

## **Empowering by Organising: A Case of Domestic Workers in Bangalore**

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*In this paper, I explore the efforts made by Domestic Workers Rights Union (hereafter DWRU) in organising domestic workers in Bangalore Karnataka as a collective and its implications on the rights of domestic workers. What are the efforts made by trade unions in organising Domestic Workers? Does organisation help in enactment of legislation for labour rights and protection and therefore if there is a need to further it? Are Legislations adequate to address workers concerns?*

### ***Scheme of the paper:***

*Firstly, I explore the existing literature on organising and ascertain the method being used for this paper. Secondly, I document the problems and challenges faced by the workers Thirdly, I document the efforts made by the union in addressing workers concerns and ascertain if unions have been successful in strengthening workers rights. Lastly, I document the legislations for domestic workers and ascertain if legislations are adequate to address workers concerns.*

### **Organising Workers:**

In this paper, I use organising as a term which refers to workers coming together as a collective and demanding their rights. The review of literature on organising shows five types of organising. Top-bottom Rao (1986), Bottom up: Vijayanthi (2002), Andharia (2009), Unions: Patel (1994), Priyadarshini (2011) , Wilson (1996) ,NGOs: Gallin (2000), Crinis (2002), Ford (2002), Both unions and NGOs: Spooner (2004), Dreze and Sen (1991) argue that 'public action 'can solve all the problems a country faces if citizens are active and participative.

The domestic workers were being organised by a top bottom approach in Bangalore In certain issues a Bottom up approach was also used. The process of organising was initiated by the union however when workers became, active they themselves would raise issues and demand that they be taken up. An example of workers demanding half month salary as bonus rather than accepting gifts for festivals.

In India, there are 4 million domestic workers of which 92 percent comprise of women and children. 20 percent are below 14 years of age and 25 percent are between 15 and 20 years (Sengupta 2008: 86). According to the ILO, there are around 53 million domestic workers all over the world. According to estimates by National Sample Survey Organisation (NSO), there are 4.75 million domestic workers in India (John 2010). A worker engaged in domestic work is defined as “a person employed to do housework or allied activities in any household” (Shankaran et. al: 1). The International Labour Organisation (ILO) Convention on domestic workers defines domestic worker as “any person engaged in work with an employment relationship”<sup>1</sup>(Geneva: 2011). .In the year 2000, the United Nation Human Rights Commission (UNHRC) declared domestic work as a form of contemporary slavery (Shankaran et.al: 1). One can begin with this simple definition of domestic work and workers. House work includes a number of things which usually falls outside the purview of definitions..

Domestic workers mainly fall in three categories <sup>2</sup>

1)Full time worker: One who works for 8 hours or more in one household.

2)Resident worker: One who stays with the employers and takes leave once a year.

3)Part time worker: One who goes to work for some time during the day. This could vary in the sense that some part time workers work only in one house but they visit the house twice a day. There are others who work in many houses all throughout the day. Some also do the type of work like washing, cleaning etc. Rates are fixed based on the work done. For example, if an employer wants the worker to wash utensils clothes and clean the house she will have to pay them separately for each kind of work. It is like piece- rate work.

Domestic workers live in precarious conditions all over the world. The main problem of these workers are Employer employee relationship not defined, Long hours of work, Low Pay, Lack of Social Security. Violence and Physical Abuse and Law like Minimum Wage Act not implemented properly.

A clear relationship between the employer and the employee is not established. This is because a workers may be working in many houses in a day. This means she has many employers thereby making it difficult to entrust responsibility on anyone for social security or accidents.

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<sup>1</sup> See Provisional Record Compte rendu provisoire 15A, “Text of the Convention Concerning Decent Work for Domestic Workers”, accessed on 12th August 2012.

<sup>2</sup> [ This categorization is based on interview with the domestic workers in Bengaluru and Ms. Geeta Menon of DWRU.] :

The relation is very individualised and personalised which leads to many problems. Firstly, accountability for providing social security and taking up responsibility for accidents at workplace cannot be entrusted to one person as a worker may work in several houses during the day and thus have several employers. Secondly, it is very difficult to take action on complaints received. The Deputy Labour Commissioner of Bengaluru<sup>3</sup> admitted that it is very difficult for them to take action on complaints of exploitation received. They may raid/check a house, but at the time of the checking, the exploitative practices might not be happening and thus not visible. Thirdly, this type of relation prevents workers from interacting with other workers and they are unable to share their problem with anyone. Fourthly, implementation of laws becomes difficult in such conditions.

Gothoskar says, Domestic workers are employed in the “private sphere” of the household, and due to the fact that their work is deemed subservient, there is a resistance to recognize the domestic work relationship and appropriately regulate it. The cumulative result is that these workers experience a degree of vulnerability that is almost unparalleled compared to that of most of the workers (Gothoskar 2005: 29).

