

Role of ILO for the Domestic Workers: An International Perspective

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Abstract

The year 1919 was that golden year when the ILO was established as part of the Treaty of Versailles, which became the reason for the end of World War 1. It spreads the belief that peace and equality can be established only on the pillar of social justice. The workers, the employer and the government got equal voice by the unique tripartite structure of the ILO. Their views got equal opportunity in shaping labour standards and making policies. The ILO works as an anchor sheet for all labour in the world, especially member countries. The women's labour got feathered through the ILO to spread their wings to feel and live a free and peaceful life. They can breathe the fresh air in the environment of equality only through the praiseworthy efforts of the ILO. But there are loopholes also; despite all initiatives, the women's workforce is not equal to men. Many millions of women labourers are still untouched by the eyes of ILO conventions and National Labour Laws, like home-based workers, agricultural workers, women labourers for building construction work by local agents, domestic employees, unpaid women working for their families, and women workers in unregistered enterprises. Some women labourers are still veiled and fighting for recognition, and they are unorganised. They are doing work.

Keywords- Female Domestic Workers, Hard Work, Fixed Working Hours, Humiliation, Sexual Abuse.

Introduction

The Domestic workers are those workers who are home-based workers; they work in all household work in other homes. The person in whose home they work is called the employer of domestic workers, and the person who does the household work in the employer's home is called the domestic worker. The profession of domestic work is mostly carried out by females of different ages it including the girl child. Gender inequality still exists in the labour force. Women have to work a double job in their homes and outside their homes. They do the unpaid work at home. Approx. 40% women represent the global labour force. The women, girls and girl child below the age of 14 years mostly do the work of domestic work. They are undervalued and are mostly from a vulnerable community. They have no recognition, and they enjoy no labour rights or facilities. ILO first took the initiative and raised the voice of domestic workers in the Convention no 189 and the Recommendation no 201, which was a landmark convention historically. Most of the domestic workers are migrants. They migrate to Gulf countries and other developed nations, where they work as domestic workers. In their destination countries, they often suffer exploitation and abuse at the hands of their employers in various forms. The profession of female domestic workers is not new but the number of female domestic workers has increased after women empowerment when women started managing both home and her job, in search of her individuality, her identity she started to become self-dependent outside so need of domestic workers becomes the essential need somewhere to maintain status quo and to maintain lavish living people don't want to do their house hold work by themselves and now a days it is in vogue to keep a maid for managing home. Marxist theory of labour exploitation also fits in the domestic workers' context. Marx says that labour exploitation indirectly, this housemaid is also being exploited by their employer. In the female domestic workers context, this theory also fits, as in the hours in which these house maids work for the employer, in that these hours produce something of high value. Still, the employer gets an appropriate salary, but the maid gets less salary, for example, if a man keeps a maid for household work like cleaning utensils, washing clothes, cooking food, arranging the home, etc., in doing this work, the domestic worker takes five hours. In these five hours the employer does his official work or goes in an industry or elsewhere, and in lieu of those five hours of work, the employer gets 1200 per day, so indirectly this is a chain so, in rupees of 1200 there is also a great role of his/her maid but the employer gives his maid only 56 rupees per day. The work of a maid is tougher than her employer. But the plight of these female domestic workers is that they face so many problems during their job, like no job security, no contract for the job, no holidays, no fixed wages, no increment in salary, etc. They don't come under

