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Asean Trade Union Council



▶ **Talking to trade unions/
affiliates/members
about domestic work**

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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.

Tips for the trade union champion/advocate

- ▶ **This guide equips you with the arguments that we commonly hear when talking with trade unions and affiliates about domestic work.** 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 an 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. It's hard for domestic workers to advocate within a union, if they aren't unionized yet!
- ▶ **Be respectful of your role as an advocate.** The purpose of this conversation is to explore, listen and learn while discussing how to organize domestic workers in the union.
- ▶ **As the champion,** you should question union members and participants if they are sharing generalizations or stereotypes and steer them away from belittling statements. Remember, discussants do not need to all agree, or find a solution today. This conversation may be part of a longer process. It takes time to change minds!
- ▶ **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 participants to be relaxed and comfortable with one another, 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.



1. Why should I focus on domestic workers?

There are so many reasons why the union movement should focus on domestic work. But first, perhaps consider the most humane reason.

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

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. But domestic workers face some of the most exploitative working conditions and the lowest pay – despite performing some of societies’ most important roles. This essential work deserves fair compensation, decent working conditions and respect.

Secondly, consider that domestic workers still experience horrendous exploitation and abuse.

The social justice imperative for all trade unionists is clear. Domestic workers are some of the most oppressed workers and most in need of organization, as they have long missed out on the improvements that are enabled by unionization. How our legal systems and societies provide for domestic worker is a measure of the health and humanity of our communities.

CASE STUDY –



Erwiana Sulistyaningsih

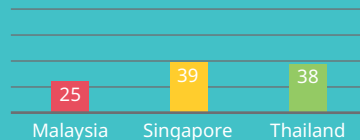
Erwiana was an Indonesian domestic worker who faced life-threatening abuse by her employer in Hong Kong. For eight months, Erwiana was forced to sleep on the floor, work over 20 hours a day and was not given any time off. She was beaten by her employer with a mop, a ruler and a clothes hanger, to punish Erwiana for being too slow or neglecting her duties. Erwiana’s wounds become 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 migrant worker.

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 and a large majority worked excessive hours.

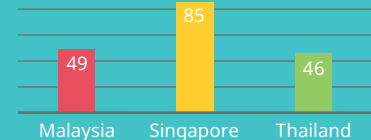
Work 7 days per week (%)

Base : all respondents, n=1201



Work more than 10 hours per day (%)

Base : all respondents, n=1201



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

Thirdly, consider that domestic work enables much – if not all – other work outside the home to happen.

Domestic work enables other labour force participation – especially for women

If domestic work is not done, most workers aren’t able to attend their workplace. If children aren’t cared for, food and meals aren’t bought or prepared, homes and clothes cleaned, work outside the home becomes nearly impossible. In this way, domestic workers are the primary workers that should attract attention from trade unions and improved working conditions.

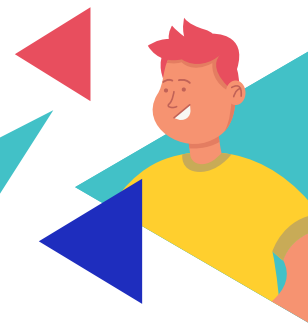
While Erwiana’s case is one of the most famous, she is not alone. Domestic workers in the region report assault, rape, confinement and excessive working hours and demands all too regularly.

FACTS



In all subregions of the Asia-Pacific region, parenthood pushes fathers **into** work and mothers **out of** work. For women... the tendency is to withdraw from the labour market upon motherhood. This is reflected in the eight-percentage point gap in labour force participation of women with children against women in all households. The parenthood labour force participation gap is greatest for women in South-East Asia (at 12 percentage points).

Asia-Pacific Employment and Social Outlook 2022: Rethinking sectoral strategies for a human-centred future of work



2. Anyway, domestic workers are like members of the family, not workers

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 policy and law makers don’t provide comprehensive legal protection for domestic workers. While being ‘part of the family’ might sound welcoming and open, families are spaces that are loaded with power and status, with particular consequences for women. Being described as ‘family’ does not necessarily bring with it dignity, respect, equality – or decent working conditions.

