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# Executive Summary



International  
Labour  
Organization

## **Domestic workers across the world**

### **Global and regional statistics and the extent of protection**

Working behind the closed doors of private households, domestic workers are shielded from public view and attention, and have long remained outside the realm of conventional policy tools. However, this should not excuse inaction. Extending labour law coverage to domestic workers is indeed feasible and many countries have already done so in the past – while others have recently embarked on new legislative and policy reforms that were guided by important new ILO instruments.

The Domestic Workers Convention (No. 189) and the accompanying Recommendation (No. 201), both adopted in 2011, offer a historic opportunity to make decent work a reality for domestic workers worldwide. This report presents statistics on current exclusions from working conditions laws and attempts to capture the size of the domestic work sector. Its findings carry a powerful message: domestic work represents a significant share of global wage employment, but domestic workers remain to a large extent excluded from the scope of labour laws and hence from legal protection enjoyed by other workers.

### **Domestic workers: Global estimates**

Based on official statistics from 117 countries and territories, this report presents a new estimate of 52.6 million domestic workers across the world in 2010. As a single occupational category, this represents a workforce as large as that of countries such as Mexico, Nigeria or Viet Nam. Moreover, the estimates provide evidence that this workforce had grown by more than 19 million since 1995, when the global count of domestic workers was 33.2 million. Both figures are conservative estimates and are likely to understate the true extent of domestic work because domestic workers are often undercounted in labour force surveys. The figures also exclude domestic workers below the age of 15 years, which amounts to 7.4 million children.

Even though a substantial number of men work in the sector – often as gardeners, drivers or butlers – it remains a highly feminized sector: more than 80 per cent of all domestic workers are women. Globally, domestic work accounts for 3.5 per cent of women's employment, and in some regions as many as one in five (Middle East) or one in six (Latin America and the Caribbean) female workers are domestic workers. Improving working conditions in the

sector has broader ramifications for greater gender equality. At present, domestic workers often face very low wages, excessively long hours, have no guaranteed weekly day of rest and at times are vulnerable to physical, mental and sexual abuse or restrictions on freedom of movement. Exploitation of domestic workers can partly be attributed to gaps in national labour legislation and often reflects discrimination along the lines of sex, race and caste.

### **Legal protection for domestic workers**

Research carried out for this report shows that only 10 per cent of all domestic workers (or 5.3 million) are covered by general labour legislation to the same extent as other workers. By contrast, more than one-quarter – 29.9 per cent, or some 15.7 million domestic workers – are completely excluded from the scope of national labour legislation. Between these extremes, intermediate regimes exist. Exclusions and partial coverage result in weaker protection for domestic workers in a number of important areas. The report focuses on three aspects, namely: (1) working time regulation; (2) minimum wage coverage and in-kind payments; and (3) maternity protection. Based upon statistical data on the number of domestic workers and on information on provisions in national legislation, the report provides new global and regional coverage estimates for each of these aspects.

