



## Women Domestic Workers – Conditions of Work and Legal issues

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**Abstract:** Home as the work place adds to the vulnerability of the worker and makes 'work' informal. Since a home is not a formal workplace, it becomes difficult to demand rights or entitlements as formal workers. Further, the under-valued nature of domestic work in the larger society places these women very low in social structures. All these contribute to the low status of their work and its location in the informal sector. As with many other forms of informal work, the number of workers available is on the rise with the constant rural to urban migration, including from far-off states. Such workers have no mechanism of support in case of loss of job, ill health, maternity benefits or old age pension. There should be assistance of social networks in settling down/ finding jobs and to improve their standards in working conditions. They should be made live with dignity and respect from the perspective of the domestic worker and that of the employer. ILO should take necessary steps to improve the living standards of domestic workers, their working conditions, rights and responsibilities. NGOs and other organisations should aware domestic workers in organising them towards collective bargaining for improved and standardised working conditions and social security.

**Keywords:** Domestic Workers, Women, live-out part-timers

### Introduction:

June 16 was the 'International Domestic Workers' Day' and it seems nobody really noticed. Over the last few years, studies on domestic work in India have noted the increase in the numbers of migrant female domestic workers in the cities. Domestic work is highly informal in its organisation and highlighted the vulnerabilities of domestic workers who belong to the poorer and uneducated sections of society. Women from marginalised castes form a substantive group of domestic workers. Domestic workers, in particular women domestic workers, are a constantly growing section of workers in the informal sector of urban India. The last three decades have seen a sharp increase in their numbers, especially in contrast to male domestic workers.

### Analysis of the paper

India has witnessed large-scale migration over the last two decades of girls from rural areas. These girls come with other girls from the village, through private recruiting agents, or other organisations to be employed as 'maids' in urban households. All migration may not be safe as girls are vulnerable to be trafficked for domestic work by agents and abused physically, psychologically and sexually by employers and agents. They may also be exploited through long hours of work and in conditions similar to bonded labour--isolated and solely dependent on employers. This increase in the number of domestic workers is often viewed as 'feminisation of labour', a term that has been used in two ways in the last two decades. In the case of domestic workers, feminisation of labour is used



both in terms of an increase in the number of women domestic workers and also the lack of any standards for working conditions and negligible organising in unions. Household work has been taken over largely by women. The poor women who engage in domestic work are often unable to care for their own families, leaving their own children alone for the whole day, sometimes tying children to their cots.

Domestic work has a long history in India with both men and women working in

others' homes as 'servants'. Though domestic work is not a new phenomenon in India, it cannot simply be viewed as an extension of historical feudal culture where the affluent employed 'servants'. Both in the urban and rural contexts, the nature of work and workers has been rapidly changing. The sector now primarily comprises women domestic workers who are not recognised as 'workers' while their work is 'undervalued'. This is primarily due to the gendered notion of housework--value is not ascribed to women's work in their homes, and by extension, even paid work in others' homes is not given any value or regarded as work. It is also undervalued because it is often performed by poor, migrant women from lower castes. All these contribute to the inferior status of their work, both in their own minds and in society.

Apart from the 'wife' or the 'mother', it is often paid domestic workers who reproduce social relationships and social beings. Yet, the status of the domestic worker is lower than the woman employer who can be considered as her manager. The worker is a labourer or 'the hands'. Since social reproduction is not recognised as work,

domestic workers too receive no recognition as workers and are hence paid low wages.

In the Indian context, domestic work is generally defined in terms of types of work performed and the time spent at work, i.e., in the employer's home. Liveout and live-in are two distinct categories of domestic work. Live-out work is primarily of two types: first, those who work in one house for the whole day and go back to their homes in the evening and; secondly, those who work in different houses, moving from one to the other, performing one or more tasks in each household. They may clean in one house, chop vegetables in another and wash clothes in the third, while some others may only perform a task, such as cooking. They often visit these households twice a day though the requirements in some families may be limited to only once a day. Another form of part-time live-out work is in terms of piece-rate. It is often applied to washing clothes and wages are calculated on the basis of buckets of clothes.