The ILO, through the Convention 189 on Domestic Work, demonstrated its commitment to ensuring decent work for domestic workers and set minimum standards over a decade ago.

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

Domestic work is work, and needs to be protected like all other kinds of work

FACTS

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



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

3 But the union has such a lot to tackle. Why would we add on domestic work?



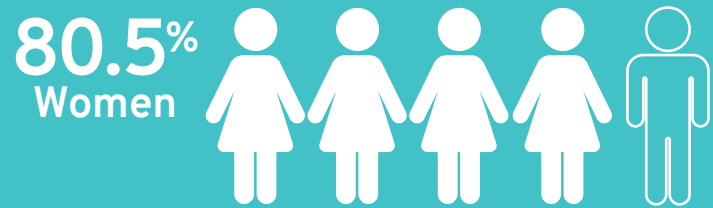
Domestic work shouldn't be considered an inconvenient 'add on' to trade union work. It is a critical economic and employment sector, especially for women workers, and globally important, as international migrants increasingly are providing care in homes. Organizing domestic workers and advocating for their rights helps unions expand their membership base, reinvigorates the trade union movement, and makes trade unions relevant nationally and the global level.

Domestic work contributes economically and socially, at global, regional and local levels.

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.

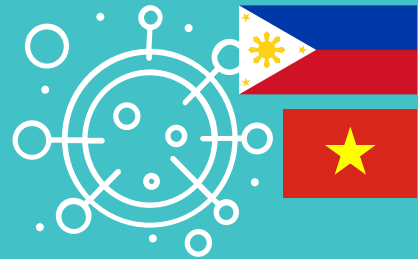


Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)

Domestic work is a major employer of women, especially those who haven't had a chance to attend school or gain formal qualifications. It is also vital in the COVID-19 recovery, given that women were especially affected by job losses during the pandemic.



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.

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

And demand for domestic workers will increase in the coming years, especially in aging societies of ASEAN. Trade unions cannot afford to ignore domestic work.



4 Look, it is not legal anyway - for domestic workers to organize - so we can't do it

Organizing is activism. It is – at its core – challenging the status quo power structures. As trade unionists, we fight against injustice faced by workers. Illegality of organizing is part of that injustice. Showing the government that trade unions want to and are able to organize domestic workers is the strongest argument that your union can use in calling the government to change laws to allow trade union organizing of domestic workers. Your efforts to organize domestic workers and to advocate for legal change can go hand in hand!

All workers have the right to organize

FACTS



▶ **Cambodia:** Under the Law on Trade Unions (2016), foreign employees may only lead/manage/administer trade unions if they are able to read and write in Khmer; have worked in Cambodia for a minimum of two years; and have permanent residence in Cambodia. Additionally, foreign workers in Cambodia can only be shop stewards if they are able to read and write in Khmer (this clause is ambiguous because it is discussed in relation to education level).



▶ **Malaysia:** The Trade Union Act states that migrant workers are allowed to join trade unions but not hold official positions or form their own trade unions.



▶ **Myanmar:** The Labour Organization Rules (2012) impose a five-year Myanmar residence requirement to be a member of the executive committee of a labour organization.



▶ **The Philippines:** Per the Labour Code (Presidential Decree No. 442 of 1974), foreign workers may only participate in a labour union if the workers' home country grants Filipino workers the same right.



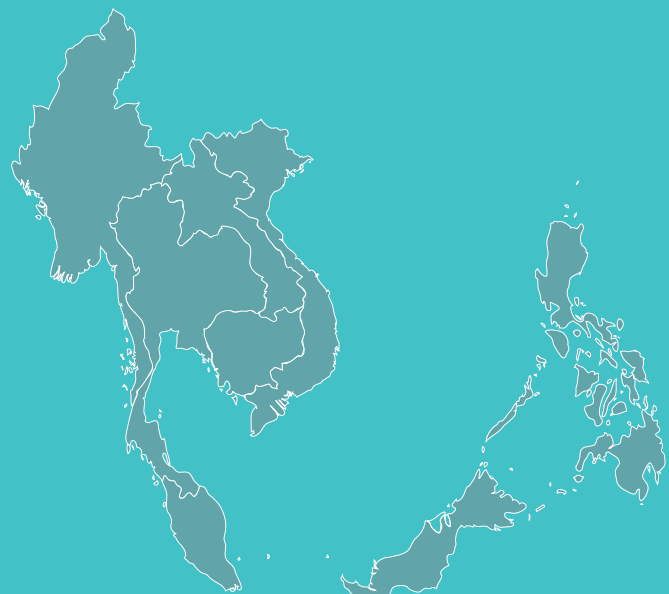
▶ **Singapore:** The Trade Unions Act states, "No person who is not a citizen of Singapore shall act as an officer of a trade union" or be elected as a trustee, unless they receive Minister approval.



