold members. However, since equivalence is difficult, part-time workers may avoid working for large households. The same or different workers may undertake each of the cleaning tasks, such as cooking, childcare and elder care. The returns per hour of work decline as one moves from cooking to elder care and then to child care, reflecting social and cultural notions of skill, purity and labour intensity.

The wages of live-in workers range between 1000 to 4000 rupees per month (in 2008), depending on the worker's experience and the specific tasks to which they are assigned. Board, lodging, clothes, and other articles of daily use are provided. In looking at the returns to their labour, however, a number of features have to be noted. Despite the specification of their work, the workers often must undertake multiple tasks, though the intensity of their involvement may vary. They are on call twenty-four hours a day. The basic wage perks, and benefits, such as festival bonus, loans, medical costs, and gifts at life cycle rituals, all differ as a result of the length of service of the worker and the personal ties that have formed between them and their employers, which is likely to be closer among live-in, rather than part-time workers.

The fragmentation of the domestic labour market by the area of residence and the class of the employer within one town/city is noticeable. The same broad tasks are elaborated and often performed differently under varied conditions of service. Segmented and niche markets have developed. Thus, for example, the rates paid by expatriates are among the highest. Ethnic stereotypes regarding skill and efficiency also affect the wages and treatment of domestic workers (Surabhi Tandon Mehrotra, 2008). In sum, the wage structure and service packages are complex and variable, making it problematic to arrive at a uniform wage rate for domestic work even for a specific locality (Palriwala and Neetha). This brings difficulty in unionization and legislation and is used as an argument to justify the lack of regulation.

Legislation on Protection of Domestic Workers

Domestic workers are excluded from labour welfare laws. Early judgments do not consider them as 'workmen' under the Trade Unions Act of 1926 those engaged in personal service, (WIEGO). Most other labour laws in the country hold the same position that they are not applicable because the household and the home are perceived as a non 'industry' entity (Reference of Supreme Court Decision 1978). As such domestic workers are currently not within the scope of most labour laws. They cannot demand rights for their decent working conditions, minimum wages, social security, hours of work, weekly offs paid leaves or medical benefits among others.

None of the Act meant for promotion of workers nights included domestic workers in its coverage. Attempts to bring in a national legislation for domestic worker regulation have been made over the years but have yet to meet its success (Reference of Supreme Court Decision 1978). Several states have also made efforts to enact their own labour legislation on domestic workers with some success in other states (Reference of Supreme Court Decision 1978).

The states which had some efforts are Andhra Pradesh, Bihar, Kerala, Maharashtra, Rajasthan and Tamil Nadu, Laws to enable domestic workers to avail of social security provisions have been amended or passed in Kerala (Kerala Artisan and Skilled Workers' Welfare Fund), Maharashtra (Maharashtra Domestic Workers Welfare Board Act, 2008), and Tamil Nadu: (Manual Workers Act (Regulation and Employment and Conditions of Work), 1982). However, the gaps between the existence of a law or welfare program, knowledge of it among potential beneficiaries, and the actual operation and coverage have to be noted.

The employment of children in domestic work was not legally prohibited, but in 2006 the government of India imposed an amendment to the existing Child Labour Act (1986). The amendment prohibits the employment of children under fourteen as a domestic servants or in roadside cafeterias, tea shops, hotels and other hospitality sectors (Save the Children 2007,2). For Child Rights Organization, the enactment of the 2006 amendment was major achievement. Although they remain skeptical about the implementation of the ban, they expressed legitimate concerns over the lack of implementation of the amendment, given the Government marginal efforts in putting it into practice.

After much lobbying, domestic workers were brought within the ambit of the recent 2008 Unorganized Workers Social Security Act. Although the rules under this act have still to be framed, the fact is that this law does not provide for any enforceable or justiciable social security entitlement for unorganized workers. The only legal entitlement in the entire act is the right of all unorganized sector workers above fourteen years of age to register themselves and receive a "smart" identity card. It has been argued by many that the name of the act itself is a misnomer because it does not guarantee anything other than the formation of advisory boards at the central and state levels. There are no provisions for penalizing employers or bureaucrats who violate the provisions of the act. It is a statement of pious hope, rather than intent, which is in keeping with the foot-dragging of earlier governments.