the definition of labour; they are from the unorganised sector of work. They face sexual as well as mental harassment and many exploitations by their employer. Most of them are migrants from rural areas they also face forced migration. They have to do domestic work in more than 3 houses in a day for their livelihood. Their work is to clean utensils, mop the floor, dust, take care of a child sometimes take care of an old or aged person in the employer's home. Female domestic workers also face menstrual health issues. Most of them are unable to use sanitary napkins as they can't afford to buy sanitary napkins, they use old cotton cloths in their difficult days and no leave for those days, which is so unhygienic as they can't afford to buy sanitary napkins. As the government should pay heed to women's health, at least sanitary napkins should be distributed among the poor for free. The price of sanitary napkins should be low. They also face body pain and injuries during their work. Some female domestic workers also face miscarriages; some are facing recurrent miscarriages because of heavy physical work during pregnancy; they never take rest and do heavy manual work, and the result is miscarriage. Unlike chauffeur workers of some organisations, they don't wear livery. So, problems are many problems. These domestic workers should unite and raise their voice for their rights; the government should also pay heed to the betterment of their condition. They are unaware of their rights. This piece of work is devoted to the study of the role ILO for Domestic Workers at the international level. They never pay heed to the need for certain rights because they are ignorant, illiterate, innocent, and many other reasons. There is a need to awaken them to raise their voice for their rights. They only depend on the mercy of the employer. They need separate legislation. It is the irony of nations that while all over the world is celebrating Labour Day on May 1st, they don't have a holiday. Here, the condition of female domestic workers will be studied in depth. They are vulnerable section of society a lot of problems they have to face daily in doing their job of domestic work. Sometimes they became the prey of the sexual lust of the employer himself or someone in the employer's home. They face sexual harassment at their workplace. They don't get their salary on time generally, and there is no salary increment, or they don't have any job security. They have to tolerate chagrin and invective by employers, and also tolerate castigation for false charges of theft. There are several barriers to doing the job happily, because they have to tolerate a lot in doing the job of domestic work, as no protection is available for them. Apart from salary, for any extra benefits or social security, they depend on the mercy of the employer.

Labour Reforms Initiatives at the International Level- the ILO is the anchor sheet for all labour in the world. India is also one of the founding members ILO. Presently ILO has 185 members. There are three organs of the ILO, which are respectively (1) the International Labour Conference, (2) the Governing Body & (3) the International Labour Office. The General Assembly of the ILO meets every year in June.

International Labour Conference- first held in 1919, and it meets once a year. The governing body assists it and it adopts a biannual programme and budgets, and also follows international Labour Standards in the form of conventions and recommendations and also provides a forum to discuss issues related to social, economic and labour. India also had the opportunity to participate in the conference regularly through its tripartite delegations as an active member. The Conference has so far had four Indian Presidents, viz., Sir. Atul Chatterjee (1927), Shri Jagjivan Ram, Minister for Labour (1950), Dr Nagendra Singh, President, International Court of Justice (1970) and Shri Ravindra Verma, Minister of Labour and Parliamentary Affairs (1979)¹. There have also been eight Indian Vice Presidents of the International Labour Conference, two from the Government group, three from the Employers and three from the Workers' Group.

Governing Body- The most important body of the ILO is the governing body, which is the executive wing of the organisation. In the governing body, India has had a non-elective seat since 1922 and gained recognition as one of the chief industrial powers. Four Indians have also got the opportunity to be elected as the Chairmen of the Governing Body. They are Sir Atul Chatterjee (1932-33), Shri Shamal Dharee Lall, Secretary, Ministry of Labour (1948-49), Shri S.T. Merani, Joint Secretary,

¹ Ministry of Labour & Employment. Available at: <https://www.india.gov.in/website-ministry-labour-and-employment>

Ministry of Labour (1961-62) and Shri B.G. Deshmukh, Secretary, Ministry of Labour (1984-85)². India now takes part in all proceedings of the sections during the sessions of the Governing Body viz Institutional Section (INS); Policy Development Section (POL); Legal Issues and International Labour Standards Section (LILS); Programme, Financial and Administrative Section (PFA); High-level Section (HL); and Working Party on the Functioning of the Governing Body and the International Labour Conference (WP/GBC).³

The International Labour Office - The Position of importance is also grasped by Indians in the International Labour Office.

ILO Conventions & Recommendations- The aim behind these conventions and recommendations of the ILO is to set up an International Labour Standard. The ILO always provides guidelines and frameworks for the betterment of labour. The treaties and conventions create legally binding obligations on the states that ratify them. India actively participates in all treaties and conventions of the ILO. India has ratified 41 conventions, which is more in number than other country.

The core or fundamental conventions are as follows.

- Forced Labour Convention (No.29)
- Abolition of Forced Labour Convention (No. 105)
- Equal Remuneration Convention (No. 100)
- Discrimination (Employment Occupation) Convention (No. 111)

The above four have been ratified by India.

India has not ratified Conventions 87, 98, 138, and 182, which are the core ILO Conventions.

- Convention No. 87- Freedom of Association and Protection of the Right to Organise.
- Convention No. 98- Right to Organise and Collective Bargaining.
- Convention No.. 138- Minimum Age. Child labour is a major socio-economic problem.