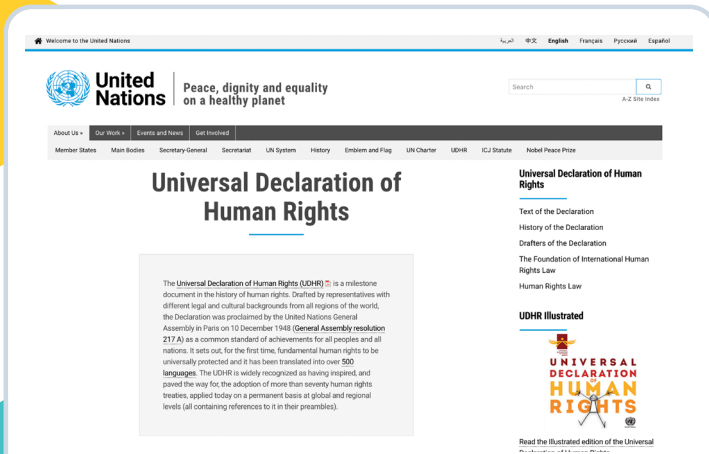
▶ **Thailand:** Under the Labour Relations Act B.E. 2518 (1975), section 88, only Thai nationals may form a labour union or be elected to the board of directors of the union. 17 Similar prohibitions or other restrictions are also found in countries of origin in ASEAN.



▶ **Viet Nam:** Under the Trade Unions Law, only Vietnamese nationals have the right to establish, participate in and operate a trade union

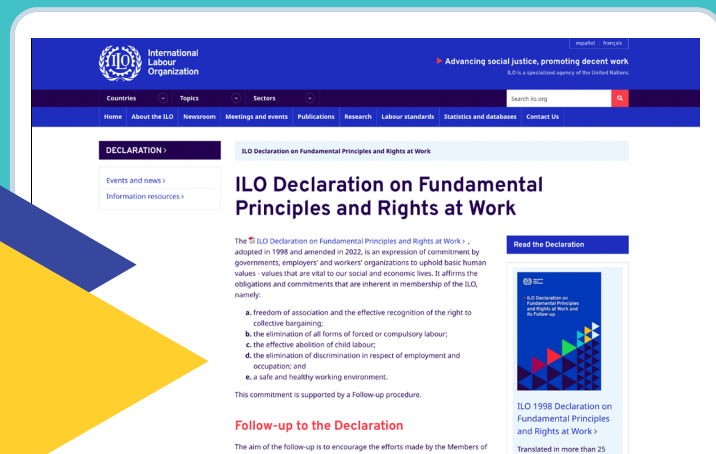


Talking to trade unions/affiliates/members about domestic work



FACTS

- ▶ Freedom of association is enshrined in the [ILO Constitution \(1919\)](#), the [ILO Declaration of Philadelphia \(1944\)](#), and the [ILO Declaration on Fundamental Principles and Rights at Work \(1998\)](#).



- ▶ All ASEAN Member States, as members of the ILO, must uphold freedom of association and right to collective bargaining commitments inherent under the membership of the ILO.
- ▶ It is also a right proclaimed in the [Universal Declaration of Human Rights \(1948\)](#). Article 23 states that *'Everyone has the right to form and to join trade unions for the protection of his interests.'*



If your union is facing legal restrictions, there are lots of options to organizing domestic workers that doesn't necessarily involve them becoming full union members. These include forming associations or community groups that are associated with the union (for more models, see the [Organizing women migrant workers: Handout compendium](#)).