Women who work as live-out part-timers are primarily migrants who move to the city with their families or are female construction workers who enter domestic labour when no construction work is available. Some of them are also landless labourers who are displaced when rural areas are absorbed by cities. On moving to the city, they mainly reside in the difficult conditions of slum clusters. They begin work at one or two houses and gradually take up more, depending on their individual capacities, the money needed and their specific stage of life cycle (for example, women with very young children prefer to work in fewer households than older women). Besides learning work, they have to adapt



to urban ways of living and a culture different from their own. This kind of work is characterised as 'part-time' from the perspective of the employer. For the domestic worker, the actual number of hours she spends in all the households she works in is a full day's work. This form of work may be flexible but is also unstable as workers shift out of the sector, change employers, stop working for a few years due to marriage or childbirth and also have constant issues with their employers. Yet, in terms of time spent at work, it may be as much or more than a live-in worker. "The fragmented nature of their work, the multitude of tasks, a multiplicity of employers, and the instability of employment pose challenge in documenting them and in attempts to organise them". The full-timers live with the employer's family. They often have no specified work hours with some working for eighteen hours a day. Some do not get any rest during the day while others may not be given proper food or living space. Non-payment of wages, no weekly leaves or holidays, verbal and sexual abuse is also reported. They have no recourse to any form of assistance when they face harassment – verbal, physical or sexual.

A large number of full time workers are hired through recruiting agents who also collect their wages, often withholding a substantial part. Private work agents often recruit girls in villages and bring them to cities. Some agents provide basic training for a couple of days and then send them to homes as domestic workers. Agents also send them untrained. There is no state mechanism to check these agents or their functioning. These agencies are difficult to trace as they frequently change their identities, location and phone numbers.

They also charge a large amount from employers for providing domestic helpers. Sexual exploitation by recruiting agents has also been reported. It is important to point out that most agencies are commercial in nature and do not focus on the welfare of workers. The condition of domestic workers has not improved with the growth of placement agencies. Full-time workers also live in the quarters provided by employers including government and defence officials. They are provided with living space are expected to be on call for most of the day, resulting in no fixed working hours. Thus, both forms of domestic work are undervalued and not regulated – workers are underpaid, overworked and unprotected.

#### **Living conditions:**

Most urban poor live in different types of slum settlements and work in the informal sector. The relocation of the poor to resettlement colonies takes them far away from areas of economic activity in the city, thus making it impossible for them to even earn sustainable livelihood. In this context, it has been well documented that the process of relocation and displacement has led to problems of sustained access to livelihood, education, basic services and healthcare where women suffer the most. Building a house in the resettlement area takes up a large part of the family's income. Even if these workers start work after relocation, living on the margins of the city implies that work will mostly be in areas that are far. Commuting becomes a major issue both in terms of cost and time. In the resettlement areas (and in the slums), women spend a large part of their time accessing essential services such as water and toilets. The double burden that they face is compounded due to harsh living



conditions. Besides this, they have no access to any form of childcare services. They often leave their own children alone while they go to take care of others' children. Domestic workers highlight their lack of access to institutional care facilities that provide quality care at affordable rates in their neighbourhoods.

**Working conditions and wage aspects:**

The tasks performed by full-time and live-out (part-timers) category of domestic workers may include cleaning (sweeping, swabbing and dusting), washing (clothes and dishes), or even putting machine-washed clothes on the clothesline or/and folding them, cooking, or preparation for cooking such as chopping vegetables and making dough, or cooking a part of meal, ironing, housekeeping and extensions of these outside the home such as shopping. Domestic work may also include childcare or care of the aged. There are no standard norms that decide working conditions. By and large, employers decide wages though this is often the 'rate' of the area they live in. Wages also depend on the bargaining power of the domestic worker and workers' desperation for work. Experienced workers may be able to bargain for more while those desperate for work may be willing to work at lower rates. Other factors that influence decisions about wages include the type of tasks performed and the neighbourhood. Rates vary according to the task (for example, cooking attracts more wages than cleaning) and the socio-economic profile of employers. These factors are not cast-in-stone as workers are made to perform extra work with no additional compensation, especially during festivals or when employers have guests. There is no guarantee of employment as

employers can ask workers to leave with no prior notice or financial compensation