India is also affected by this menace. To root out this problem, India made legislation like Child Labour (Prohibition & Regulation) Act, 1986⁴. The National Child Labour Project for Rehabilitation of children, withdrawn from work. Under this project, children withdrawn from work are admitted to a special school and they are provided with bridge education, vocational training, nutrition, stipends and health care, etc., and then they get formal education. Every child between the ages of 6-14 years is provided free and compulsory education under the Right of Children to Free and Compulsory Education Act, 2009.

Convention No. 182 Worst Form Child Labour – ILO Convention No. 182 and the accompanying Recommendation No. 190 concerning Worst Forms of Child Labour was adopted by the International Labour Conference in its 87th Session at Geneva in June 1999. Convention no 182 comes under one of the core conventions of the ILO. It is a fundamental human rights convention. India has taken initiatives through various Acts to eradicate the worst form of Child labour. The following are some Acts related to this.

- Slavery, Debt Bondage and Forced or Compulsory Labour through Bonded Labour System (Abolition) Act, 1976.
- Prostitution, Pornography and Pornographic performances are banned through the Indian Penal Code (IPC), Immoral Trafficking Prevention Act, 1956.

² Ministry of Labour & Employment ,Available at: <https://www.india.gov.in/website-ministry-labour-and-employment>

³ Ministry of Labour & Employment, Available at: <https://www.india.gov.in/website-ministry-labour-and-employment>

⁴ Ministry of Labour & Employment, Available at: <https://www.india.gov.in/website-ministry-labour-and-employment>

- Production and Trafficking of drugs have been banned by the Narcotic Drugs and Psychotropic Substances Act, 1985.
- Child Labour below 14 years in Hazardous Occupation is prohibited under the Child Labour (Prohibition & Regulation) Act, 1986.

The Child Labour (Prohibition & Regulation) Amendment Bill, 2012, coined certain points for the betterment of children, but this Bill is under consideration, and it will take time to pass. The Following points are under consideration.

- Complete prohibition on employment of children below 14 years and linking the age of the prohibition with the age under the Right to Free and Compulsory Education Act.
- Prohibition of Working of Adolescents (14 to 18 years) in Mines, Explosives and hazardous occupations outlined in the Factories Act, 1948.
- More strict punishment for the offenders and making the offences under the Act cognizable.

There are 41 conventions and 1 protocol ratified by India. According to ILO Data, half of the labour economy is covered by the informal economy. The informal economy covers more than half of the global labour force, with over 90 per cent of Micro and Small Enterprises (MSEs) falling under this category.

ILO Convention and Recommendations Relating to Domestic Work-

• C189 (Domestic Workers Convention, 2011)

The main goal of this convention and recommendation was the protection of the rights of Domestic workers by ensuring decent work for them. The main focus was the Working hours, Rest periods, Social Security, Protection against discrimination and protection against violence of all types (Sexual, Mental, Physical) "Convention No 189" and "Recommendation No 201" are the two main instruments which paved the way for a desired destination for Domestic Workers. It is the only convention in which, for the first time, the rights of Domestic Workers were raised and an attempt was made to give Domestic workers decent recognition and cater to their rights as other organised labour. This Convention no 189 and Recommendation no 201 were adopted on 16th June 2011 by the International Labour Conference of the ILO.

R201 (Domestic Workers Recommendation, 2011)- This Recommendation has guidance for the implementation of C189. It has detailed guidance on contracts, wages, working conditions, and the provision regarding fair recruitment practices. The main pillar on which the above-discussed Conventions and Recommendations stand is that these domestic workers are neither "Servants" nor "Members of Family" nor "Second Class Workers". This Standard provides a shade tree on sunny days to millions of domestic workers whose work is undervalued. The pages of history are evident that the profession of domestic work was chosen by females and girl children generally in their extreme worst condition, and they have no recognition as labour in the global labour market. Their contribution is great to the global economy, but they are undervalued. This standard was adopted in the 100th session of the International Labour Conference. This convention guarantees minimum labour protection to domestic workers. Some commitments of these Recommendations and the Convention are as follows.

