

Domestic workers to get labour rights

BS Reporter / New Delhi June 18, 2011, 0:10 IST

A convention adopted by the International Labour Organization (ILO) has said that domestic workers must have the same basic labour rights as enjoyed by other professionals.

The Convention on Domestic Workers (2011) was adopted at the 100th annual convention of the ILO in Geneva yesterday. It said the rights should include reasonable working hours, a weekly rest day, a limit on payment in kind, clarity in terms and conditions of employment, respect for fundamental principles and the freedom of association and collective bargaining.

The convention which is binding on all member countries, including India, would have to be ratified and enact enabling legislation. The new convention contains detailed requirements for governments to regulate private employment agencies, investigate complaints and prohibit the practice of deducting domestic workers' salaries to pay recruitment fees.

DOMESTIC WORKERS' RIGHTS

- * Reasonable hours of work
- * Weekly rest
- * A limit on in-kind payment
- * Clear information on terms of employment
- * Right to join trade unions and collective bargaining
- * Regulation of recruitment agencies
- * Investigation of complaints
- * Labour rights on par with other workers

The convention on domestic workers was adopted by a vote of 396 to 16, with 63 abstentions. The accompanying Recommendation on Domestic Workers was adopted by a vote of 434 to eight with 42 abstentions. According to ILO proceedings, the new Convention will come into force after two countries ratify it.

Members of the Gulf Cooperation Council (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates), Bangladesh, Indonesia and India had initially opposed to a legally-binding convention but later reconsidered their stance to express support in the last round of negotiations and final voting.

"The new standards make clear that domestic workers are neither servants nor 'members of the family', but workers. And after today they can no longer be considered second-class workers," said ILO Director Manuela Tomei.

India's National Advisory Council had recently sent out recommendations for the inclusion of a national policy on domestic workers, which include most rights listed in the new convention. The Centre is also in the process of including domestic workers as part of social security schemes like health insurance, said labour ministry officials.

Bharatiya Mazdoor Sangh (BMS) General Secretary Baijnath Rai, who attended the conference as a worker delegate, told Business Standard from Geneva that India had almost let down the domestic workers by opposing the Bill initially. Even now the government may avoid ratification of the convention to delay implementation of labour standards required for domestic workers

under the international convention.”

He said BMS will put pressure on the government to ratify the convention. All India Trade Union Congress General Secretary H Mahadevan said India has saved its face by voting for the convention after opposing it last year.

Swaziland was the only state that did not vote in favor of the convention. El Salvador, Malaysia, Panama, the United Kingdom, Singapore, Sudan, the Czech Republic and Thailand abstained from the voting process. Australia, Brazil, South Africa and the United States played a leading role in advocating strong protections, and so did many other governments from Africa and Latin America.

The 183 member states were represented at the ILO by two government delegates, one employer and one worker and an independent voter. The Convention for the first time created labour standards in the informal economy. So far ILO had not been able to create standards in this sector following the failure to push through a convention on contract labour.

“We are moving the standards system of the ILO into the informal economy for the first time, and this is a breakthrough of great significance,” said ILO Director-General Juan Somavia. “History is being made.”

Recent ILO estimates based on national surveys and/or censuses of 117 countries, place the number of domestic workers at 53 million. In developing countries, they make up at least four to 12 per cent of wage employment. Around 83 per cent of these workers are women or girls and many are migrant workers.