

# Female Domestic Workers: A Sociological Investigation

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## Abstract

There has been a significant increase in the number of female domestic workers in India in recent times. The domestic service is now accepted as an important category of livelihood. The domestic labour debate was particularly prominent in the western academia amongst feminists in the 1960s and 1970s. The steep decline in agrarian produce and livelihood security in rural areas has caused migration of rural people to urban areas. The number of female domestic workers is constantly growing in the informal sector of urban India. Domestic work has remained unorganized, unrecognized and unrewarding for the domestic workers. The domestic workers are denied of minimum wages, healthy work period, safe working conditions and other benefits in the absence of trade unions and state intervention. The female domestic workers do not have support networks and civil society support under the existing circumstances. They experience exploitative situations and multi-faceted abuses. The national and international legal instruments are largely ineffective under the existing circumstances.

**Keywords:** *Female Domestic Workers, Domestic work has Remained Unorganized, The Domestic Workers Are Denied of Minimum Wages.*

## 1. INTRODUCTION

As per traditions, domestic work was considered to be an 'unpaid work' performed mainly by female in the family. However, of late, in the changing economic conditions, occupations in industries are becoming lucrative. As a result, more female, especially from middle-class families, are participating in the labor market. Therefore, the so-called 'un-paid nonmarket activity' (domestic work), to an extent, remained out of the purview of occupational options available for educated persons. The new segmentation of domestic work in the form of an outsourced activity has raised the importance of the occupation higher than ever before. Often, migrant workers or economically weaker sections of the society participate in it. Indeed, millions of people participate in this work. It makes domestic work a pivotal occupation in determining the linkage between family and dynamics of the open economy. Across the globe, although this linkage is quite vivid, reflected in ever expanding demand from families for domestic worker's service, provision of entitlements to this occupational category varies across countries. In the Indian context, the enormity of informal work is an observable phenomenon. Approximately 93% of the work force is in paid work, in farming and non-farming activities. Most of them are not entitled to any social security benefits. Moreover, these workers tend to receive relatively lower wages than formal sector workers. As observed, persons with more years of schooling (close to ten years), appear to have higher chances of getting formal work, which makes them eligible for entitlements like social security, while persons with fewer years of schooling may end up in lower echelons of the labor market, earning lower wages and that too without social security. Importantly, the dichotomy of formal-informal work co-exists with glaring low labor force participation of female. Although, across age groups, female work participation rate is much lower than male work participation rate, in some occupations females far exceed males. This is quite evident in the occupational category, domestic work. Domestic work seems to be the destiny of a significantly massive number of female workers in India who seek employment opportunities in the urban sector, often rendering an invisible workforce with low pay. Reflecting on indecent working and living condition of female domestic workers, it is viewed that "Working in the unregulated domain of a private home, mostly without the protection of national labor legislation, allows for female domestic workers to be maltreated by their employers with impunity. Female are often subjected to long working hours and excessively arduous tasks. They may be strictly confined to their places of work. The domestic workforce is excluded from labor laws that look after important employment-

related issues such as conditions of work, wages, social security, provident funds, old age pensions, and maternity leave.

India lags behind other nations in extending rights to domestic workers. As shown in ILO (2010), India is yet to provide core entitlements for decent work like maternity benefit. On the other hand, 26 nations, including developed and developing countries provide 12-14 weeks of maternity leave for domestic workers<sup>1</sup>. In India, the National Minimum Wages Act 1948 excludes domestic workers from its purview. However, states may fix a minimum wage for domestic workers within their territory. Another deficit is the lack of social security to domestic workers in India, while there have been noteworthy initiatives by other countries to provide different types of social security to domestic workers (examples include occupational safety and health, workers' compensation for employment injuries, general health care, pension and unemployment insurances). Review of earlier research studies on the Challenges and Working Conditions of Female Domestic Workers contribution of different factors responsible for their status improvement is essential to formulate an appropriate perspective for any further study. Several studies, on challenges faced by female domestic workers and working conditions of female domestic workers and the other policies adopted by the Government to develop the domestic workers has been confined to one or two aspects and only to some regions of a State or a Country. As no study is likely to be absolutely completed, the available literature will not help to broaden the scope and nature of successive research.

