

INTERNATIONAL LABOUR AND EMPLOYMENT RELATIONS ASSOCIATION
16th World Congress
[Philadelphia, USA]

Track 04: Raining the Floor for Rights at Work in a Globalising Economy

Topic: Securing Decent Work Conditions for Domestic Workers in India

Pravin Sinha
Secretary,
Indian Industrial Relations Association [IIRA]

Indian Industrial Relations Association
B 05, 2 Shmannath Marg, Civil Lines, Delhi 110054, India
Ph. 0091-11-26561361-4; Fax. 0091-11-26564691
Email: iira.india@gmail.com

16th ILERA World Congress
Track 04: Labour and Social Movements Responding to Globalization
Topic: Securing Decent Work Conditions for Domestic Workers in India

Pravin Sinha¹

Abstract

In India, the emerging economic power, the workers continue to be concentrated in its informal sector wherein neither the employment relation nor the terms of conditions are defined. Resultantly, they are faced with all kind of exploitations inspite of various protective legislations as also promotional policies and schemes declared by both the Federal and State governments. Incidentally, the workers in the informal sector constitute over 90 percent of the India's workforce. Most of these workers are employed in low skill low paid jobs and fall in the category of people living below the poverty line. According to NCEUS over seventy percent of India's population live on less than half a dollar a day and under this are those workers who could be defined as domestic workers².

The domestic workers has always been integral part of Indian way of life. The annals of India social history is filled with the roles played and importance accorded to domestic workers. In the post industrial India, more so with the breaking away of the joint family system, the domestic workers' status saw remarkable change from that of confidant. It also moved from life time engagement to that of Job related engagement. Following ICT boom in India, that not only brought in enhanced wages, more so due to double salary households, but also migration of new skilled workforce to urban India thus creating more demands for domestic workers. The development process and resultant increase in demands have led to increased entry of women in labour market. This in turn has caused demand for domestic workers to undertake works earlier performed by housewives

Understandably therefore, women workers constitute dominant portion of the domestic workers population. The domestic workers are employed in almost all households. However, in the absence of a specific law relating to such workers and non-effective enforcement of concerned law have resulted in them facing their rights being violated. Of recent the laws on

¹ Secretary, Indian Industrial Relations Association, B 5, 2 Shamnath Marg, Civil Lines, Delhi 110054, India.
[Email. lira.india@gmail.com]

² According to ILO "A domestic worker is someone who carries out household work in private households in return for wages". However, Housemaid has a more detailed definition: "HOUSEMAID – cleans rooms, prepares food and serves meals, washes dishes and performs additional domestic duties in private households: dusts and polishes furniture, sweeps and cleans floors and floor coverings and washes windows; makes beds and changes linen; washes, pares, cuts and otherwise prepares food for cooking or eating raw; prepares beverages, salads and desserts; washes dishes and cleans silverware; sets table and arranges chairs in dining-room and serves food; washes linen and other textiles by hand or machine and mends and irons them, performs additional duties such as answering telephone and doorbell, feeding pets and purchasing food and other supplies. May cook meals, bake cakes and pastries and perform other cooking work."

The Domestic Workers (Registration, Social Security and Welfare) Bill of 2008 of India defines the same as, a person who is employed for remuneration whether in cash or kind, in any house hold through any agency or directly, either on a temporary basis or permanent, part time or full time to do the household work or allied work
EXPLANATION: household and allied work includes but is not limited to activities such as cooking or a part of it, washing clothes or utensils, cleaning or dusting of the house, caring/nursing of the children/sick/old/handicapped. http://ncw.nic.in/Comments/Domestic_worker_bill.pdf

domestic workers enacted by the state government of Maharashtra, Karnataka, Kerala, etc. have been instrumental in according legitimacy to the demands of domestic workers. Further the recently concluded 100th Session of the International Labour Conference that adopted a Convention for domestic workers would, on ratification by India, prove useful in promoting and protecting rights of the domestic workers. The government and its labour department has dominant role in seeing that the rights violation of domestic workers are checked through effective inspection and engagement of domestic workers unions in the same.

References

- Alternative Survey Group (1995): *Alternative Economic Survey, 1994-95*, Delhi Science Forum, New Delhi
- Gopalan Sarla (1995): *Women and Employment in India*, Har-Anand Publication, New Delhi
- GOI (1995): *Economic Survey, 1994-95*, Ministry of Finance, Government of India, New Delhi
- GOI (1996): *Economic Survey, 1995-96*, Ministry of Finance, Government of India, New Delhi
- ILO(2010): *Decent Work for Domestic Workers*, International Labour Conference Report IV(1), International Labour Organisation, Geneva.
http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_104700.pdf
http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_123731.pdf
- ILO [2011] *Domestic Workers Convention and Recommendations: Convention: [2011-06%20ILO%20Convention%20Domestic%20Workers.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_104700.pdf); Recommendation: [2011-06%20ILO%20Recommendation%20Domestic%20Workers.pdf](http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_123731.pdf)*
- Murthy, R. K. & Nitya Rao (1997): *Addressing Poverty – Indian NGOs and their capacity enhancement in the 1990s*, Friedrich Ebert Stiftung, New Delhi, pp 416
- Parikh, K. S. & R. Radhakrishna, eds. (2002): *India Development Report, 2002* Orford University Press, New Delhi
- Planning Commission (1993): *The Report of the Expert Group on Estimation of Poverty Line*, Perspective Planning Division, Government of India, New Delhi
- Saith, Ashwani (2008): *Towards Universal Socio-economic Security: Strategic Elements of Policy Framework*, in *Indian Journal of Human Development*, Vol 2, No. 1, New delhi pp9-38
- Helen Schwenke, Helen (2005): “Domestic Slavery” versus “Workers Rights”: Political Mobilizations of Migrant Domestic Workers in the European Union , The Centre for Comparative Immigration Studies, University of California, San Diego, USA
<http://www.ccis-ucsd.org/PUBLICATIONS/wrkg116.pdf>
- TSL(1999): *Statistical Outline of India, 1999-2000*, Department of Economics and Statistics, Tata Services Limited, Mumbai
- Sen, A. (1996): *Economic Reforms, Employment and Poverty – Trends and Options in The Economic and Political Weekly*, September 1996
- UNDP (1997): *Human Development Report*, Oxford University Press, New York.