5. But domestic workers are most often women, and we don't have a lot of women members or organizers

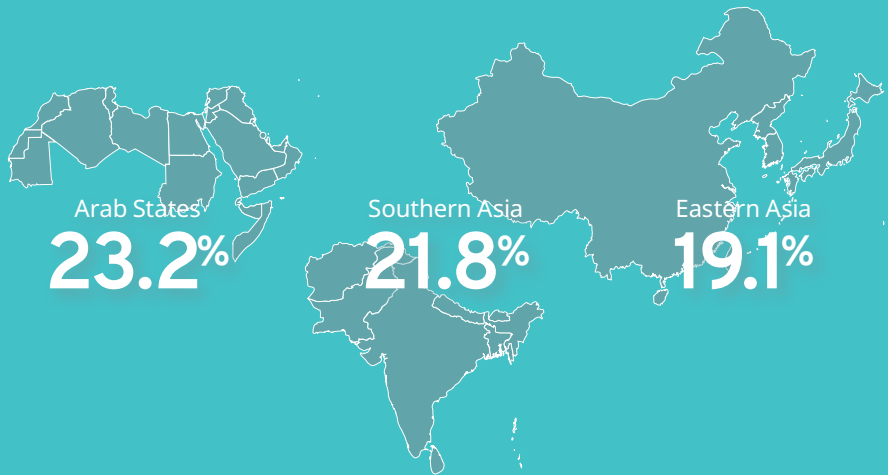


Not having so many women members/organizers means the union is missing out on a valuable resource that can also breathe new life into the movement. Organizing women workers, including domestic workers, helps boost your membership numbers and makes your trade union more relevant. When you have organized some domestic workers, build their leadership skills to organize more domestic workers into the union. Of course, women and domestic workers are likely to be more responsive to other women and domestic workers approaching them, so use your human resources wisely.

Men can – and should! – be able to organize 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 actually 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 these men are drivers, gardeners and security guards, but these are all domestic workers.



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



... until there are enough women organizers to continue to build the movement

(Re)negotiating equality and power is the core work of unions – moving towards gender equality must be central to union goals. This means having more women in our unions, and in decision-making roles, in part to attract more women to the movement. And let's face it, the union movement needs to start growing.



Lao PDR
15.5%



Malaysia
8%



Thailand
3%



Viet Nam
16%

FACTS

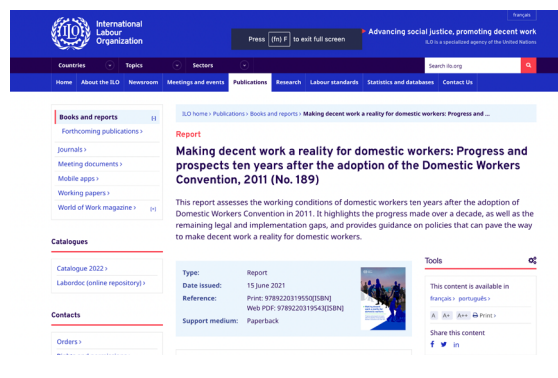
The ILO suggests that in 2010, union membership (as a percentage of total employment) in Lao PDR was approximately 15.5 per cent; 16 per cent in Viet Nam; eight per cent in Malaysia; and three per cent in Thailand.

World of Work Report: Development with jobs



6. And they're so low paid! They don't have enough money to pay towards union dues!

Although sustainability and funding are important, **a union is not a money-making enterprise**. The fact that domestic workers might not be able to pay union dues is more evidence of why workers in the sector need to improve their working conditions, especially pay.



FACTS

Although the Domestic Workers Convention gives domestic workers the right to minimum wage, in line with all other workers, only 11 per cent of domestic workers in the region enjoy the minimum wage to the same extent as other workers.

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

In solidarity, if trade unions can advocate for introduction or enforcement of minimum wage for the sector, domestic workers will see benefit of joining the union and have enough money to pay dues.

If your union doesn't have it already, the union may consider introducing a sliding scale for dues, based on ability to pay/salary levels.