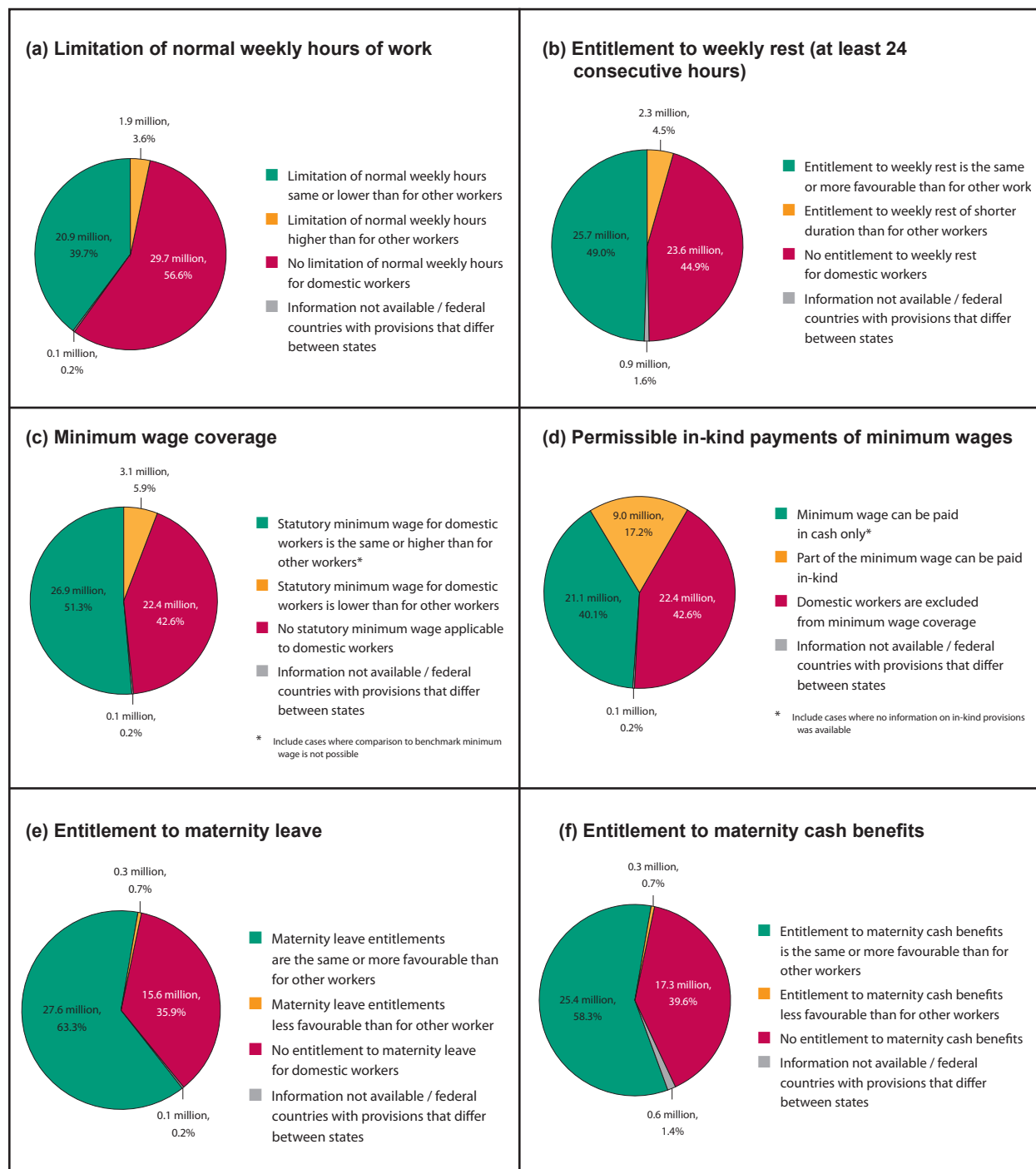
In all these areas, large disparities between domestic workers and other workers become apparent. Working time is one of them: more than half of all domestic workers have no limitation on their weekly normal hours under national law, and approximately 45 per cent have no entitlement to weekly rest periods (see panels *a* and *b* in the figure opposite). However, the data also shows that many countries in Latin America and the Caribbean, in Africa and in the industrialized world have already extended protections to domestic workers. By contrast, most countries in the Middle East and Asia still have to implement the principle of equal treatment. The recent extension of weekly rest to migrant domestic workers in Singapore might be an indication of future efforts, stimulated by the adoption of Convention 189, towards better legal protection of domestic workers in the region and a signal that countries have begun to revise outdated legislation.

While low wages of domestic workers can partly be attributed to the fact that the formal skills requirements in the sector are usually relatively low, other factors such as the undervaluation of domestic work by society and the weak bargaining position of domestic workers play a substantial role. This is a strong rationale for the setting of minimum wages in order to protect domestic workers from exploitation and unduly low wages. The establishment of a fair minimum wage is all the more important due to the fact that domestic workers face important legislative, administrative and practical barriers to forming trade unions and to using traditional collective bargaining methods.

However, at present just over half of all domestic workers already enjoy such protection on an equal basis with other workers, and some 5.9 per cent are entitled to lower minimum wage rates (see panel *c*). This results in a large coverage gap for 22.4 million domestic workers (or 42.6 per cent of the total). Deductions from wages for food and housing are another area of vulnerability. Such partial “in-kind payments” of the minimum wage are common,

notably where workers are required to live at their employers' premises (see panel *d*). Again, some hopeful signs exist that countries have begun to address the shortfall; for instance, Namibia has recently established a Wages Commission to set new minimum wages for domestic workers and to regulate in-kind payments.

**Figure: Protection of domestic workers under national legislation, 2010**



Source: ILO estimates based on data from official sources.

Given that the overwhelming majority of domestic workers are women, the right to maternity protection is a key concern. More than a third of all women domestic workers are currently not entitled to maternity leave and associated maternity cash benefits (see panels *e* and *f*). The coverage gaps are particularly large in the Middle East and Asia, but shortcomings are also found in other regions. Even where domestic workers are included in social insurance schemes that provide maternity benefits, restrictive eligibility criteria or lack of enforcement can hamper access to benefits in practice. However, experience from countries such as Brazil shows that the inclusion of domestic workers into mainstream social insurance funds can be successful. Publically funded benefits are another alternative.

### **Extending protection to domestic workers: The task ahead**

This report shows the urgency of addressing decent work deficits through inclusive legislation and effective implementation of those laws. Convention No. 189 (2011) and the accompanying Recommendation No. 201 (2011) provide a normative framework for these efforts. The new international labour standards have already prompted many countries to review their current regulations and practices with the objective of extending protection for domestic workers. They have also started to impact on labour law reform in favour of domestic workers. More guidance can be found in recent *Effective protection for domestic workers: A guide to designing labour laws* (ILO, 2012) and a number of other materials published by the ILO. Ultimately, it will be joint actions taken at the national level by governments, trade unions and employers together with domestic workers' organizations that will bring decent work to the millions of domestic workers across the world.

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