<sup>1</sup>. Only a few workers get a weekly off; paid leave is often the result of difficult negotiations with the employers. Getting sick leave also depends on the good will of the employer. Instances of workers losing their jobs due to long leave taken at time of childbirth or ill health are often reported. Some also lose their jobs when they visit their villages. Deduction in wages for extra leave is a common practise among employers. Part-time workers are not allowed access to a toilet in the employers' homes. Many commute long distances and thus have no time to cook and carry food with them. They are often not provided with any tea or snacks and stay hungry till they get back home where they have to cope with difficult living conditions in urban slums.

**Issues of social security and welfare:**

Some of these women work as domestic workers over long time periods but have little or no savings for their old age. They are not entitled to any old-age pensions, gratuity or bonus. They have no medical insurance and all expenses of illness, hospitalisation of self and family are borne by the worker. Neither do they have any coverage for childbirth, injury at work place or loans to build houses or other social responsibilities. Such loans or grants, as all other benefits, depend on their relation with the employer and the employer's goodwill. No data is available on older domestic workers. Though domestic workers have been included in the Unorganised Workers' Social Security Act, 2008<sup>2</sup>, they have not yet got any benefits.



### **Child Domestic workers:**

Another critical issue is that of the age of the domestic worker. Despite laws to prevent it, child domestic labour is still prevalent in India. The Child Labour (Prohibition and Regulations) Act 1986 lists domestic work in the schedule of "hazards" whereby the permissible age for work is 18 years. Yet, given the socio-economic conditions in the country, 15 years may appear permissible but most organisations working on the issue and child rights advocate the age of admission to domestic work as 18 years. They argue that these children work long hours, are not given nutritious food, are often sexually abused and have no way of raising their voices. Based on the 2001 census<sup>3</sup>, about 185, 595 children are employed as domestic workers and in dhabas<sup>4</sup>. Employers prefer children as they are cheap. They are often paid as little as rupees 300 per month for work that lasts ten hour each day and seven days a week. They are also beaten up and in some cases, sexually abused. Dimensions of trafficking can be seen here as well--children are often brought in from poor areas of the country and made to work as bonded labourers. Many are not allowed contact with their families. They live in their employers' homes without any support system. Different organisations are involved in rescuing such children but the issue of rehabilitation has been a major difficulty and concern. The government has not provided adequate rehabilitation centres and alternatives for families relying on the labour of their children.

### **Domestic workers and Legal aspects:**

Fixed minimum wages, pay according to work, maternity leave, medical aid and other such basic essentials provided to any employee are

still a mirage for domestic workers. While all other workers have their unions, domestic workers remain ill organised. In fact, at a recent meeting the Union Cabinet expressed apprehensions that if domestic workers are allowed to form unions they will lead to law and order problems. The Cabinet members seem to have taken to heart the jokes about maids keeping their employers to ransom. Not that forming a union is easy for domestic workers. Traditional places of work like factories and construction sites are open public spaces, but domestic workers can't be approached at their places of work. Targeting those staying in slums also leaves out a large number who are live-in workers and hence remain isolated.

In India, domestic workers are not covered by most labour legislations because of constraints in the definition of either the 'workman', 'employer' or 'establishment'. The nature of their work, the specificity of employee-employer relationship, and the workplace being the private household, excludes their coverage from the existing labour laws including the Minimum Wages Act 1948, Maternity Benefit Act 1961, Workmen's Compensation Act 1926, Inter State Migrant Workers Act 1976, Payment of Wages Act 1936, Equal Remuneration Act 1976, Employee's State Insurance Act, Employees Provident Fund Act, Payment of Gratuity Act, 1972 etc.