Some of the problems faced by domestic workers are similar to that of the others in the unorganised sector, where the pay is low but the domestic workers face more problems than the other sectors. Apart from low pay these workers are not given any leave and have to work in deplorable conditions. They are made to work for more than 16-18 hours a day. The accommodation and food given to them was of poor quality. The workers are ill-treated. Many workers complained of not being permitted to use the washrooms at their workplace. One of the workers was given tea made of used tea leaves every day.<sup>4</sup> Other problems include work without pay. Workers complained of breach of contracts. They were asked to do more work than that was fixed while joining. There is no written contract between the employers and employees and the employers make use of it to exploit the workers. Most of the workers complained that the households they work have regular visitors and they have to do all their work without any payment in cash or kind. They are dismissed from work without any notice. One worker narrated her suffering due to overwork. Her employer had guests for whom the worker had to cook, wash and obey other orders. This guest was more of a permanent member and spent more than 15 days every month in the employer’s house. When the worker demanded

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<sup>3</sup> [ Interview with the Deputy Labour Commissioner, Mr. Manjunath in Bengaluru on 14th May 2010.]

<sup>4</sup> .[ This is based on interviews and group discussions conducted with 100 domestic workers who were members of DWRU in October 2010.]

a hike in salary for extra work, she was not given and was asked to leave if she was not ready to work. She had to continue as she had no other option. Seeing the helplessness of the worker, the employer started abusing her and she decided to quit. But the employer later increased the pay by a nominal amount, so she decided to continue. This is a reflection of the limited choice of employment workers have. In the above mentioned case, in order to get another job, the worker would have had to travel a long distance and also incur extra expense so she preferred to continue with her old work as long as she could bear it. The availability of another job again was also not assured.<sup>5</sup>

Some of the workers also complained that the payment was not made to them for more than a year. In case of Sudha, who was working in a house for two years, at the time of joining she was paid Rs.2500 (given to her aunt). Sudha did not collect her salary as she wanted to take it at the time of her wedding, but the employer refused to pay her any amount.<sup>6</sup> The employers are not liable to pay any compensation for injury during work which is quite common among domestic workers. A worker fell from a high tension wire while drying clothes. She lost her toes and her hand was paralysed. She was paid no compensation. Similarly, many cases of allergies due to the use of harsh detergents and acid were reported among workers and none of them were paid any compensation.

Another serious problem workers in this sector faced was that of physical abuse and violence inflicted on the workers which included sexual abuse and molestation. Sexual abuse is not reported because workers find it difficult to discuss this with other people including their spouse and many times suffer silently. In the interaction with workers, many brought up such issues including those of sexual harassment in their workplace.<sup>7</sup> For instance, in one of the interviews, a worker named Aruna was working in a house for more than a year and was facing physical and verbal abuse. She was not allowed to meet her relatives. When her relatives started visiting the place often, the owners called the police and they were taken to the police station. Another worker Usha was poked with scissors and beaten with a bat at her workplace.<sup>8</sup>

In another interview, Rathna narrated her experience of sexual exploitation while working in a house. The employer made sexual advances towards her when the wife was not around or out of the house. He used to touch her while talking and whenever she was at close quarters within the house. When his wife was away for a day, he asked her to sleep with him and told her that

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<sup>5</sup> .[ Ibid.]

<sup>6</sup> [ Ibid.]

<sup>7</sup> .[ Ibid.]

<sup>8</sup> [ Ibid.]

he would increase the pay if she consented. She told him that she had AIDS, and added that her husband died due to the same disease. Hearing this, Shankar abused her verbally and hit her with slippers and asked her to leave the house immediately. He also threatened that he would spread the truth about her to all her employers and see that she was driven out of job everywhere.<sup>9</sup> Workers also complained that they often faced accusations of stealing. This is because of a stereotype that exists in society that workers are thieves. It may be true in some cases, but many workers are victimised and undergo torture and harassment because of false allegations. It is common to see certain communities of workers being branded as thieves. The media too is responsible as they also assist in spreading such stereotypes.

Apart from the problems faced at the workplace, the workers do not consider their work as work. They feel that they were getting money out of the extra time they have which they have put into work. Very few of the respondents were conscious about their work or were assertive about their rights and pay. However, all the workers were ready and willing to support each other and demand a hike in salary and bonus for festivals.<sup>10</sup>

The problems of domestic workers are similar to that of India in countries like Indonesia, Philippines, and Korea, but in some of these countries, gender based discrimination is there in pay as well and that too which is set by the government (Che et. al: 2004). In India, this discrimination is not present though the pay is meagre. Other problems in these countries include workers who are brought from other countries to work as domestic help. The condition of this section of workers is deplorable, especially in Indonesia and Philippines (Ibid). This paper does not cover migrant workers. But these workers are trafficked to other countries with no legal documents and therefore are at the mercy of the employers. They are unable to come back as they do not have documents and there is no one to help them.

Having looked at the issues and challenges faced by the workers in the next section we would look at the efforts of DWRU in organising them their success failure and challenges.

