

Conversations on Working in Freedom

Organised by the Work in Freedom programme, ILO

Third Panel Discussion on

Domestic Workers' Rights, Working conditions & Occupational Safety and Health (OSH) Concerns: Challenges Prior to and During COVID-19

July 13, 2021 at 3:00 pm – 5:00 pm IST via Zoom Online

Domestic work is an important sector of women's paid work within the informal economy in which regulation is left to the discretion of the employer. Through a combination of deliberate legal exemptions, it is regulated in such a way that it is mostly left to employers to regulate it in their interest (e.g. deciding time at work, wages, leave etc.). As a result, workers have limited rights in their workplace and the limited social protection they receive, is via the state. In the past year, several surveys have indicated and trade union activists on the ground have reported that precipitating pre-existing vulnerabilities combined with the COVID pandemic have resulted in loss of jobs, income and re-negotiation of wages and working conditions, mostly to the disadvantage of workers.

India is yet to ratify ILO Convention 189 on decent work for domestic workers, a long-standing demand of trade unions, domestic workers and their organisations over the past decade. While exceptionally, national schemes such as health insurance include domestic workers and some states have constituted domestic worker welfare boards that provided a one-time cash benefit to enrolled workers during the lockdown (in Kerala and Tamil Nadu), stronger and inclusive social protection has been a consistent demand over the past decade, which has found resonance in the COVID-19 situation.

Regulating working conditions of domestic work has been a daunting challenge, despite domestic workers drawing attention to the need for better working conditions in addition to decent wages; weekly off, bonus, non-discrimination based on tasks etc. The inclusion of home as the workplace of domestic workers by the POSH (Prevention of Sexual Harassment) Act has been an important step in recognising the workplace for domestic workers. However, private homes or households have seldom easily fit official or everyday understandings of 'workplaces' and many households do not think of themselves as typical 'employers.' The novelty of private homes as workplace and the lack of clarity of the roles of the employer are foundational causes of the difficulties in understanding how the occupational safety and health guidelines should be implemented within this sector.

As we mark 10 years since the adoption of the ILO Convention 189 on decent work of domestic workers, it is important to reflect on the challenges thrown up by COVID-19 and the increased importance to protect workers and employers in a shared workplace where everyday engagement is at close quarters. What more can employers do, in addition to providing masks, gloves and access to vaccination? Are Resident Welfare Associations (RWAs) unavoidable in the process of negotiating better working conditions or

should individual employers be held accountable and how? Was the lockdown early last year different from successive lockdowns and restrictions placed during later waves of the pandemic? How have trade unions responded to OSH challenges of domestic workers? How do OSH concerns for domestic workers compare with other sectors involving women informal workers? These are some of the questions we hope to discuss in the third conversation on Working in Freedom, a series that was initiated in 2020 on the occasion of International Domestic Workers Day observed on June 16 every year.

The third discussion series will be held online on 13 July, 2021 and speakers will include:

Speakers	
Ms Dagmar Walter, Director, ILO India	Inaugural remarks
Ms Aya Matasuura, Gender Specialist, DWT South Asia	Relevance of Convention 189
Dr Neha Wadhawan, National Project Coordinator, Work In Freedom, ILO	Introduction to the programme
Mr Igor Bosc, Chief Technical Adviser, Work in Freedom, ILO	Moderator
Panelists	
Ms Nalini Nayak, General Secretary, SEWA, Kerala	
Ms Bishaka Haldar, Domestic Worker, member of SEWA Union, Delhi	
Dr Gautam Bhan, Senior Lead, Indian Institute for Human Settlements	



Ms Meva Bharti, Secretary, Rajasthan Mahila Kamgar Union

Ms Basna, Domestic Worker, member of Rajasthan Mahila Kamgar Union

Ms Geeta Menon, Jt. Secretary, Domestic Workers Rights Union,
Bengaluru

Dr Tsuyoshi Kawakami, Occupational Safety & Health Specialist, DWT
South Asia

Dr Indrani Mazumdar, Former Senior Fellow, CWDS

Prof N Vasanthi, NALSAR University of Law