- To promote decent work for all Domestic Workers.
- To recognise the significant contribution of Domestic workers in the global economy.
- To consider that the profession of domestic work is undervalued and that the domestic workers are from a vulnerable community, most of whom are migrants. Women and girls under the age of 14 years do the job which is invisible. They need recognition and value.
- Mostly in developing countries, the migrant and non-migrant domestic workers are vulnerable condition.
- To recognise the condition which pushed these domestic workers into this profession. So, provide

facilities for their better future.

Other Relevant ILO Conventions: -

- **C029 (Forced Labour Convention, 1930):** This convention is for the protection against forced or compulsory labour. It is essential to protect workers who are pushed into a situation where they have to work without their consent or their will.
- **C087 (Freedom of Association and Protection of the Right to Organise Convention, 1948):**
- The right to freedom of association and the right to organise are protected and ensured under this convention, which is also enshrined under article 19 (1) (C) of the Constitution of India. This is important for domestic workers to form or join for collective bargaining for the protection of their Rights and the betterment of their condition.
- **C098 (Right to Organise and Collective Bargaining Convention, 1949):** - This convention provides facilities to negotiate with the employer about their protection, job security, working hours, salary and other terms and conditions with the employer. Etc. This convention is important for the social security of Domestic and other workers.
- **C100 (Equal Remuneration Convention, 1951):** - For the protection of the right to equal pay for equal work, this convention is essential. Equal pay for Equal Work is also enshrined under our constitution of India under article 39(d) in the Directive Principles of State Policy which is though not enforceable as fundamental rights but it serves as a guideline which protect state to make law against it and it is also a path provider to state to make law keeping in mind the Directive Principles of State Policy. This convention is also very necessary for the protection against discrimination on the basis of gender, colour or other reasons.
- **C111 (Discrimination (Employment and Occupation) Convention, 1958):** This convention is for the protection against discrimination in employment and occupation. It provides equal opportunities and equal treatment for all, including domestic workers. By this convention, domestic workers found equal respect, equal opportunity like others.
- **C138 (Minimum Age Convention, 1973):** - This convention prohibits children from working in any industry or any organisation; it also applies to home-based workers as domestic workers. Most of the girls below the age of 16 work as domestic workers.
- **C182 (Worst Forms of Child Labour Convention, 1999)⁵-** The goal of this convention is to eradicate the worst form of Child Labour, which also includes domestic workers. In most of the houses, children work as domestic workers and are exploited by doing hard work. In the age of going to school, they have to do household work at another home. So, this convention is a very beneficial step towards the innocent child labour.
- **R164 (Occupational Safety and Health Recommendation, 1981)⁶-** This recommendation imposed a duty on the employer to maintain the safety and good health of employees, which also includes domestic workers. Occupational safety is very necessary for each and every profession.

Some Other Issues of Domestic Workers: - Some other matters related to domestic workers are as follows.

Working Hours- Working hour was discussed in the 1919 convention of the ILO as Article 2 devoted to working hours, which is eight in a day and forty-eight in a week. Most countries allow six working days a week. Most countries regard eight hours as standard working hours. The Bahamas, Barbados, Estonia, Greece, Gambia, Ghana, Sierra Leone, Mongolia, Ecuador, Hungary, and Romania; 20 countries allow 5.5 working days per week. Australia, Georgia, New Zealand and Puerto Rico and

⁵ Declaration on Fundamental Principles and Right at Work in freedom Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_decl_fs_46_en.pdf

6. Available at:

https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_decl_fs_46_en.pdf

other countries number in seven countries allow a maximum of seven working days per week. Eight hour is considered as standard working hour in most of the countries but some countries vary it by 6.6 hours in Italy, 7 hours in France and Republic of Congo, 7.4 hours in Denmark, 7.5 hours in Turkey, 7.6 hours in Australia and Belgium, 7.75 hours in Guyana, to 8.5 hours in Rwanda and Zimbabwe, 8.7 hours in Switzerland and 9 hours among others in Chile, India, Israel, Lesotho, Norway, Oman, Pakistan, Switzerland, Tanzania. But these working hours are considered overtime and regulated separately. In India, working hours are fixed for organised workers, but for unorganised labour, there are no fixed working hours. Construction labour, Staff working in local shops, Domestic workers, other local vendors, etc., have no fixed hours of work and no fixed salary. Female domestic workers have no fixed working hours.

