Domestic Workers in India

Why in news?

Domestic workers play an essential role in India's informal workforce but often face neglect.

Who are Domestic Workers?

- Domestic workers are people who perform services for a private household, such as cleaning, cooking, and caring for children.
- They can work full-time or part-time, and may live in the same household as their employer or live elsewhere.
- Associated works- Cleaning, washing, and ironing clothes, Cooking, Taking care of children, the elderly, or sick people, Gardening, Driving for the family and Taking care of pets.
- The ILO's Domestic Workers Convention (No. 189) defines domestic work as work performed in or for a household.
- The convention defines a domestic worker as someone who is employed to perform domestic work.

What are Key Points?

- They are primarily women and belong to marginalized groups.
- Lack of legal protections makes them vulnerable to exploitation and abuse.
- They are not included in important labor laws like the Minimum Wages Act and Equal Remuneration Act.
- The Supreme Court's recent directive shows the need for a specific law for Title

What are the Challenges Faced by Domestic Workers?

- **Exclusion from Labor Laws**- Domestic workers are not included under key labor laws, like the Minimum Wages Act and the Equal Remuneration Act, resulting in a lack of fair wage rights.
- **Lack of Social Security** -They don’t have access to benefits such as health insurance or maternity leave, with limited welfare support in some states.
- **Migrant Vulnerability** - Many are internal migrants facing poor living conditions and exploitation in urban areas.
- **Unregulated Placement Agencies** - These agencies often exploit workers, with cases of trafficking, particularly of underage girls.
- **Harassment and Abuse** - Domestic workers frequently suffer from various forms of abuse, exemplified by well-known cases of violence against them.
- **Gender Bias and Social Perception**- The work is undervalued due to gender biases, undermining their dignity.
- **Informality of Work Arrangements**- Without formal contracts, workers struggle to obtain legal protection against issues like wrongful termination.

What are the Measures to Address Challenges?

- **Formalization of Work -** A separate law would establish clear terms for employment, including contracts, wages, and working hours.
    - Example - Countries like ***South Africa*** have enacted domestic workers' protection laws, setting a precedent for India.
- **Safeguarding Vulnerable Workers-** Domestic workers are highly isolated within private households, making them vulnerable to exploitation. A legal framework would act as a deterrent for abuse.
- **Recognition of Dignity -** Enacting a dedicated law would elevate the status of domestic work to that of formal labor, ensuring respect and dignity for workers.
- **Comprehensive Coverage-** Unlike the Code on Wages (2019), which does not explicitly address domestic workers, a separate law would cater to the unique challenges of this sector.
- **Legislative Reforms-** Enact a comprehensive Domestic Workers (Regulation of Employment, Conditions of Service, and Social Security) Act.
    - Ensure provisions for minimum wages, work hours, paid leave, and overtime payments.
- Mandate registration of domestic workers and placement agencies.
    - Example - The Domestic Workers Welfare Board Act in Kerala serves as a model.
- **Universal Social Security -** Include domestic workers under schemes like the Employees' State Insurance Scheme and the Employees' Provident Fund.
- Expand the scope of the ***Unorganized Workers' Social Security Act (2008)*** to provide maternity benefits, accident coverage, and pensions.
- **Awareness Campaigns -** Conduct campaigns to educate domestic workers and employers about their rights and responsibilities.
    - Example- NGOs like **SEWA (Self Employed Women's Association)** work toward empowering domestic workers with legal literacy.
- **Strengthen Institutions-** Set up grievance redressal mechanisms at the district and state levels to handle disputes related to wages, abuse, or termination.
    - **Example-** In Delhi, the State Domestic Workers Welfare Board has been set up to address these issues, but its scope needs to expand.
- **Provide skill**-training programs through initiatives like the ***Skill India Mission*** to enhance the employability and income potential of domestic workers.
    - **Example-** The National Skill Development Corporation offers training for domestic work, but it needs wider implementation.
- **Technology Integration -** Develop digital platforms to register domestic workers, track employment contracts, and ensure timely wage payments.
    - **Example** -Platforms like ***Helper4U*** connect employers with verified domestic workers in a transparent manner.
- **Encourage Unionization-** Promote the formation of domestic worker unions and collectives to amplify their voices.
    - **Example-** The National Domestic Workers Movement has been instrumental in advocating for workers' rights at the national level.
- **Ratify ILO Convention 189 -** Ratifying the International Labour Organization's Convention on Domestic Workers would align India's policies with global standards and enhance worker protection.

What are the Positive Models?

- **Kerala's Welfare Board -** Provides financial aid, medical benefits, and pension schemes to registered domestic workers.
- **Delhi's Draft Policy for Domestic Workers-** Proposes mandatory registration, written contracts, and social security provisions for domestic workers.
- **South Africa's Domestic Workers Act-** Recognizes domestic work as formal employment,

ensuring minimum wages, social benefits, and protection from abuse.

What lies ahead?

- Domestic workers are a crucial but often overlooked segment of India's economy.
- Their lack of protection under labor laws shows a larger issue of neglect.
- However, recent court rulings and advocacy present a chance for progress.
- A dedicated law for domestic workers, with strong support, can promote their dignity and rights, fostering inclusive growth and fairness.

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Reference

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