## **2. CONCEPT OF FEMALE DOMESTIC WORKERS**

Domestic work is one of the oldest and most important informal occupations for millions of female around the world. Female have limited options and enter the domain of domestic work in the absence of education, economic resources and other opportunities. The term 'domestic service' is practically difficult to define since the duties of domestic workers are not well defined. Domestic service is now accepted as an important category of livelihood across the globe. Domestic service remains a highly personalized and informal service delivered in the homes of employers. In domestic service, work cannot be subjected to any comparative tests, since it has the character almost unique in wage paid industry, of being carried on for use, not for profit, and the settlement of wages remains an individual bargain between employers and employed. The implications of domestic labour on female's emancipation as well as transformation of gender roles, however, have been differently read by different schools of feminism. Domestic worker is a person who is engaged on a part time or full time basis in domestic service. The domestic worker receives remuneration periodically in cash or kind for a fixed period from the employer.

## **3. WORKING CONDITIONS**

The domestic workers are denied of minimum wages, healthy work period, safe working conditions and other benefits in the absence of trade unions and state intervention. The wage levels of domestic workers are much less than their male counterparts. The employers do not provide extra wages for more workload. They also carry out other tasks which are not linked with their regular duties. Domestic workers are highly exploited and denied just wages and humane working conditions. They are paid well below the minimum wages for unskilled or semi-skilled workers. Domestic workers migrate from rural and tribal areas to urban areas in search of employment opportunities. They experience a sense of loneliness because of the solitary nature of the work. The female domestic workers face the major problems such as – low wages, extra work, long working hours, lack of holidays, harassment, sexual exploitation, physical torture, ill treatment, lack of welfare facilities, absence of social security measures, lack of rest, development of fatigue, lack of freedom, low level of job skills, absence of bargaining power, work-life imbalance, poor working conditions, migration, social invisibility, economic backwardness, forced labour, discrimination, inadequate legal protection, physical exertion, ill health, malnutrition and other problems according to empirical evidence in India and abroad. The female domestic workers are normally treated with respect by the employers. The employers scold them in times of any delay or discrepancy in the work. They are not allowed to cultivate good human relations with the neighbors. They find it very difficult to report sexual harassment at workplaces and are forced to remain silent due to power dynamics and fear of discrimination or dismissal. The relationship between employers and domestic workers is very subjective and depended on the individuals involved. This increase in the number of domestic workers is linked to a shift from agrarian-based economy to a manufacture and service-based economy. There is a marginal increase in the number of female domestic workers in India. The employer-employee relationship is a complex one and is viewed as one of domination, dependency and inequality. The female domestic workers often continue accepting whatever the employers pay them and are under constant fear that asking for a raise may lead to termination from work as there would be many more workers who are available to

do the same work by accepting whatever the employer pays them. The employers also provide them stale food or leftover food which is not good for their health and nutrition. The employers also refuse to give them paid leave even though they work hard beyond their capacity. In a country like India, domestic work is more physically taxing than elsewhere according to empirical evidence. The female domestic workers are under the constant fear of termination from work. They are taken for granted by the employers. Studies have reported that female domestic workers face sexual harassment which is still an unspeakable issue in India.

#### **4. LIVING CONDITIONS**

Female domestic workers do not have good socioeconomic condition. They face problems both at home and at work place. They migrate from the rural areas to urban areas in such of employment opportunities. They have a heavy workload with less recognition and remuneration. They work hard for a better future. They spend a large part of their time accessing essential services such as water and toilets. They do not have access to institutional care facilities that provide quality care at affordable rates in their neighborhoods. Domestic workers live and work in appalling conditions and are vulnerable to abuse. Their self-esteem suffers considerable damage after prolonged periods of maltreatment, abuse and humiliation. They feel inadequate, powerless and worthless. They do not have the opportunity to raise their voice and avenue of redress before the competent organs. The female domestic workers face the daunting challenge of combining Paid work with their maternal role and long hours of unpaid care work. The female domestic workers are more likely to resort to unfavorable coping strategies, such as leaving children alone at home, enlisting the help of an older sibling or young relative, or taking children to work, if allowed, with adverse consequences on children's health and education as well as worker's productivity. The unorganized sector plays a vital role in terms of providing employment opportunities to a large segment of the workforce in India. The female domestic workers live in different types of slum settlements and work in the informal sector. Commuting becomes a major issue both in terms of cost and time. The male members were involved in paid labour and earned the income to run the family. The female members of the family took care of domestic responsibilities and played their reproductive role. The domestic work done by female in their houses was never recognized as a contribution to social production. The migrant female domestic workers are among the world's most vulnerable and discriminated workers. Domestic workers are also discharging socially reproductive labour, which otherwise is meant to be done by the female of the family as a given responsibility. The rights of domestic helps are also deeply impinged by the general characterization of the private sphere as one of the rationales rather than autonomy, and sacrifice, obligation and emotion. The domestic workers indicate that there is no gap in the workers' perceptions of themselves and the way the family and society perceive them. The family members support them since they earn livelihood opportunities and contribute for the management of families. A majority of workers with a history of domestic work do not consider domestic work as disgraceful or undignified.