7. But domestic workers are not interested in trade unions anyway. They don't want to be organized

This myth should be debunked because, on the contrary, a lot of domestic workers want to be organized. However, because domestic work is often seen as different – or even less worthy – by unions, domestic workers may not want to join when they feel they are unwelcome or seen as a burden. Trade unions have a pivotal role in providing an environment where domestic workers feel comfortable to join activities and in providing support that domestic workers want and need, like legal assistance and referrals.

It is the union's job to offer services and support that is attractive to domestic workers, so they will want to join.

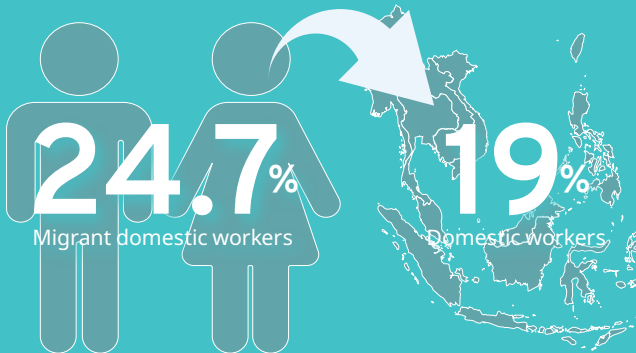


8 So many are migrants, so they don't fit into the union so easily

Unions should be organizations that are welcoming, egalitarian and committed to strength in diversity.

FACTS

Southeast Asia and the Pacific is home to a large number of migrant workers. **Of the 11.7 million migrant workers estimated in the region in 2013, 19 per cent are domestic workers** (ILO 2015a). Migrant domestic workers account for almost a quarter (24.7 per cent) of all domestic workers in Southeast Asia and the Pacific.



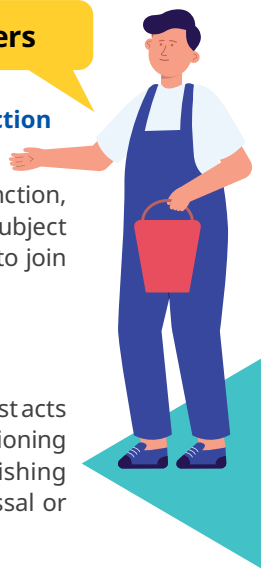
Unions should welcome migrant workers

► **Convention 87 Freedom of Association and Protection of the Right to Organize Convention, (1948)**

Article 2 - Temporary migrant workers, without distinction, should like all workers have the right to establish and, subject only to the rules of the organization concerned and to join organizations of their own choosing.

► **Convention 98 Right to Organise and Collective Bargaining Convention, (1949)**

Temporary migrant workers should be protected against acts of anti-union discrimination, particularly those conditioning employment on the worker not joining, or relinquishing membership in, a trade union, or threatening dismissal or harassment of a migrant worker for such affiliation.



Building the union movement with migrant workers is not only the right thing to do, but also fosters solidarity across the region and the world. In a **globalized world**, with a **globalized workforce**, the necessary balance of power can only be wielded by a **globalized union movement**.

Unions and organizations can also organize along nationality lines.

CASE STUDY

Domestic workers' unions in Hong Kong [China] formed the Hong Kong Federation of Asian Domestic Workers Unions (FADWU) in 2010 with the support and coordination effort of Asian Migrants Centre (AMC), the Hong Kong Confederation of Trade Unions (HKCTUs) and the Alliance of Progressive Labor (APL).

FADWU organizes domestic workers of five different nationalities. Its affiliates include the Hong Kong Domestic Workers General Union, the Thai Migrant Workers Union in Hong Kong (TMWU), the Union of Nepalese Domestic Workers in Hong Kong (UNDW), the Overseas Domestic Workers Union Hong Kong, and the Progressive Labor Union of Domestic Workers in Hong Kong.