### ***Organising Domestic Workers:***

There is consensus among scholars that organising enables workers to come together as a collective and demand their rights. However there are several forms of organising of domestic workers across the globe. All studies on organising of domestic workers has concluded that it improved the living and working conditions of the workers. Organising of domestic workers has gained importance after the International Labour Organisation (ILO) declared the year 2010 as

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<sup>9</sup> [ Ibid.]

<sup>10</sup> [ Ibid.]

Decent Work for Domestic Workers. In this section, I explore the efforts made by DWRU in Bangalore to organise workers and the impact on the lives of the workers. In order to have a better understanding of the organisation process in Bangalore, I have classified this section in three parts; Obstacles in organising, Economic Social and Legislation Benefits that Have Come from Organised –cum- Collective Effort in Bengaluru and Persistent problems that need effort.

### **Obstacles in Organising Domestic Workers in Bengaluru**

The obstacles faced in organising the workers are the lack of laws due to which enforcement or compliance becomes difficult. All the negotiations for wages or social security depends upon the willingness of the employers. Even in areas like wages where laws are present, the implementation was difficult.

Competition among various unions, both political and non-political, was another obstacle to organising. These unions keep fighting amongst themselves; this may lead to the workers issues being neglected. The lack of unity among unions reduces the bargaining power of unions, as there was no consensus among them on any policy.

Another obstacle to organising was the compromising nature of the worker due to their economic and social setting. Workers fear losing job and the hassle of getting another job, so they are not willing to protest and are ready to work for less pay. The worker may have to travel long distance in case he/she decides to protest and change her job. This leads to the workers compromising. Many struggles are not successful because some workers consider it as their loss to join the protest and are reluctant to join.

### **Economic Social and Legislation Benefits that Have Come from Organised –cum- Collective Effort in Bengaluru**

Organising has benefited the workers in several ways. They have become aware about their rights. They have collectively struggled to get laws implemented and improved their conditions of work. They have negotiated with employers for better pay and social security both by demanding the implementation of laws and on certain occasions, even in the absence of laws, they have been successful in negotiating with employers for better facilities at work. Organising has also helped them improve their personal lives.

Most of the workers interviewed feel that unionisation has given them a voice, as they can now speak and articulate. Earlier, they never revolted, but now they negotiate with their employers for salaries and perks. The workers also felt confident in all matters personal and employment related, as they were aware that the union would be by their side to address their problems and this gives them confidence to retaliate. Most workers said that earlier they did not retaliate even

if they were right as they knew that they would get into trouble later. Now, they do not tolerate any form of domination as they know that the union is there for them. The workers come together and share their problems so they get to know about the problems of other workers. They learn from others experience and implement it in situations where it is required. Their rights and laws are discussed, so they become more aware about their rights. In case there are some issues, they unite and go to the employer's house to solve it.<sup>11</sup>

They lay their terms and conditions of service before joining and if it is not met, they leave their job. Many workers also make a bond on which both the employers and the employee sign. They also feel that the employer is cautious while dealing with the worker as they know that the union is there to take up their case. A worker told us that her employer is scared of her as she is a union member and treats her well unlike earlier.<sup>12</sup> After the efforts of these organisations, women have started to question their employers. They ask extra pay for extra work, fix their hours of work according to their convenience and negotiate for wages. Earlier, they never dared to question their employers, but now they fight for their rights.<sup>13</sup> They also feel that unionisation has helped them to work together and demand collectively. They have united together and protested against employers in many cases. They also feel that they are more aware of their rights and the existing laws.<sup>14</sup>

There was change in the employers' behaviour towards their employees after they joined the union. The workers were treated with respect and the discrimination has reduced. They were given food in the same utensil, allowed to sit in the house, allowed to use toilets.<sup>15</sup> Most workers felt that their joining the union has translated into better work conditions. The employers were scared to harass them or shout at them unnecessarily which was a common feature earlier. It has also ensured better job security as they cannot be easily removed from work.

Among the 100 workers interviewed there were two workers who felt that the union had not benefited them. Sujata, one of the workers felt that the union did not do any work, they just came to their areas to conduct meetings and to take their signatures as a record to show that many people were present, but they did not do anything for them.<sup>16</sup> The Identity card issued by

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<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> It was a common practice not to allow the workers to use the toilets at the employer's house. Two bowl system was also practiced by many employers. Workers were not allowed to eat in the same vessel used by the employers.

