



## International Domestic Workers Network (IDWN)

Founding Congress

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### ***Item 4 (c): Report for the Asia Region***

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##### **A. Introduction**

###### ***Huge and increasing number of workers***

Asia-Pacific is the region that has the biggest number of domestic workers, with about 21.5 million people (41% of those worldwide) employed by private households, according to the ILO in 2013. However, there is a lack of official statistics and the figures are probably far higher.

Asia is home to 60% of child domestic workers worldwide, with estimates of 1.5 million in Indonesia, 1 million in the Philippines, 420,000 in Bangladesh, and 100,000 in Sri Lanka.

Asia has countries of both origin and destination for migrant domestic workers. The Philippines, Sri Lanka and Indonesia are major sending countries of female migrant workers. Main destinations include Saudi Arabia, Kuwait and Malaysia. The Philippines alone in 2010 had 96,500 migrant domestic workers newly hired abroad through regular channels. A quarter to one third of the world's 22 million migrant women domestic workers work in the Arab States, most of them coming from Asia and Africa. In Asia, the main destination countries are Thailand, Malaysia, Hong Kong and Singapore, with over one million migrant domestic workers coming from other Asian countries.

With growing economic disparity inter-nation and inter-region, as well as growing demand for elderly and family care in the richer urban areas and countries, the number of domestic workers is increasing.

###### ***Working conditions of domestic workers in Asia***

Despite the huge number of domestic workers in Asia, the ILO (2013) reports that legal protection is minimal:

- **Continuing serious abuses and murder:** Bangladesh media reported 797 torture cases in the past 10 years, with 398 of them fatal. In Indonesia, 472 cases of violence against domestic workers were found in 2000-2008. In Malaysia, in 2011 alone, 13 domestic workers died.
- **No rest:** 97% of Asian countries have no legal protection for weekly rest.
- **No holidays:** 97% of Asian countries exclude domestic workers from annual leave.

- **No minimum wage coverage:** 88% of Asian countries do not have a statutory minimum wage for domestic workers. 10% of Asian countries have a lower minimum wage for domestic workers than for other workers.
- **In kind payment:** Only 12% of Asian countries stipulate that the minimum wage must be paid in cash.
- **No maternity protection:** 76% of Asian countries do not give domestic workers rights to maternity leave and benefits.
- **No right to form unions:** Domestic workers in Bangladesh, Cambodia, Thailand, and those employed by private households in Mainland China are not allowed to form and register unions. Migrant domestic workers in Malaysia, Singapore, and the Arab States do not have their right to the freedom of association respected.
- **Domestic workers are not considered as workers and given no respect:** Government laws and society in general do not consider domestic workers as workers. Employers generally make demands as if the worker is not considered to have needs as a human being. Domestic workers, already on very low wages, are reporting wage cuts and no regular payment. Domestic workers with multiple employers suffer from repetitive muscle strain and pressure.
- **Discriminatory policies against migrant workers:** Countries of destination benefit from migrant workers without providing protection of workers' rights. Countries of origin like the Philippines, Indonesia, Sri Lanka, Bangladesh, etc., depend mainly on migrant workers' remittances for monetary economic growth. Yet the workers have no rights to holidays, and no freedom of association. There are frequent reports of serious abuse and murder. Private employment agencies keep workers in debt bondage by overcharging agency fees.
- **Child domestic workers:** Children from poor rural areas are sent, often through family networks, to cities to work as domestic workers. They usually get no wages in cash and are only provided with food and accommodation. Similar to migrant domestic workers, they are very isolated.
- **Lack of inspection:** Governments in Asia do not visit private households to monitor the conditions of workers. Sometimes they only investigate after a complaint is filed or a serious case is found.

#### ***Existing labor protection for domestic workers***

- In **Hong Kong**, domestic workers are considered as workers and are generally covered by the same employment ordinance and trade union laws. However, there are some exclusions, such as for minimum wages for live-in domestic workers and pension benefits. Some immigration policies make it difficult for migrant domestic workers to obtain their rights.
- In six states of **India**, domestic workers are covered by Minimum Wage protection. Maharashtra has the Domestic Workers Welfare Board Act of 2008, and in Tamil Nadu the Manual Workers (Regulation of Employment and Conditions of Work) Act of 1982 provides some protection. However, implementation of laws in India is weak.