The National Commission for Women has attempted to address some of the concerns through the 2008 Domestic Workers (Registration, Social Security and Welfare) Bill, and it has held a few consultations. The proposal includes a compulsory registration procedure for all domestic workers, both part-time and full-time, a welfare fund to which workers and employers will contribute, the registration of service providers (placement agencies), the regulation of working conditions, and fines and imprisonment for the violation of the provisions of the bill. Interestingly, it grants powers of inspection to any registered trade union. A similar proposal has also been drafted by the National Campaign Committee for Unorganized Workers and Nirmala Niketan, which is entitled the 2008 Domestic Workers (Regulation of Employment, Conditions of Work, Social Security and Welfare) Bill. The debates and discussion around these bills include the definition of a domestic worker, an employer, and wages, the mode of delivery of welfare benefits, and the criteria for determining minimum wages, which neither bill expressly addresses. While many of the

specificities of domestic work are factored in, issues of implementation, which must be examined in relation to other informal workers, have not been worked through.

Discussions abound, but progress in enacting or amending legislation is slow, reiterating the apathy of the state in providing legal protection to domestic workers. Added to the particulars of domestic work and employment, the reluctance to accept the home as a work place is the low priority attached to labour rights and welfare in the current policy paradigm.

Issues of Social Security and Welfare

In India, Domestic workers lack healthcare and social security. Their medical benefits are absent and totally depend on their employers. For instance; SEWA survey showed that live-out domestic workers do not have social security. Many domestic workers suffer form health hazards brought by their working conditions. For instance, SEWA reported that nearly 934 women live-out domestic workers were suffering from back pain but are not getting any medical help from their employer. Some health issues complained by the surveyed 1000 domestic workers include pain in the spinal cord, injury and skin allergies that they tend to neglect (SEWA). Medical insurance covering work related sicknesses are normally absent. Some of these women work as domestic workers over long time periods but have little or no savings for their old age.

Organizing Domestic Workers

Indian domestic workers are often scattered, unorganized and unaware of their rights. It has been reported that the Ministry of Labour in 2001-2002 cited certain problems specific to unorganized workers including the domestic workers (Rasika Dhavse 2004) Accordingly the major impediment for a decent working conditions for unorganized sectors including domestic workers are: the absence of 'formal employee-employer relationship, lack of organization, poor bargaining power, low legislative protection, and inadequate welfare measures' (IBID). Since the overwhelming majority of workers in India are in the informal sector, it is not surprising that most domestic workers are not unionized or otherwise organized. The needs of the informal sector workers, women workers are in particular have been overlooked by the conservative practice of labour organization and the trade unions (Baruah 2004)

Participation in union activities is difficult due to the hours and nature of domestic workers' work and their social and political vulnerabilities as well as because of the familial responsibilities for part-time workers and the isolation of live-in workers. Only a small fraction of domestic workers in the country are in touch with associations or are unionized. The lack of unionization is a critical factor in their exclusion from labour laws, the violation of national, legal norms in their wage fixation, and the absence of entitlements to various social security benefits. However, although the beginnings of success as a pressure group are fairly new, associations of domestic workers in India have a long and mixed history. One of the earliest collective actions of domestic workers was a twenty-six- day hunger strike called by the New Delhi-based All India Domestic Workers' Union in 1959, which received support in a few urban centres. A call for a one-day solidarity strike led to the introduction of the two private members' bills in Parliament.

The National Domestic Workers Movement has campaigned for the rights of domestic workers in many states and claims to have reached over two million domestic workers across

the country. Thus; the NDWM has played a role along with other organizations in bringing in minimum wage legislation in Karnataka and a state welfare board bill for domestic workers in Maharashtra.

Other organizations, such as the All India Democratic Women's Association (AIDWA), have taken up specific issues or have organized workers with small successes within a limited area (SEWA). Issues include the amount and the non-payment of wages, recognition as workers, sexual harassment, physical violence, forced attachment of children, compensation for work-related injuries, legal aid, and the formation of self-help groups (Jagori).