<sup>16</sup> This is based on interviews and group discussions conducted with the people who started the union and 100 domestic workers who were members of the union.

the union has benefited the worker. The card is not legally acceptable, but workers have used it many times to negotiate with their employers for wages bonus and in the police station. The workers say that their employers are scared of them when they show them the card. In some cases, the card has meant removal from employment for the workers. Some employers are reluctant to employ workers who are members of union and some workers had been removed from job when their employer got to know that they were members of the union. However, this has not prevented the workers from joining the unions and the number of employers removing workers from work is less. In many cases, when the workers are removed from their work for joining the union, the union members go and speak to the employers and ask them to recruit back the worker by explaining to the employer the reason for forming the union, but they are not always successful. The employers give other reasons for removal and do not accept that they have removed the worker for joining the union. They use transfers and less work as excuse for removal.<sup>17</sup>

The workers have made use of the card when they were harassed by police in their neighbourhood. The policemen used to harass them by forcefully entering their house and arresting them. But now the identity card helps them to deal with the police. Once they show their card, the police does not harass them as they know that the union members will be there for them. They have even used the card to negotiate with employers for bonus in cash instead of kind (material goods like clothes etc.). The identity card has given them a new identity and they use it in police stations and in other places. Some workers used the card when a fight erupted in the neighborhood and the police was called.

The implementation of the existing schemes like the housing scheme introduced by the government of Karnataka to construct pucca houses was extended to domestic workers. Many workers availed this scheme to construct their houses. Other schemes like the Rashtriya Swastha Bhima Yojna (RSBY)<sup>18</sup> and insurance schemes and ration are extended to the workers through the help of unions. The union also provides scholarship to the children of domestic workers and in some cases bears medical expenses for those who cannot afford it.

The workers have responded collectively to their problems with the help of the union. For social security, they have rallied several times. Workers from all over India including Bengaluru

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<sup>17</sup> Ibid.

<sup>18</sup> Rashtriya Swastha Bhima Yojna (RSBY or National Health Insurance Programme is a health insurance policy. It was started in 2008. Under this programme workers in the Below Poverty Line (BPL) category on payment of Rs. 30 can avail free medical treatment in public and private hospitals upto Rs. 30000.]

participated in a protest in Delhi outside Parliament House in 2007, to put pressure on the government to pass legislation for domestic workers. One of the workers, Laxmi, who was a participant in the rally pointed that the Minimum Wages Act in the state of Karnataka was an outcome of that protest. She further said that they would keep on demanding till the time a law was not passed for domestic workers. According to her, now they have got one paise in a rupee and they will continue to demand unitedly for the remaining 99 paise. “If states like Maharashtra can have a law for domestic workers why can’t we?”<sup>19</sup>

They have not been completely successful. Recently RSBY has been extended to domestic workers. This will enable them to get medical benefits.

They protested in front of the Labour Commissioner’s office several times and demanded the formation of Social Welfare Board. The Social Security Act, 2008 mandates all states to form tripartite boards for all sectors of the unorganised sector. The Government of Karnataka was denying this right to the domestic workers and they were being excluded from this. In response the workers protested and they are now included in the board.<sup>20</sup>

Domestic workers are not covered even by the Minimum Wage Act at the national level because domestic work is not a scheduled employment. The employers are not bound by any minimum requirements for employing a domestic worker. Consequently, there is no fixed timing or any fixed rate of wages. It differs with time and geographical location (Gothoskar 2005: 37). The state of Karnataka was the first to set Minimum Wages for domestic workers, but the wage was too less to meet the daily needs of the workers. According to the notification, a domestic worker who works for eight hours in a house is entitled to a wage of Rs. 1,600 and Rs. 1,800 per month, but if the members in the household where he/she works are more than four, then the amount increases and he/she can get a maximum of 2,200 rupees. If she/he works more than eight hours, the wage doubled<sup>21</sup>.

Even in areas where there are no laws, efforts have been made to ensure that the worker's rights are protected. Some of these include false accusation of stealing/theft, compensation for accidents at workplace and solving some issues related to the family or neighbourhood or place where they reside. Workers have protested and demanded apology in case of false accusations of theft. The following case illustrates the point.

A worker, Chennama was working in a house for 15 yrs. In the year 2009, she was accused of stealing a four lakh diamond set. She told her employers that she had not done it and they should

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<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> See Minimum Wage Act 2004, Government of Karnataka.

not falsely accuse her and use abusive language. The employer threatened her (worker) that she (employer) would lodge complaint with the police. The worker replied that she (worker) would go the police and get her union and prove her innocence and the employer never questioned her again. There were 4 maids in the house. Workers protested in front of the house and demanded an apology<sup>22</sup>.

Another worker, Devi was accused of stealing gold chain which was later found in the house. Workers 'demanded apology but the employer refused. A meeting between the employer and the employee was convened and the workers actively participated. They demanded a written apology, but finally she relented after the employer's assurance that this would not happen in future. A domestic worker was accused of stealing Rs.200 from her employer's house. Thereafter 15 workers went to their house to enquire about it. Seeing the group the employer said nothing had happened.<sup>23</sup>

Aruna had been working in a house for a year. She had been facing physical and verbal abuse from her employers. She was not allowed to keep any contact with her family. Her sister sought the help of the Domestic Workers Rights Union (DWRU) to rescue her. When members of the union and her sister approached the employers and wanted to meet Aruna, they were not allowed to meet her. After they visited the house three times, the owners called the police and the family members along with union members were taken to the police station. Aruna had sent a letter of complaint to the union which they produced to the police. The police issued a show cause notice and Aruna was brought to the police station. She gave her statement which was recorded. Her salary had not been paid to her. The employers claimed that they had spent the money on her hospitalisation /treatment and it would be covered there. They are still demanding (time when interview was conducted) that the employer should bear the medical expense and give the salary.<sup>24</sup>

A worker fell from a high tension wire while drying clothes. She lost her toes and her hand was paralysed. She was not paid any compensation. The union intervened and the case was taken to the police. Later, she was paid Rs. 40 000 which was not enough.