This is a reality in many other countries. A report on 65 countries by the International Labour Organisation (ILO) says only 19 of them have laws or regulations specifically concerning domestic work. The same report found that in India domestic workers get only 31.6 per cent of the average wages for other workers. This was lower than not-



very-impressive international figure of 40 per cent. Though some states in India, including Andhra Pradesh, Bihar, Kerala, Karnataka and Rajasthan, have fixed minimum wages for domestic workers, they have not been able to get desired result. "In many of these states, the minimum wages fixed are lower than current rate of wage and in others, the workers themselves are not aware due to lack of organisational support. In addition, there have been no concerted efforts to at least make employers aware through information in the media,"<sup>5</sup>

#### **Domestic Workers (Registration, Social Security and Welfare) Act, 2008:**

This Act was introduced to regulate payment and working conditions and check exploitation and trafficking of women and other young household workers. Domestic workers are in the unorganized sector and unorganized, hence there are practical difficulties to cover them. Though applicable to both men and women, it assumes significance for women due to their presence in large numbers in the occupation.<sup>6</sup>

#### **Applicability of the Act:**

1. This Act is applicable to whole of India except state of Jammu and Kashmir.
2. It does not apply to such domestic workers who have immigrated for employment to any other country.
3. Employment of child is prohibited under any law for the time being in force as a domestic worker or for any such incidental or ancillary work.
4. Implementing Authority under the Act will be Central Advisory Committee, State Advisory Committee and District Board.

#### **Registration as Beneficiary under the Act:**

The Act provides that every domestic worker who has completed 18 years of age, but has not completed 60 years of age, and is engaged in any domestic work for not less than 90 days in the preceding 12 months, can be registered as a domestic worker<sup>7</sup>.

#### **Hours of Work and Annual Leave with Wages under the Act:**

Any domestic worker (male or female) registered under the Act who lives in the premises where workplace is situated is entitled to daily rest period of at least 10 consecutive hours between ending and recommencing work. Also the domestic workers living in the house are entitled to annual leave with wages for at least 15 days<sup>8</sup>.

#### **Minimum Wages**

All registered domestic workers should be paid minimum wages as per the Minimum Wages Act, 1948<sup>9</sup>.

#### **Safety & Penalty Provisions:**

The Act specifically makes provisions for penalty in cases where any person knowingly sends, directs or takes any girl or woman domestic worker to any place for immoral purposes or to a place where she is likely to be morally corrupted or in any manner sexually exploited. Such a person shall be subjected to imprisonment for a minimum period of 6 months which may extend upto 7 years and fine up to Rs. 50000 or both<sup>10</sup>.

#### **Offences and penalty:**

1. Any service provider who contravenes the provision of the Act shall be punishable with imprisonment of term which may extend to 3 months and with fine which may extend to



- rupees two thousand, or with both. In case of continuation of contravention additional fine which may extend to rupees one hundred for every day shall be imposed.
2. If an employer fails to comply with the provisions of the Act they shall be punished with fine which may extend to rupees two thousand.
  3. If any person who willingly obstructs any officer who is authorized by the District Board to conduct inspection or refuses to cooperate in inspection shall be punishable with imprisonment for a term which may extend to 3 months and with fine which may extend to rupees two thousand, or both.
  4. If any person knowingly sends or directs or takes any girl or woman to any place for immoral purposes or where she is likely to be morally corrupted, or sexually exploits such woman or child shall be punished with imprisonment for not less than 3 years and which may extend upto 7 years and fine upto rupees two thousand or both.