The Self-Employed Women's Association (SEWA) is a trade union organization of "poor, self-employed women workers." SEWA seeks to organize women workers in India for full employment where they can attain security on their work, income, food as well as social security, which at the minimum would include health care, childcare and shelter.

SEWA has actively campaigned to organize domestic workers to give them voice, visibility and representation. Since domestic workers are scattered, unorganized and cannot all be readily found in one employment area, SEWA would do door to door campaign and personally talk to domestic workers. These workers are then encouraged to become members of the organization and become involved in its activities. SEWA's programmes and activities related to domestic workers include providing workers' education for domestic workers, forming a trade committee of domestic workers, undertake collective bargaining as representative of domestic workers when negotiating with their employers, conducting database study involving domestic workers, lobbying to the legislators for the enactment of minimum wage and lobbying to the Labour and Employment Department for the inclusion of domestic workers in the government agency's welfare board.

The National Commission for Women (NCW) is a national level organization mandated by law to protect and promote women's rights and interests (NCW 1992). NCW has played an important role in the lobby of various groups for the drafting of national domestic workers legislation. It has proposed the Domestic Workers (Registration Social Security and Welfare) Act, 2008 that will establish the Comprehensive Central Legislation for the purpose of registering and meeting the working conditions of domestic workers (WIEGO). The draft law envisaged among others the mandatory registration of domestic workers, and the setting of welfare fund to provide for the social security of workers (Sujatha Madhok 2008). The draft law also recommended the non-employment of children below 18 years old (ibid).

India has one of the most vibrant experiences in terms of organizing and advocacy for domestic workers. This is evident in the numerous domestic workers organizations and support groups in the country. Advocacies for domestic worker legislation and policy reform towards domestic worker protection exceeds many countries in the region in their accomplishments, however there are hundreds of thousands of domestic workers to yet to be reached and many other laws to enact to ensure their safety, decent work and security.

CONCLUSION

Domestic workers in India belong to a greatly disadvantaged working sector in the country. They are part of the informal economy with very minimal if not absent regulation by the government and have in most cases no protection in law. Mostly composed of women and children, they hardly figure in the statistical records and the laws of country and remained

invisible workers. They usually come from lower caste, with very little education and are often unaware of their rights.

Within India, many women and children domestic workers are vulnerable or continue to suffer other kinds of abuses in violation of their human rights. Inside the home of their employers, where there are no checks and controls in place they do not have protection against employers or other members of the family who exploit and sexually, physically and psychologically abuse them.

Activists and researchers have regularly pointed out that women workers face discrimination in the form non-recognition as workers, inequality of wages and denial of rights, especially in the unorganized sector.

The constantly changing urban scenario, with evictions and displacement, has affected their life, livelihood and, in turn, their dignity. The challenge, then, is to involve workers, unions and workers organizations, employers and the state in this debate to identify steps to address the issues.

Domestic work is not recognized as ‘work’ by the Indian government. The state does not value or recognize this work as a contribution to society and the economy. Trade unions and other organizations working with domestic workers have been pressurizing the state for a shift in its policy on domestic work. As in the case of anganwadi workers, limited recognition means that the economic value of non-familial care continues to be devalued. This is compounded by the fact that a workforce of women is constantly available to meet the rapidly growing demand. Poverty, lack of options and lack of information about organizing forces these women to accept the working conditions.

The process of mobilizing domestic workers is complex and long term. To begin with, this would involve empowering domestic workers. This is possible only when the right to form collectives is granted. The understanding of collective bargaining power can bring about this change as there has to be a sense of solidarity among them to challenge ill treatment or unfair wages.

The collectives in the form of unions or organizations will, in turn, work towards demanding and implementing legislations. The onus thus lies on the state to protect domestic workers by law and enable them to join and form associations and unions. These rights must be publicized and supported by the state by ensuring that employers are aware of their workers’ rights.

In conclusion, one can assert that rules and laws that recognize domestic workers as workers in the home, and that regulate their working conditions and pay, as well as the agents who mediate the worker-employer relationship, could have a fundamental impact on the conditions of work across the informal sector and the nature of social policy in India as well as on the valuation of women’s work and the gendered divisions in work, marriage, and the family.

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