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<sup>22</sup> Interview in Bangalore with her.

<sup>23</sup> Ibid.

<sup>24</sup> A similar case is that of Sudha, a domestic worker who has been working for two years in a house and has not received any payment. Initially, when she joined, the employer gave Rs 2500 to her aunt. The employer told her not to collect a regular salary and promised her that she would give her accumulated salary at the time of marriage. Now her marriage is fixed and her employer is not ready to pay the amount making one excuse or the other.

Nanjama was working as a domestic worker. She faced skin problems due to use of strong detergent. She feels that the government should look into these matters of occupational hazards and provide medical facilities to them.

The workers have benefited even in addressing issues in their personal lives<sup>25</sup>. The union solves personal problems of the workers like fights in the family for property, counseling of children of the workers, property related issues, care of the old. Workers also take loans from the union for constructing houses, medical expenses, and marriages. They have mostly repaid the amount. There was an instance when a worker, Rupmani, was chased out of her house by her son because of old age. She approached the union which intervened. It was agreed that the son would pay her some money per month for her maintenance. Legal advice was sought to solve this issue.<sup>26</sup> In another instance, a worker Jyoti was being harassed by her brother who used to beat her. The union helped her to lodge a complaint with the police and also gave her a loan.<sup>27</sup> Organising has also helped in checking or reducing child labour. One successful strategy has been implemented in apartment blocks. The union asks the Resident Welfare Associations (RWA), to keep a record of domestic workers and not to allow residents to employ children as domestic help. In many cases they have responded favourably especially in the child labour issue. On the other hand, positive response to the issues of adult domestic workers is lesser.<sup>28</sup> Organising of the workers has led to improvement in their lives and made their life a little easy for them. Workers felt that the union addresses all their issues, so they feel that there is some place where they can go when they are in need. It also gives them the strength to take forward their struggle and fight for their rights. Organising in other countries like Philippines Indonesia, Taiwan had similar findings where the workers benefited from organising. In Philippines Minimum Wage Act was passed and work hours were fixed for domestic workers. All domestic workers earning above Peso 1000 were extended social security benefits for which the employer had to contribute (Chee et.al 2004: 138). They have benefited by organising themselves but there are certain issues that

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<sup>25</sup> In Pune, the Pune District Molkarin Sanghatana has been organizing domestic workers in Pune. They have been successful in stopping illegal liquor shops in the areas where domestic workers live. This was done by the workers themselves as men in their house spent major part of their income on liquor. They even fought with the police to achieve it as police was supporting those shops. The state is the first to enact a law on domestic workers and this organisation pressurised the government for passing the law. They have a counseling centre where employers and employees both come. They have solved 15000 cases since its inception (Thatte 2010). ]

<sup>26</sup> This is based on interviews and group discussions conducted with 100 domestic workers who were members of the union.

<sup>27</sup> Ibid

<sup>28</sup> [interview with Ms.Geeta Menon, of Domestic Worker's Rights Union, Bengaluru on 21st October 2010.

need more effort; certain methods of organising that need to be introspected. These issues are discussed in the next section.

### **Persistent Problems that Need More Effort**

The wages of the workers are not fixed in all the states. Only a few states have enacted laws on Minimum Wage. In case of Karnataka, the wage fixed was very low and it was not sufficient to take care of the needs of one person, hence, it was difficult for the workers to meet their family needs. The reason for low wages was that there was a long gap between drafting and the passage of the Minimum Wages Act. So, by the time it was implemented the cost of living had increased and there was need to revise the wages. A study conducted by the DWRU in Bengaluru, concluded that in order to meet the basic needs, a worker requires Rs 5800 per month and with the low earnings, they were able to meet only one third of their expenditure (DWRU 2005). In Bengaluru, the awareness about the law was very less among the workers and the employers. Most of the workers earned more than the stated wage. The DWRU has taken up cases of workers being paid less. They try to address these issues by negotiations with employers and try to convince them or they protest thereby trying to build pressure on the employers. These measures are not always successful. This problem needs to be addressed. At the time of implementation, the wages should be set according to that year and not the year the policy was formulated. It should also have provision for easy revision of wages. Another problem arises in the implementation of laws. Some states do have laws on Minimum Wages, but it is not implemented. There is no mechanism to complaint against employers for not abiding by it and no penalty is imposed on them. This makes the law weak and enforcement difficult. The union and the worker on many occasions compromise on the low pay especially when the worker is old. Some of the cases discussed below make this clear.