#### **How much do domestic workers earn?**

States like Andhra Pradesh, Bihar, Karnataka, Rajasthan and Jharkhand have included domestic worker in the Scheduled Employment. The hourly/daily/monthly rates of wages fixed for domestic workers by these States are approximately between 1500 to 3000

#### **Are domestic workers eligible for pension, paid leaves and maternity benefits?**

With the passing of the domestic workers (Registration, social security and welfare) Act 2008 every registered domestic Worker is now slated to receive pension,

maternity benefits and paid leave that is a paid weekly off.

A domestic worker living in the house is entitled to annual leave with wages for at least 15 days during the year<sup>11</sup>.

#### **Are there any law protecting domestic workers against sexual harassment?**

Any person who sexually harasses domestic worker or child will be punishable with imprisonment for not less than six months and which may extend upto period of 7 years or with a fine of Rs. 50000, or both<sup>12</sup>.

#### **Where can the domestic worker complain if there is under payment or an other problem?**

District Board shall be constituted by Central Government or State Government, which will review and monitor proper implementation of Domestic Workers (Registration Social Security and Welfare) Act, 2008 in each districts. Board will function for the settlement of disputes through conciliation and procedure mentioned under the Act. In case of any offences made domestic worker can approach District Board for its compliance.

#### **Proposed Legislative Interventions<sup>13</sup>:**

In 2010, the National Commission for Women drafted The Domestic Workers Welfare and Social Security Act to address the various problems faced by domestic workers. Taking cognizance of the issues particular to domestic work, the Act notes, "...Only a Comprehensive Central Legislation specifically designed to meet the working condition of the domestic workers...can ensure the end of the exploitation of these domestic workers."

The Act provides for the creation of solid, formal, institutional mechanisms



operating at the central-, state- and district-levels for the regulation of domestic work. It proposes a three-tier mechanism that comprises of the Central Advisory Committee, a State Advisory Committee and district-level boards, each of which shall be enlisted with the duty of registering domestic workers, employers and placement agencies. The district-level boards will ensure decent working conditions for domestic workers, covering norms for rest periods, weekly leave, food and the maximum number of work hours. They shall also act as arbitrators of dispute to avail of benefits such as accident relief, financial assistance for the education of children and maternity benefits.

While well-intentioned, even a cursory review of the mechanism proposed by the Act raises important questions. The mechanism proposed has devolved far too many responsibilities to the boards without accounting for how they will be met, especially given the diverse administrative capacities required. More thought needs to be put into how exactly the proposed bodies shall be prepared to effectively provide each of the outlined services.

What the Act has also ignored is the pressing need for formal employment contracts between workers and households. The absence of clearly drawn terms of employment creates loopholes for both the employer and the employee in the original oral agreement. Making employment contracts imperative, however, poses significant questions: Will the neo-feudal employer be able to treat his domestic worker as a formal employee and uphold the contract? Will modes of payment to domestic workers undergo a change (i.e., from cash to check), given the possibility

of tax benefits that a contract entails? If so, how would it be ensured that all domestic workers have access to a bank account, especially given the low rates of financial inclusion among the female urban poor? More significantly, what body would be in charge of ensuring the upholding of such contracts?

Though there is need for larger institutional structures to ensure implementation, the benefits accrued would be justified. With no formal contract in place, neither employer nor employee are accountable to any specific terms. For example, due to the insecurity of their jobs, domestic workers tend to take long, unannounced absences from work for personal reasons (e.g. visiting family, illness), or simply quit without adequate notice. A pre-determined contract could ensure that workers have a more stable livelihood while also ensuring that the quality of services received by employers is more standardized.

Another important step towards the protection of domestic workers is the inclusion of domestic work under the schedule of protective statutes applicable to other categories of workers. The Final Report of the Task Force on Domestic Workers, commissioned by the Ministry of Labour and Employment and the ILO, calls for domestic work as a category to be included in the Central List of Scheduled Employment. Doing so would enable the setting of standard measures for domestic workers that is applicable across all Indian states. This is especially useful for states that do not currently specify minimum wage levels for domestic workers. This recommendation could prove to be crucial to reforms, but is yet to be implemented.