### ***Significant improvements since the adoption of the C189***

- In the **Philippines**, after ratifying C189 in September 2012, the Government adopted the Domestic Workers Act on 18 January 2013.
- In **India** in 2012, the Protection of Women against Sexual Harassment in the Workplace Bill was extended to cover domestic workers. In June 2011, the Government announced the inclusion of domestic workers in the RSBY Health Insurance Scheme. In 2011 in Maharashtra, the State Government brought domestic workers under the Minimum Wage Act and now registers domestic workers so that they have access to social insurance.
- In November 2012, **Thailand** enacted the Ministerial Regulation on Domestic Workers to give some labor protection to domestic workers.
- In **Singapore** in 2013, the Government introduced a regulation that employers of migrant domestic workers should provide weekly day off for their workers. If the workers need to work on weekly day-offs, they should get overtime payment.
- In the **Gulf Countries**, the Governments are considering to adopt a unified standard contract to extend protection to migrant domestic workers.

### ***Ongoing campaigns for legal protection on domestic workers***

- In **Indonesia**, a Domestic Workers Bill was tabled in Parliament but, in November 2011, the Jala PRT network of domestic workers' organizations, civil society organizations, and labor unions and federations had to organize a 5 days occupation in front of the Parliament to save the Bill from being taken off its agenda. In 2012-13, while the Parliament has been reviewing the Law No. 39/2004 Concerning Placement and Protection of Indonesian Workers in Foreign Countries, the KAPPRT / BM, JARI-PPTKLN, and migrant workers' unions and civil society groups have been fighting for it to include good protection for migrant domestic workers.
- In **India**, the National Platform for a Comprehensive Legislation on Domestic Workers is demanding legal protection for domestic workers and their inclusion in the Social Security Act of 2008. On 31 July 2013, more than 2,000 domestic workers from 14 States rallied and handed in a petition to the Prime Minister to demand labor protection.
- In **Sri Lanka**, the third draft of legal protection was submitted to the Labor Ministry in February 2013. The Government is reviewing the draft.
- In **Bangladesh**, the Domestic Workers Rights Network is demanding that the Government approves the National Welfare Policy on Domestic Workers of 2010, inclusion of domestic workers in the Labor Act, and implementation of 10-point Directive by the High Court in 2011 to protect child domestic workers.
- In **South Korea**, a draft bill for a domestic workers law was handed to the Parliament by 10 Members of Parliament in early 2013.
- In **Taiwan**, the MENT is campaigning for a Household Service Act to protect domestic workers.

### **Organizing domestic workers in Asia**

Domestic workers' organizations in Asia are far too few compared to the vast number of such workers. Many organizing efforts are initiated by civil society groups, such as progressive women's groups, migrants' support NGOs, faith-based groups, and a few trade unions.

Existing domestic workers' self organizations are generally small. Many are less than ten years old. There are very few registered domestic workers' unions. They often take other forms of organization, such as cooperatives, self-help groups, and associations. In Hong Kong, the FADWU is the first and so far the only domestic workers' union federation in the world, with 6 migrant and local domestic workers' unions representing different nationalities working in Hong Kong.

In Asia, we have more local non-live-in domestic workers organized than live-in workers. This is because live-in domestic workers generally have their right to rest time and holidays rejected, and so it is difficult to reach them.

Organizing work is mostly community-based, in the residential areas where the workers live and work. Leaders reach out to them in marketplaces where workers do shopping for employers, or they go door-to-door to employers' houses. Some are organized during religious gatherings or festivals when workers are allowed some time off. In Hong Kong, where domestic workers generally do have a weekly day off, there is organizing in parks.

The structure of most organizations is based on district committees or community groups. Very often, domestic workers' leaders use their own homes to bring workers together. Some labor groups, NGOs and trade union centers provide them with office space. Some NGOs also provide support through informal schools for domestic workers and handling of emergency cases. In Nepal, Indonesia and the Philippines, domestic workers' unions and organizations have been able to get child and young workers organized through informal schools.