A worker Rukminiamma had been working in a house for 40 years and was paid Rs. 500 a month. The union intervened though she did not want them to do so as she felt she would lose her job and at that age finding another one would be difficult. However, the union tried to convince the employers to increase the pay. The employers agreed for the hike though the amount raised was less. She now gets Rs. 1000. The employers used her age as an excuse for not increasing her salary. They feel that her work output had decreased; therefore, she did not deserve the amount they were paying her.<sup>29</sup> Another worker Sabita, who was working as domestic help, had been depositing her monthly salary with the employer. After six months

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<sup>29</sup> [ This is based on interviews and group discussions conducted with 100 domestic workers who were members of the union.

when she went to ask for the money, the employer gave her only four months' salary. A group of 15 workers went to the employer's house to enquire about it. The employer locked her house so that no one could enter and called the police. A case was filed by her with the help of the union. The employers gave her the agreed salary after deducting Rs. 1000.<sup>30</sup> The above two instances show that though the union tries to help workers, they are not always able to get the workers their rightful share. The absence of law is one of the reasons for this as negotiation becomes difficult. Another reason is the fear of losing the current job and unavailability of new job. The worker will have to stay unemployed and without any earning till the time she gets a new one. The above cases raise the question whether laws alone are adequate to address workers issues? Is there a need for more laws to address workers need or do we need to think of other steps to ensure that their issues are addressed?

Social security for the domestic workers is also limited. Neither the state, nor the employer provides social security to the workers. In most states, domestic workers are not included in formation of tripartite welfare boards.<sup>31</sup> In Karnataka, after a sustained struggle, they have been included but the board has not started functioning. The union has been able to convince employers of the need for better working conditions and pay for the workers, but it was entirely up to the employers to accept or reject it as there is no way that it can be made mandatory. In such a situation, law becomes essential so that it can be imposed on the employers if they fail to comply or are not ready to do so. In a meeting in Bengaluru, most of the employers present were empathetic toward the domestic workers but they did not want the state<sup>32</sup> to be involved and they did not want laws to be passed though they were ready to provide better work conditions and pay. The response of the employers makes it clear that they were aware that they were exploiting the workers and it was in their interest not to involve the state. If laws are passed, it would become mandatory for them to abide by them which was not the case now. Another reason was that the pay would be much higher and it would become difficult for everyone to afford a person for domestic work. At present, the workers charge separately for different household and the economic conditions of the employers determine the pay to some

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<sup>30</sup> [A similar case is of Dipa who was working in a house for two years but the employer had not paid her. Only when twenty members of the union from the same area went to the employer's house and protested, only then she paid the entire amount.]

<sup>31</sup> The Social Security Act 2008 mandates formation of tripartite boards for all sectors within the unorganised sector. This should constitute representatives of employers, representatives of workers and of the government.

<sup>32</sup> The term state here means involvement of government and its agencies like the Labour Department.

extent, but after a law is passed everyone would have to pay the same amount based on the hours of work or the type of work.

Social security for domestic workers is important, especially old age pension and medical benefits as they spend their whole life earning and toward the end when they are old, they have no one to take care of them. The law should make it mandatory for employers to provide social security to the workers and the government should also contribute to it. The domestic workers do not receive any old age pension, provident fund or any other benefits. Recently, RSBY has been extended to them. In the previous section, the issues of accidents at workplace was discussed where the employer did not pay anything to the worker. The case of the old woman being paid less salary also shows that there is a need for social security like old age pension, medical and health insurance and others. Workers have taken loan to meet their needs. In recent times, the state has made a move towards providing social security to workers by the formation of welfare boards but this has not been implemented properly in most states.

A third issue that needs to be addressed is the concept of “work” itself among domestic workers which was found lacking. The work done by a domestic worker was not seen as work by most workers and employers. Domestic workers do not see their work as remuneration for their labour. They consider themselves and their work inferior to other work like teaching etc. This is another concern for this sector. They employers too felt that the workers were getting some extra money for the extra time she/he has. In many places, unions and NGOs were working in this direction by professionalising domestic work. This is done by imparting training to the workers in old –age care or household activities. They are given a set of uniform and are placed in houses which require their services. This has achieved success in many places including Kerala. The amount is fixed for the type of work they have to do. This has led to increase of the income by workers. Worker Facilitation Centres have been opened by many union and NGOs. The DWRU in Bengaluru also has a Worker Facilitation Centre.

### **Conclusion:**

Having looked at the efforts of organising the workers it can be concluded that workers have been empowered by organising though they may not be fully empowered They have felt that changes have come in their personal lives and most of them feel that they are more aware of their rights. They have been able to manage their day to day problems better with the help of the unions. Unions have helped in issues like childcare, fight between parents and children, fights among couples etc. It has helped in implementation of laws and policies for the workers. The efforts have been successful to some extent in ensuring social security to workers through

their own initiatives like tying up with insurance agents, opening of banks and others. They have also acted as link between the government and the workers and have extended government schemes on health and others to the workers like RSBY, food security etc. But at a policy level they have not been able to do much. These areas need more effort. For any development to take place, the unorganised sector cannot be ignored, as majority of the population are employed here and this sector is expanding at a rapid pace. In order to ensure complete empowerment laws are requires which would ensure that all their right are protected and if violated the grievances would be addressed. Thus Organising has led to empowerment of the workers.