On a global level, the ILO's Congress passed the Convention for Domestic Work in 2010. The document outlines a desirable, basic minimum standard in terms of employment, wages, minimum hours, occupational safety, social health and social security for domestic workers. The Indian government's non-ratification of the convention — despite the huge presence of domestic workers in the country and the many problems compounding them — is indicative of the fact that the rights of domestic workers in India is simply not seen as a political priority.

#### **Incidence of Abuse:**

Because the political agenda does not make domestic workers' rights a high priority, their exploitation is conspicuous. In May 2012, news channels reported the merciless torture of a 14-year-old girl by her software engineer employers in Noida, in the National Capital Region of Delhi. It was alleged that the young girl was regularly beaten and not allowed to leave the premises of the household of her employers. Instances such as these, however, may well be only the tip of the iceberg. The lack of adequate alternative means of employment available in the labour market is worsened by the largely informal, and therefore unobservable, nature of most domestic work arrangements. Many times, poor women are left with no choice but to take up employment in unprotected, demeaning conditions.

Given that all work is performed within the largely private space of a household, domestic workers are vulnerable to abuse and harassment. Sexual abuse, in particular, has become widespread: sexual abuse of domestic workers has become so rife that it took protests by the National Domestic

Workers' Movement before the Protection of Women Against Sexual Harassment in the Workplace Bill was updated in 2012 to include domestic workers as a category of employees under its protection.

#### **Dignifying Domestic Work**

While regulation of domestic work is pivotal to reform, it is also true that socio-cultural codes have a significant impact on the quality of lives experienced by domestic workers. As long as domestic work and workers are perceived through a neo-feudal lens by the persons availing of these services, the problems shall continue to be trivialized. Like all informal labour, domestic work has historically lacked recognition and has been typically undervalued for its significant contribution to urban economies.

While several states in India today have independent domestic workers' unions, there is much ground to be covered with regard to inclusive coverage and cohesive mobilization. Mobilization may help neutralize the existing power imbalance and help boost the bargaining position of domestic workers. But in the absence of a formal means to identify and enlist domestic workers, formal mobilization remains a challenge<sup>14</sup>. The impending need is for a regulatory overhaul to be accompanied by an evolution in the way employing households treat domestic work. Domestic workers constitute a very large and especially vulnerable community amongst the Indian urban poor. The non-recognition and undervaluation of domestic work has only contributed to their socio-economic marginalization and, more disturbingly, the "normalization" of highly denigrating work conditions. While some efforts have been made by



the government to address the issue, there is a need to rally the more voluble and politically influential urban middle classes – majority employers of domestic workers – for communal awareness and sensitivity. This is a vital, though not the only; step to prop up the prospects of the female domestic worker in the city.

#### **Role of NGO's in organising Domestic workers:**

Domestic workers seldom have an organised mechanism for collective bargaining. Last three decades have seen the emergence of organisations and social activists working with domestic workers to organise them (into groups and unions) by empowering them and advocating for their rights. For example, the National Domestic Workers Movement has branches in 23 states in India. They focus on the dignity of domestic work, empowerment of workers through justice, abolition of child domestic labour, crisis intervention and prevention of trafficking. Organisations such as Vidarbha Molarkin Sangathana were established in 1980 in Nagpur and today works in ten cities in Maharashtra. Pune District Molkarin Sangathan works with part-timers in the city on issues of weekly off, fair wages and increments. Relatively new organisations such as LEARN and Mahila Kaamgar Sangathana are also state specific and have branches in Mumbai, Nasik, Solapur and Nagpur. Both these organisations work with domestic workers to organise into self-help groups and formalise their struggle for wages, dignified livelihood and recognition as workers. Domestic Workers Rights' Union in Karnataka undertook a study to conceptualise fair wages. Besides advocacy on the rights of domestic workers, they have a database of workers in select areas, and handle