[Organizing women migrant workers: Handout compendium](#)

9. Ok, ok, but domestic workers don't have the factory or workplace setting for organizing



Isolated workplaces are one of the risk factors for workplace exploitation or forced labour for domestic workers. But this cannot be an excuse; there are ways to overcome these obstacles and organize. Domestic workers should all have a day off, often Sundays, and many gather in their community groups to meet friends on that day. Trade unions should seek ways to approach domestic workers – respectfully - then. If domestic workers have no day off in your country or it is not implemented in practice, changing this should be the first advocacy point for your union!

Organizing domestic workers will take creativity and innovation

Consider the use of technology to link domestic workers, or a community-based model where domestic workers organize in a specific neighbourhood.



FACTS

In Lebanon, domestic workers built communities by communicating from their nearby balconies, sharing information and talking about how to negotiate leave and time off. They also would arrange to take out the rubbish at the same time to allow for more opportunities to network and exchange!



Unions have used community spaces, markets and parks as places to contact and connect with domestic workers.



[Organizing women migrant workers: Handout compendium](#)

10. What's the point of organizing if they can't bargain collectively?

Of course, trade unions' goal is to realize collective bargaining for its members. And, at first, this might seem impossible for domestic workers – but it's not. Unions should consider innovative ways to help their domestic worker members move towards collective bargaining like engaging with different actors or stakeholders. Consider how recruitment agencies, village or homeowners associations, local governments, or other groups of employers (even through private sector businesses) might be able to come together to set standards for domestic work.

Domestic workers have successfully collectively bargained in at least three countries

FACTS

Collective bargaining agreements for domestic workers exist in Belgium, France and Italy, while domestic workers' wages are set through tripartite boards in Argentina and Uruguay. In all of these countries, the negotiated minimum wage for domestic workers does not fall below national minimum wages, where these exist.

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

Collective bargaining however isn't the only objective of organizing. In the absence of collective bargaining, tripartite social dialogue to adopt a minimum wage has also helped to secure an agreeable wage rate. To have a meaningful tripartite dialogue, domestic workers need to be well represented within the trade union participants. **And let's be honest – we need domestic workers organized before we can even consider collective bargaining.**

11. Well, we certainly can't do this alone – who can we work with?

The Domestic Workers Convention, 2011 (No. 189) provides a basis for policy advocacy by trade unions and domestic workers' organizations. There are many resources – technical and financial – that your union may be able to access through the ILO and others promoting the Convention.

The ILO has a clear mandate on domestic work

[Thirty-five countries](#), including the Philippines, have now ratified ILO Convention 189, along with Recommendation 201. These countries can also lead the way.

Several trade unions are already making efforts to organize domestic workers, including in the Philippines and Indonesia and the unions are doing outreach among Filipina and Indonesian domestic workers in Malaysia too.



Indonesia Prosperity Trade Union (KSBSI) and Association of Nationalist Overseas Filipino Workers (AMMPO)

KSBSI and AMMPO are workers' organizations from Indonesia and the Philippines, respectively. They are mostly comprised of domestic workers. They provide counselling, shelter and capacity building for their members. They also assist distressed members and provide legal assistance for employment-related issues. Now, these organizations have branches in Malaysia, a popular destination for Indonesian and Filipina domestic workers, allowing them to provide services to migrant domestic workers.

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.



In Thailand, a civil society organization, HomeNet, leads this work and supports a network of domestic workers. In Cambodia, there are the Cambodian Network of Domestic Workers and the Association of Domestic Workers. There is even talk of an association also forming in Myanmar. Coordinating with existing efforts will help build momentum.

But, be creative! Women's groups and community organizations, migrant groups, schools, neighbourhoods, businesses and religious congregations could all be great partners in efforts to reach and organize domestic workers.

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 trade unions/affiliates/members about domestic work

Want to ensure trade unions are organizing and supporting domestic workers?

This guide equips advocates and champions to answer the questions often heard when talking to trade unions and trade union members about organizing more domestic workers and working alongside domestic workers' unions. It also gives the facts to back up these arguments.

If you're going to have conversation about how trade unions can – and should - better support and organize 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.

This publication has been funded by the Australian Government through the Department of Foreign Affairs and Trade and the Government of Canada through Global Affairs Canada. The views expressed in this publication are the authors' alone and not necessarily the views of the Australian Government or the Government of Canada.

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