References:

- Bala. (2010). *The Employment and Condition of Domestic Help in India :Issues and Concerns*. Noida: V.V Giri Institute of Labour.
- Banaeejee, D. (2007). *Liberalized Trade, Foreign Investments and Labour Standards: Can Or Should They Converge in A New International Division of Labour?* in Debdas Banarjee and Michael Goldfield. *Labour, Globalisation and the State Workers, Women and Migrants Confront Neoliberalism* (pp. 19-47). NewYork: Routledge.
- Bhatnagar, S. (2010). *Nirmala Niketan: Streamlining the Domestic Workers` Sector*. Retrieved from <http://www.labourfile.org/ArticleMore.aspx?id=554>. 5th August 2010.
- Bhattacharjee, D. (2000). *Globalising Economy, Localising Labour*. *Economic and Political Weekly* Vol. 35, No. 42, (pp. 3758-3764).
- Bhatt, E. R. (2006). *We Are Poor But So Many: The Story of Self-Employed Women in India*. New York: Oxford University Press.
- Chandhoke, N. (2003). *A Critique of the Notion of Civil Society as the Third Sphere*. In Rajesh Tandon and Ranjita Mohanty, *Does Civil Society Matter?: Governance in Contemporary India* (pp. 26-58). Delhi: Sage.
- Chandhoke, N. (2003). *The Civil and the Political in Civil Society*. In C. M. Eliot, *Civil Society and Democracy A Reader* (pp. 238-262). New York: Oxford.
- Chandhoke, N. (2003). *When the Voiceless Speak A Case Study of Chattisgarh Mukti Morcha*. In Rajesh Tandon and Ranjita Mohanty, *Does Civil Society Matter?: Governance in Contemporary India* (pp. 198-242). Delhi: Sage.
- Chandhoke, N. (2014). *Can Civil Society Reorder Priorities in India*. *Economic & Political Weekly* Vol XIIX No. 8, (pp. 43-48. Chatterjee, P. (2001). *On Civil and Political Society in*

- Post-colonial Democracies. in Sudipta Kaviraj, Sunil Khilnani. *Civil Society History and Possibilities* (pp. 165-178). New Delhi: Cambridge University Press.
- Chatterjee, P. (2003). *Beyond the Nation or Within?* In C. M. Eliot, *Civil Society and Democracy A Reader* (pp. 134-144). New York: Oxford.
- Chatterjee, P. (2004). *The Politics of the Governed*. Delhi: Permanent Black.
- Demaret, L. (2007). *Decent Work for Domestic Workers – International Convention on the Way*. Retrieved from [http://www.ilo.org/wcmsp5/groups/public/---ed\\_dialogue/---actrav/documents/publication/wcms\\_111439.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_111439.pdf) on 9th November 2021.
- Dreze, J, Sen, A. (2013). *An Uncertain Glory: India and its Contradictions*. New Delhi: Penguin,
- Ghatak, A. (2010). *Organising Women Domestic Workers in Kolkata*. Retrieved from <http://www.labourfile.org/ArticleMore.aspx?id=568>. 5th August 2010.
- Ghosh, J. (2002). *Globalisation, Export-Oriented Employment for Women and Social Policy: A Case Study of India*. *Social Scientist*, Vol. 30, No. 11/12, (pp. 17-60).
- Hamid, A. (2006). *Domestic Workers Harsh everyday realities*. *Economic and Political Weekly* Vol - XLI No. 13, (pp. 1235-1237).
- Jenkins, R. (2001). *Making Governance for Politics: Foreign Aid Democracy and the Construction of Civil Society*. In Sudipta Kaviraj and Sunil Khilnani, *Civil Society History and Possibilities* (pp. 250-268). New Delhi: Cambridge University Press
- Jhabwala, R. (n.d.). *Excluding the Majority: Workers Producers and Categories of Employment*. Retrieved from [www.sewa.org](http://www.sewa.org) 26th October 2009.
- Jhabwala, R. (n.d.). *Organising the Way to Empowerment*. Retrieved from [www.sewaresearch.org](http://www.sewaresearch.org) accessed on 28th April 2009.
- Jhon. (2010). *In Defense of the Rights of Domestic Workers*. Retrieved from [www.labourfile.org: http://www.labourfile.org/ArticleMore.aspx?id=510](http://www.labourfile.org/ArticleMore.aspx?id=510) 5th August 2010.
- John, J. (2005). *Umbrella Legislation – A Deception on Indian Working People*. *Labour File*, Vol.3-No.2, <http://www.labourfile.org/ArticleMore1.aspx?ID=538>(website). 12th November 2010.
- Jose, A. (2006). *Is Legislation the only Solution?* . *Economic and Political Weekly* Vol - XLI No. 32, (pp. 3480-3483).
- Kaur. (2010). *Organising and Unionising Domestic Workers: AITUC*: Retrieved from <http://www.labourfile.org/CurrentArticleDetails.aspx?id=545> 5th August 2010.