The organizing of migrant domestic workers faces tremendous challenges. Migrant domestic workers are most organized in Hong Kong, as they usually have weekly time off and freedom of association. NGOs are providing services and support in handling individual cases, education and training. Trade union centres like Gefont in Nepal are working with NGOs and union centers in destination countries like Lebanon and Hong Kong to support the organizing of migrant domestic workers. Social media and internet has been a useful means of organizing for migrant domestic workers. Facebook pages, internet radio programs on and by migrant domestic workers have been made in Thailand, Singapore, and Hong Kong.

Collecting membership dues is a big challenge, for several reasons:

- Child domestic workers do not get wages in cash.
- Scattered members means it is hard to develop good due collection mechanisms.
- Lack of awareness among domestic workers to pay for their membership.

Other challenges include the lack of mobility to coordinate organizing work in scattered areas, and low levels of capacity to build a sustainable organizational structure.

However, we have very good, committed and wide leadership of domestic workers. Some are supported by other organizations to work part-time for organizing, but most do it on a voluntary basis. As well as actively recruiting members in the community, they offer help to workers when there are problems and abuses. In Bangladesh, Indonesia, India and Hong Kong, immediate protests are held when abuses are found. Most domestic workers' organizations/unions are now known by the local community.

The Asia Domestic Workers' Network (ADWN), developed in 2005 through the Committee for Asian Women (CAW), is also committed to building the IDWN.

## ***Objectives, Goals, Strategies and Activities in Asia***

### ***2009-2011: To achieve an ILO Convention on Decent Work for Domestic Workers***

When the IDWN was launched in 2009, the key objective and goal was to adopt an ILO Convention on decent work for domestic workers. From 2009 to 2011, education and training workshops, campaigns and other activities of many types were held at various levels with domestic workers' organizations. Many were held jointly with trade unions and other civil society organizations. Activities included:

- Four regional conferences and meetings to discuss the ILO Brown and Blue Reports and inputs to the ILO questionnaires about the proposed Convention. As a result, domestic workers reached common positions, supported by all the major trade unions and civil society organizations and networks, such as the IUF-AP, ITUC-AP, Migrant Forum Asia, Global Network, CAW, etc.
- Through this strong regional alliance, the 'Joint Declaration on Celebrating May Day 2010 as Asian Domestic Workers Day' was agreed, with over 170 signatories, and on the Day itself there were many rallies and meetings across the region.
- The IDWN coordinated with the ADWN and CAW to make a Giant Apron to express the demand for an ILO Convention. It was made from 3,800 patches of cloth, each one of which carried a demand and/or the handprint of a domestic worker. Domestic workers from Tamil Nadu Domestic Workers Union (India), Tunas Mulia Domestic Workers Union (Indonesia), the Hong Kong Domestic Workers' General Union, and members of CAW collected the patches and stitched them together. It was unfurled on 8 June 2010 in Geneva, and then widely used at public rallies and meetings, including in Hong Kong and Taiwan.
- In 2010 and 2011, a number of domestic workers leaders were supported to attend the International Labour Conferences (ILC) in Geneva (see list later). Three of them - Sayuti from Indonesia, Kim Kyung Hee from South Korea and Sonu Danuwar from Nepal - were included in their own country's official Workers' Delegation, enabling them to participate directly in the standard-setting process for C189.

### ***2011-Present: Ratification of C189 and improved national legislation, and organizing of domestic workers.***

In Asia, we are currently giving priority to organizing, and our main strategies are:

- To work with domestic workers' organizations in selected countries (Indonesia, India, Cambodia, Nepal and China/Hong Kong) to develop strategies and work plans tailored to their specific needs.
- To support national campaigns and activities to achieve national legislation to improve domestic workers' rights and social protection.
- To build strong alliances and work collaboratively with trade unions, civil society organizations, the UN agencies (ILO and UN Women) and other stakeholders to strengthen support to domestic workers organizations at national and regional level.
- To empower domestic workers leadership through regional and global networking.