#### **5. FEMALE DOMESTIC WORKERS IN INDIA**

The steep decline in agrarian produce and livelihood security in rural areas has caused migration of rural people to urban areas. The number of female domestic workers is constantly growing in the informal sector of urban India. The family financial crisis has also compelled the female to become domestic workers and protect the interest of the family. The employers extract maximum work from the female domestic workers without extending minimum hospitality. Migration and domestic work are part of an international solution to female's problems within a world economic system. It is not surprising that the difference that race/ racism makes to the experience of domestic work has been a predominate theme in a number of studies of domestic workers. Domestic work is looked upon as unskilled because most female have traditionally been considered capable of doing the work and the skills they are taught by other female in the home are perceived to be innate. When paid, therefore, the work remains undervalued and poorly regulated. Domestic work has remained unorganized, unrecognized and unrewarding for the domestic workers. Most of the domestic workers are migrants who have come from rural to urban areas in search of livelihood opportunities. A substantial number of female in the rural areas migrate to the urban areas for the sake of employment due to lack of education and job skills. The numbers of domestic workers are increasing but their living conditions are precarious in the urban slums. The relationship between migration and domestic work has become a prominent inter-disciplinary research area. Generally, domestic workers are engaged in child care and house work in modern times. The domestic workers are expected to be compliant, unassertive and helpless with their employers. Domestic workers come from vulnerable communities and backward areas. They are illiterate, poor, unskilled and downtrodden sections of society.

Domestic workers remain socially and economically marginalized sections of society. Paid domestic work is an important source of employment for the vulnerable sections of society. Domestic work is largely unregulated and unpaid. Domestic work discharged either by the female or by children in any form is also included unorganized labour. Domestic workers are deprived of constitutional guarantees. Domestic workers are the most neglected class of labor as they are rarely seen and seldom heard by legal scholars. Yet, domestics are amongst a group of workers which are the most exploited by their employers or the least protected by the law. The system of domestic labor shows a prevalence of low wages, long hours and difficult working conditions. There is a need for granting legal protection to domestic workers. The child domestic labour force is also increasing in the country despite the Child Labour (Prohibition and Regulation) Act, 1986. Domestic work includes mental, manual and emotional aspects, including care work that is necessary to maintain people and communities. Domestic work is viewed as reproductive work that creates not only labour units but also people and social relations. The increase in the number of domestic workers is often viewed as 'feminization of labour'. Domestic workers have increased in India mainly due to increased female labour force participation, increased income and purchasing power amongst urban populations and emergence of nuclear family units in urban areas. There are more than 4 million domestic workers in India in the present times. The demand for domestic help across Indian cities has shot up over a period of time in the age of economic liberalization.

## **6. POOR BARGAINING POWER**

The domestic workers seldom have an organized mechanism for collective bargaining since they work in the informal sector. There are very few advocates of the rights of domestic workers. They have limited employment opportunities. The family history of the female domestic workers also matters from their employability point of view. The wages are not based on 'need-based formula'. They do not have organized social network and find several hardships in challenging the authority of the employer. They do not have the right to free movement. There are several cases where workers are treated very well but it is entirely at the discretion of the employers. There is the fastest growing form of migration in India which has resulted in the increase of female domestic workers.