- Madhav, R. (2010). Legal Recognition of Domestic Work. Retrieved from <http://www.labourfile.org/:/CurrentArticleDetails.aspx?id=572> 5th August 2010.
- National Commission for Women. (2008). Domestic Workers (Registration Social Security and Welfare) Act 2008 Retrived from [http://ncw.nic.in/Comments/Domestic\\_worker\\_bill.pdf](http://ncw.nic.in/Comments/Domestic_worker_bill.pdf) on 15th March 2010.
- Neetha. (2008). Regulating Domestic Work. Economic and Political Weekly Vol -XLIII No. 37, (pp. 26-28).
- Neetha. (2010). Domestic Workers: Profile and Emerging Concerns. Labour File, retrived from <http://www.labourfile.org/ArticleMore.aspx?id=521>. on 9th January 2011.
- Neetha. (2013). Minimum Wages for Domestic Work: Mirroring Devalued Housework.. Economic and Political Weekly Vol-XLVIII No.43, (pp. 77-84).
- Neetha. (2013). Paid Domestic Work: Making Sense of the Jigsaw Puzzle. Economic and Political Weekly Vol-XLVIII No.43,.(pp. 35-38).
- OECD (2011). Divided We Stand: Why Inequality Keeps Rising Special Focus Inequality in Emerging Economies. Retrived from <http://www/oecd.org/els/soc/49170475pdf> on 15th October 2013.
- Rawat, B. (2010). Domestic Workers` Federation Mumbai:from Initial Diffidence to Growing Militancy. Retrieved from <http://www.labourfile.org/ArticleMore.aspx?id=555> on 5th August 2010.
- Rawat, H. (2010). National Policy on Domestic Workers Government`s Priority. Retrieved from <http://www.labourfile.org/ArticleMore.aspx?id=565> on 5th August 2010.
- Somavia, J. (2011). C189 Descent work for Domestic Workers Convention 189 Recommendation 201 (R201) . Geneva: International Labour Organisation (ILO).
- SEWA Kerala (2004). The Domestic Workers Employment Rights Protection Bill, 2004 [http://wiego.org/sites/wiego.org/files/resources/files/dw\\_workers\\_employment\\_2004.pdf](http://wiego.org/sites/wiego.org/files/resources/files/dw_workers_employment_2004.pdf) accessed on 5th October 2011.
- Sinha, S. (2010). Social Protection for Domestic Workers: Need for Innovative Approaches. Retrieved from <http://www.labourfile.org/Default.aspx>. 12th November 2010.
- Sunkaran, T. (2001). Scoail Security for Workers in Unorganised Sector. In .Amitabh Kundu, Alakh N. Sharma. Informal Sector in India Perspectives and Policies (pp. 405-413). Delhi: Institute for Human Development.

Tandon, R. (2003). The Civil Society-Governance Interface. In Rajesh Tandon and Ranjita Mohanty, Does Civil Society Matter?: Governance in Contemporary India (pp. 59-76). Delhi: Sage.

Tandon and Mohanty. (2003). Civil Society and Governance: Issues and Problems. In Rajesh Tandon and Ranjita Mohanty, Does Civil Society Matter? Governance in Contemporary India. Delhi: Sage.

Neethe (2019), Women's Unpaid Work Measurement and Macro Policy  
*Economic and Political Weekly* Vol. 54, Issue No. 23, 08 Jun, 2019

Oommen, T. K. (2003). Civil Society and the Goal of Good Governance. In .Rajesh Tandon and Ranjita Mohanty, Does Civil Society Matter?: Governance in Contemporary India (pp. 125-144). Delhi: Sage.

Sengupta, A. K. (2008). Report on Conditions of Work and Promotion of Livelihood in the Unorganised Sector. Delhi: Academic Foundation.

Sinha, S. (2010). Social Protection for Domestic Workers: Need for Innovative Approaches. Retrieved from <http://www.labourfile.org/Default.aspx..>

Shah, N. Gothaskar, et.al (1994). Structural Adjustment, Feminisation of Labour Force and Organisational Strategies. Retrieved from *Economic and Political Weekly*, Vol. 29, No. 18 (pp. WS39-WS48).<http://www.jstor.org/stable/440113>

Sophy (2024), Understanding the Legal Discourse on 'Paid Domestic Work 'in *Economic and Political Weekly* Vol. 59, Issue No. 51, 21 Dec, 2024

Wollstein, Koch. (2008). It's About Participation, Stupid Is it?- Civil Society Concepts in Comparative Perspective. In Bruno Jobert and Beate Kohler-Kock, Changing Images of Civil Society from Protests to Governance (pp.195-214).London: Routledge.