Overtime Work- These female domestic workers have no overtime pay. They get some extra payment or some other stuff, which depends on the mercy of the employer. On many occasions, employers took overtime from labour; the need for strict regulation of overtime is necessary for organised or unorganised labour. ILO, on the recommendation and application, requires the limit of overtime work, which is not beyond the limit of workers' health and time to spend with his or her family⁷. Most of the workers are abused by their employer by being forced to work overtime and not getting the appropriate payment. In most cases, the employer, on many occasions on extra workload instead of hiring an extra worker, takes overtime from the same worker, despite considering his or her physical condition or his or her rest time. Generally, in most countries limit for overtime is two hours per day. In Greece, there is no limit on overtime, which is two hours per day and 120 hours in a year. 40 hours of work in a week work including overtime, are legally allowed in Ghana, the Republic of Congo, Ukraine, etc. In Afghanistan also the overtime working hours should not exceed normal working hours. Thus, weekly working hours should not exceed two work shifts, which is 80 hours. In Kenya & Malaysia, the working hours and overtime working hours are more or less the same. In some countries like Hungary and Italy, overtime limits are high, which is 250 hours of overtime in Calander of year. As in Brunei Darussalam overtime limit is 72 hours a month. In Moldova, overtime working hours must not exceed 120 hours per year. In Austria and Myanmar, the no of hours must not exceed 60 per year. In Afghanistan, female employee with their child under two years are not allowed to work overtime. In Ukraine, overtime work is not allowed.

Weekly Holidays- In most of the country's employees and employers both rest one day a week. On working on a holiday by employee the employer has to pay extra remuneration to the employee. Here in India, the organised workers get a weekly holiday on Sunday, but unorganised workers like female domestic workers don't get any weekly holiday, especially in Delhi. In some places in Delhi, domestic workers took a weekly leave on Sunday. Here in Delhi, in some places, they take a weekly plus leave on festivals of their religion and in some places, they are not provided a holiday even in festivals and on taking work on holidays, they are not paid extra salary or any extra stuff. The days of holidays vary weekly in countries like Sunday, in most countries. Friday- Afghanistan, Saudi Arabia, Bangladesh, Somalia, etc. Saturday and Sunday- Ecuador, Estonia, Mongolia, Romania. Friday and Saturday- Oman. No specific rest day is defined in many countries, like Australia, Azerbaijan, Barbados, Botswana, Canada, Costa Rica, Egypt, Sierra Leone, Singapore, and South Africa.⁸. In Denmark, holidays are flexible, and in the UK, employees have the right to work on Sunday and choose another day for a holiday. In Saudi Arabia, Friday is a weekly holiday, but it can be changed by the employer by giving notice to the competent labour office.

⁷ Labor Regulations Throughout the World Available at:- <https://documents1.worldbank.org/curated/en/221471546254761057/pdf/Labor-Regulations-Throughout-the-World.pdf>

Wage Premium- Any extra compensation given to the employee for doing extra work then desirable, such as overtime work or night shift, is called wage premium. Almost 20 countries don't have any statutory provision regarding wage premium, including Bhutan, Croatia, Denmark, Djibouti, the Gambia, Georgia, Germany, Ghana, Hong Kong, Ireland, Kiribati, Marshall Islands, Netherlands, New Zealand, Nigeria, Palau, Rwanda, Sweden, Tonga and the United Kingdom. Almost 23 countries have no statutory provision for a wage premium. In Angola, overtime work is allowed only on pre notification by the appropriate labour department. In India, organised workers and workers attached to any organisation get extra remuneration for doing overtime work, but unorganised workers have no recognition, and they get nothing while doing overtime and get no wage premium. Female domestic workers never get a wage premium, as they don't get any extra money or stuff for doing overtime. In 84 (44%) countries, there is no mandatory wage premium for working on rest days. And 63 countries have mandatory provision for paying wage premium on doing work on rest days of 100% or more, like Lao PDR, West Bank and Gaza, 150 % and Serbia, 110 %. From 2013 to 2017, several countries changed their standard workday (hours). Most countries have made the changes by shortening the hours of work and the work week, days in the week.