cases of different forms of violence against domestic workers. Other organisations such as Tamil Nadu Domestic Workers Union worked for the inclusion of domestic workers in Tamil Nadu Manual Workers Act. Manushi Domestic Workers Union and Arunodhaya Domestic Workers Union in Chennai focus on, among other issues, registration of domestic workers with sectoral board and management of wage-related disputes. Organisations such as Rajasthan Mahila Kamgaar Union organise domestic workers in Jaipur with a focus on their empowerment, wage disputes, rescue of child domestic workers and violence faced by domestic workers at their workplace and home. Such organisations are working towards empowering domestic workers and ensuring that they are not without agency and can challenge the domination of employers. Besides the rights of workers, few organisations such as Astitva, Dehradun, provide childcare facilities for children of domestic workers.

The International Labour Organisation (ILO) organised a session on domestic work in June 2010 at Geneva, Switzerland, to discuss rights and legislations for domestic workers. One of the principal functions of the ILO is setting international labour standards through the adoption of conventions and recommendations. Ratification of a convention by a country is voluntary. Adoption of a convention by the International Labour Conference allows governments to ratify it. When a specified number of governments ratify a convention, it becomes a treaty in international law. All adopted ILO conventions are considered international labour standards regardless of how many governments have ratified them. The



coming into force of a convention results in a legal obligation on the part of countries that have ratified it to apply its provisions. Though issues vary from country to country, member nations have discussed the need to standardize norms. It is significant to point out that any decision adopted by the ILO will imply recognition of domestic work as a form of work and governments will have to take note of these standards. Our work with domestic workers has to be located against this backdrop<sup>15</sup>.

#### Conclusions and Suggestions:

Home as the work place adds to the vulnerability of the worker and makes 'work' informal. Since a home is not a formal workplace, it becomes difficult to demand rights or entitlements as formal workers. Further, the undervalued nature of domestic work in the larger society places these women very low in social structures. All these contribute to the low status of their work and its location in the informal sector. As with many other forms of informal work, the number of workers available is on the rise with the constant rural to urban migration, including from far-off states. Such workers have no mechanism of support in case of loss of job, ill health, maternity benefits or old age pension. In brief to say, there should be assistance of social networks in settling down/ finding jobs and to improve their standards in working conditions. They should be made live with dignity and respect from the perspective of the domestic worker and that of the employer. ILO should take necessary steps to improve the living standards of domestic workers, their working conditions, rights and responsibilities. NGOs and other organisations should aware domestic workers in organising them towards

collective bargaining for improved and standardised working conditions and social security. This would facilitate the process of repositioning domestic work from an occupation to a profession. Issues of abuse and sexual harassment of domestic workers should be covered under the Act, Sexual Harassment of women at working place. Domestic workers should also be included in Labour Enactments like Payment of Wages Act, Maternity benefit Act etc. or a separate Act is very much required to speak about wage aspects and other working conditions.

#### References:

- <sup>1</sup> Jagori NGO 2004
- <sup>2</sup> Act 33 of 2008
- <sup>3</sup> Reported by United Nations International Child Emergency Fund (UNICEF) 2007
- <sup>4</sup> roadside tea and food stall
- <sup>5</sup> **GOI Monitor** Aug 7, 2013
- <sup>6</sup> Act is subjected to State legislation and therefore the State governs its implementation. However, Central notification date is still pending.
- <sup>7</sup> Section 16
- <sup>8</sup> Section 22
- <sup>9</sup> Section 22
- <sup>10</sup> Section 23
- <sup>11</sup> section 22
- <sup>12</sup> Ibid 10
- <sup>13</sup> <http://urbanpoverty.intellecap.com/?p=751>
- <sup>14</sup> according to a 2012 op-ed in *The Hindu*
- <sup>15</sup> Sinha, Shalini and Shrayana Bhattacharya 2009. 'Domestic Workers in India: A Brief Note'. Presented at the Consultation organised by ILO, New Delhi with Civil Society and Trade Unions on a National Level Campaign towards the realization of a Convention for Domestic Work at the ILC (2010), May 2009, New Delhi.