## **7. SOCIAL INSECURITY**

The female domestic workers do not get adequate wages and live under difficult circumstances. They are not able to save money for their old age. They are not entitled to any old-age pensions, gratuity or bonus. They have no medical insurance and all expenses of illness, hospitalization of self and family are borne by the worker. The caste and social stratification have increased the probability of individuals to enter domestic work. The domestic workers have limited access to larger social networks. There is a need to sustain and support organizations for domestic workers to improve their bargaining power. Organizing domestic workers is fundamental to finding solutions to the various problems faced by domestic workers. Domestic workers are explicitly included in the Unorganized Workers (Social Security) Act, 2008. The record of implementation and enforcement of legal and welfare provisions for domestic workers has been patchy and leaves much to desire. There is need to encourage the formation of organizations and unions of domestic workers in conjunction with linkages with existing central and state programme. The domestic work is not regularized and there is no mechanism to ensure minimum wages and paid leaves to the domestic workers in the present times. There is concomitant need for providing minimum legal protection and social security for workers generating important household and care services. Domestic work is a predominately female-dominated sector that is poorly regulated and often unprotected by labor law. Their isolation and vulnerability as workers is made more complex by their invisibility in private homes and their dependence on the goodwill of their employers. The ILO is working at different levels to support the organization of domestic workers, their access to social protection and the enforcement of their rights as workers. There is need to formulate legislation in favour of minimum wages to the domestic workers. The National Task Force agreed that specific attention was warranted on regulating domestic workers' working conditions. There is a need to create public awareness, especially of the household employers' obligations and to that end, a Code of Practice should be drafted which should serve as a practical tool to protect the rights of the domestic workers at the workplace. Domestic workers are largely absent from the state policy which is tied to the social and economic devaluation of care and its gendered, class and caste characteristics. The lack of unionization is a critical factor in the exclusion of domestic workers from labor laws and other protective measures. The incorporation of female into paid labour at its lowest rung does not necessarily emancipate female from traditional gendered roles. Domestic workers are victims of torture, violence and exploitation in the homes of their employers. They have few options available to them. They are the invisible workers with poor levels of union organization and with weak bargaining power. The employment and living

conditions of female domestic workers are dismal by nature. They are subjected to multi-faceted inconveniences even though they perform multiple activities.

The trade unions, worker organizations and NGOs find a lot of difficulty in reaching each and every domestic worker. The implementation of the law is a challenge because of the informal and decentralized nature of the domestic labor market. The domestic service has become a major informal sector activity in the urban areas. The modern system of domestic growth is an outgrowth of the system of slavery, though its nature, functions and relations have undergone considerable changes over time. The female domestic workers should be enabled to work with dignity, to engage in a meaningful work opportunity, to get remunerated with decent wages for the work performed, to have a voice and recognition of that voice, being able to balance work and family life, get opportunities and avenues for self-development and training leading to wage enhancement and career progression need to be promoted through appropriate policies, legislations and programs. They need to have social protection and social security, get fairness in treatment with no discrimination on the basis of caste, religion, color, domicile or sex at work and society at large. The Central and State Governments are obliged to take effective measures to include domestic workers in the existing labour legislations and ensure equivalent protection due to the specific nature of their work. The effective implementation of the various Acts for the welfare and progress of domestic workers primarily depends on the various State governments and the involvement of civil society. The female workers who migrated from rural to urban areas for domestic work are victims of exploitation and forced labour. It is clear that much work needs to be done to improve the situation of migrant domestic workers in India. A comprehensive legislation for domestic workers, administrative system for the implementation of the legislative provisions and active involvement of civil society and non-government organizations would strengthen the delivery system for protection of the rights of the domestic workers in India. The Supreme Court has noted that domestic workers should be remunerated regardless of the type of establishment, potential to pay and accessibility of domestic workers at reduced wages. The availability of employment is not based in the level of pays and that reducing pays does not necessarily result in increased employment rate. The female domestic workers are not considered as professionals by anyone in the absence of systematic skill development and capacity development opportunities in India. A bill to provide domestic workers with a minimum monthly salary of Rs.9,000 and benefits including social security cover and mandatory time off is awaiting approval in Parliament. Unless the government connects the skilled worker to progressive employers and corporate houses the situation will not change.

## 8. CONCLUSION

The female domestic workers are subjected to series of injustices, deprivations and indignities in modern society due to the absence of meaningful legal safeguards, welfare measures and other provisions for the empowerment of female. They are also socially weak, economically vulnerable and politically disadvantaged section of Indian society. They deserve proper care, protection and measures for empowerment in modern society on the basis of humanitarian considerations. The female domestic workers do not have support networks and civil society support under the existing circumstances. They experience exploitative situations and multi-faceted abuses. The national and international legal instruments are largely ineffective under the existing circumstances.

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