Changes in Standard workdays (hours)

Belize -from 9 to 8 hours

Botswana- from 8.5 to 8 hours

Chad – from 6.5 to 8 hours

Congo – from 9 to 8 hours

Finland – from 7.5 to 8 hours

Guyana – from 8 to 7.75 hours

Zimbabwe – from 9 to 8.5 hours

Changes in the maximum no working days per week

Congo – 5 to 6 days

Guyana from 7 to 5.5 days

Kiribati from 7 to 5 days

Lebanon from 6 to 5.5

Liberia 6 to 5.5 days ⁹

Between the years 2013 to 2017 & 2015, a number of countries made a reformative change in wage premium on overtime work and working on rest days, like Angola, Azerbaijan, Bahrain, Brazil, Cambodia, France, Finland, etc.¹⁰ ILO also made provisions for paid leave despite public holidays, sick leave, weekly rest, paternity and maternity leave, etc. Paid leave is such type of leave where employees take rest from work while getting a salary from their employer.¹¹ During paid leave, employees are entitled to social security. Various countries have mandatory provisions for paid leave. In India, maternity leave is paid leave; there is also a provision for paternity leave. This flexible leave

⁹ World Bank, 2017. Other methodologies see: ILO Summary indicators in the area of terminating regular contracts (individual dismissals) at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_357390.pdf; OECD indicators of employment protection at: <http://www.oecd.org/els/emp/oecdindicatorsofemploymentprotection.htm>;

¹⁰ World Bank, 2017. Other methodologies see: ILO Summary indicators in the area of terminating regular contracts (individual dismissals) at: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_357390.pdf; OECD indicators of employment protection at: <http://www.oecd.org/els/emp/oecdindicatorsofemploymentprotection.htm>;

¹¹ Available at : https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_541211.pdf

¹² Available at:- https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_decl_fs_46_en.pdf

policy encourages spending quality time with family, taking care of children and entering into labour market fearlessly without the strict burden of work. Maternity leave proves a boon and a panacea for women struggling with the very special and tough period of maternity. The maternity leave opens doors for various women to enter into labour market by encouraging women to take care of their baby and work simultaneously.¹²

Minimum Remuneration- According to the ILO, the minimum wage is the boundary of the lowest remuneration beyond which any company or organisation can't provide a wage to its employee, which is followed by each country under labour law by the appropriate authorities.¹³ The ILO set the standard of minimum wage, and the member countries are influenced to follow the rule of minimum wage. It is very beneficial for the vulnerable section of people for their upliftment and social security. The¹⁴The European Commission also provided the view that the member country should create and follow the "decent and sustainable wages" which provide a decent job quality and also prevent the growth of work poverty.¹⁵ Two sides of a coin are universal reality, so despite of various benefits of minimum wages, it also leads to unemployment because some small enterprises couldn't meet the expectation of minimum wage, so they are unable to provide the resulting wage due to their low income, which leads to unemployment and became the cause of discouragement of small industry. This minimum wage standard by the ILO shows different mechanisms and appropriate authorities for labour, and also proves the myth that the minimum wage will ruin the labour market and will lead to a high level of unemployment, but this proves to be a boon for the vulnerable class of labour.¹⁶ Many low-income countries were discouraged by minimum wage fixation, and it ruined both labour and enterprise dreams. The minimum wage is so high that it discourages the underdeveloped countries where the income is very low, so it pushes the labour women and unskilled workers into a gloomier world. Thus, the minimum wage standard fixed by the ILO has bad effects in underdeveloped countries, and it is good for some developed countries. South Africa disagrees with the bargaining council of the employer in respect to minimum wages. Despite of minimum wage, the employee gets 42% less wage than prescribed by the bargaining council. Data are collected to know the minimum wages provided to workers, which are taken carefully but may differ by country. Here, the result is that the workers in food industries, domestic workers and agricultural field workers get less than the stipulated minimum wages. In most countries, the minimum wage is very low, especially in the agricultural field and in the field of domestic work. Thus, fixing the minimum wage is a very efficient tool for the betterment of the condition of workers. But sometimes it has opposite effects, as setting a high minimum wage encourages employers to hire more experienced workers, and then it leaves no room for young interns or freshers. Employers want more perfect work done by employees by providing them with a higher minimum wage. So far as the domestic workers are concerned, the high minimum wages open doors for experienced workers, and they shut the door for young interns.

Termination of Employee- Termination of an employee without stating the appropriate reason and without serving them notice is vague among unorganised workers, especially in India. So far as the

¹³ World of Work Report 2009: The Global Jobs Crisis and Beyond / International Institute for Labour Studies. – Geneva: ILO, 2009, Available at : [https://webapps.ilo.org/public/libdoc/ilo/P/09260/09260\(2009\).pdf](https://webapps.ilo.org/public/libdoc/ilo/P/09260/09260(2009).pdf)

¹⁴ Global employment trends 2013: Recovering from a second jobs dip / International Labour Office. Geneva: ILO, 2013, Available at : https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_202326.pdf

¹⁵ World of work report 2012: Better jobs for a better economy / International Labour Office, International Institute for Labour Studies. – Geneva: ILO, 2012, Available at : https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_179453.pdf

¹⁶ Global employment trends 2013: Recovering from a second jobs dip / International Labour Office. Geneva: ILO, 2013, Available at : https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_202326.pdf

female domestic workers are concerned, they are never given prior notice or told the reason for their termination by the employer when any time terminate them. The female domestic workers always tolerate the pain of termination without any proper cause. There is a chain in the economic world. If the financial market is down, people get less monthly income, so, cut short their monthly expenses and, in many cases, they fire their maid first. They are fired without any prior information. The ILO in Termination of Employment Convention no 158 states that when the employer contemplates terminations for any reason, like economic, technological, structural, or similar nature, the employer shall provide a prior notice to the representative of workers about the reason for termination, the number of workers affected by termination and the period over which the terminations are carried out.¹⁷ The aim behind serving this notice is to provide the workers efficient time to search for another job to avoid starvation due to no income at all and to minimise the adverse effect of termination on the employee. The rule of this convention is never followed by the employer in the termination of domestic workers. Thus, here the condition of domestic workers remains vulnerable.

Reformative changes by Some Countries - many countries took reformative steps in the matter of dismissal between 2013-2017. A country like Barbados has provisions regarding dismissal that require prior information about the dismissal by the employer to the chief labour officer, and that the affected employee or their representative must be mandatory. In Morocco, one month before the dismissal of an employee from work a prior information or notice is mandatory to serve the employee or their representative is necessary. And also, the employer must serve a letter to the employee or representative containing the reason for such dismissal is necessary. Singapore also mandate a retrenchment notice to the Ministry of manpower if five or more employees are retrenched within a period of five working days after the employee is notified. The provision of reassignment is discussed in the ILO Recommendation no 166. Thus, the retention and reassignment obligation is followed by many high-income countries like Finland, France, Germany, Greece, Italy, Portugal and Sweden. Australia, under the Fair Work Act 2009, has a provision for reassignment before the redundancy occurs within the employer's enterprise. In some countries like Kazakhstan, the employer does all the needful to transfer the employee to another job with his consent.

Payment by Severance: - It is the safest weapon for the protection of employees from starvation in low and middle-income economies. In this system, there is a lump-sum cash transfer to the workers who left the work involuntarily or voluntarily. And it is based on the worker's monthly payment and length of service. Many terminations occur due to reason of economic fall down, technological reasons, and some for organisational but voluntary resignation is the most common reason for termination. Voluntary resignation occurred due to various reasons, like minimum wage, as there exists a clear correlation between wage and voluntary resignation, as the lower the wage, the higher the voluntary resignation. Most countries made mandatory provisions for severance pay. Various countries differ in their severance pay.

Conclusion: The ILO is a great authority, as it takes care of all types of labour rights. The most essential feature of the recommendations and conventions of the ILO is that it provides protection and social security to all workers, including domestic workers. For the first time, domestic workers and their rights were discussed at the international level. ILO took a step for the betterment of the condition of domestic workers and all workers. But there are so many places which is still dry even in heavy rain, as despite many conventions and recommendations, the condition of Domestic Workers is very vulnerable. In developing countries, the condition of female domestic workers and migrant domestic workers is not good. An urgent step is very necessary for the improvement of their condition.

¹⁷ World Employment and Social Outlook: Trends 2017 International Labour Office – Geneva: ILO, 2017, Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@dgreports/@dcomm/@publ/documents/publication/wcms_541211.pdf

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