By August 2013, the following domestic workers' organizations in the region had joined the IDWN as affiliates:

- Bangladesh: National Domestic Women Workers' Union
- Cambodia: Cambodia Domestic Workers' Network
- Hong Kong: Hong Kong Federation of Asian Domestic Workers' Unions
- India: Self Employed Women Association  
India Federation of Domestic Workers  
National Domestic Workers Movement (non-voting member)
- Indonesia: Tunas Mulia Domestic Workers' Union
- South Korea: National House Managers' Cooperative
- Nepal: Nepal Independent Domestic Workers' Union
- Sri Lanka: Domestic Workers' Union
- Thailand: Thai Domestic Workers' Network

As the organizing of domestic workers is a priority, we hold discussions with their organizations to understand their needs and challenges. Then we work on plans to see how we can best support their organizing through exchanges, education workshops, and production of education materials.

- National workshops have been held in Indonesia, Hong Kong and India to strengthen domestic workers groups' capacity in leadership and organizational building.
- Regional exchanges have also been organized to share organizing experiences and strategy plans to promote domestic workers' rights. An exchange workshop in 2009 shared strategies for organizing local domestic workers in Indonesia, Mainland China and Hong Kong. Domestic workers' leaders and organizers from India and Hong Kong were invited in a national workshop in Indonesia in 2010 to share their organizing structure and strategy.
- In 2012-13, we have been doing baseline studies in the Philippines, Indonesia, Nepal and Bangladesh to understand better the needs, challenges and strengths of domestic workers' organizations, with the support of FES (Asia Pacific). The study's outcomes will be shared with domestic workers' organizations and partners to inform their future plans.
- Production of training materials for domestic workers: In 2012, with support of the ILO-AP, a 'Manual for Trainers: Decent Work for Domestic Workers in Asia and the Pacific' was produced in three languages: English, Chinese and Indonesian. In 2013, under the Promote Project with the ILO-AP, we have been working on a second trainers' manual, focusing on concrete skills and techniques domestic workers need for organizing and running their organizations.
- Union building and consolidation: In Indonesia, with the support of IUF-AP, IDWN is assisting the Tunas Mulia Domestic Workers' Union, the first domestic workers' union there, to rebuild and consolidate itself. In partnership with the Jala PRT

network in Indonesia, IDWN has organized two national workshops, one on sustainable organizing and leadership, and the other to form a federation of domestic workers' unions. Together with the ILO, the IDWN also supported Jala PRT and other groups to build domestic workers' schools as an organizing tool. In Hong Kong, the IDWN was the main coordinator in the formation of FADWU, in partnership with HKCTU and AMRC. The IDWN Asia Regional Coordinator is also often invited as a trainer and resource person, mainly at domestic workers' workshops in Mainland China, Hong Kong and Indonesia.

- Being a home to a large number of migrant domestic workers, we seek to organize them too, to overcome the challenges they face. We provide assistance to the FADWU in Hong Kong to help them build unity among local and migrant domestic workers. With support of the UN Women, we are working with SEWA in India on an initiative in Kerala State to give information on legal protection to 100 migrant domestic workers, to give them training and to assist them to speak out at a public forum on their issues to draw support from the community. Together with the IUF AP, a survey of over 400 Burmese domestic workers in Thailand was carried out and a plan is being developed to organize them so that they can claim their legal rights in Thailand.
- Empowering women's leadership is a key strategy to build strong domestic workers' organizations. In Nepal, together with the UN Women, we have a project to build women's leadership, including a study on the needs and challenges, and how to overcome them.
- Support for national campaigns on the ratification of C189 and national legislative improvements: we are supporting domestic workers' organizations to build broad-base alliances to do so. Examples are the National Platform for a Comprehensive Legislation on Domestic Workers in India, and the KAPPRT / BM in Indonesia.
- We are collaborating with major Asian networks to organize joint campaigns for domestic workers, including ITUC-AP, Migrant Forum Asia, Global Network-AP, ILO AP, IUF AP, Asia Monitor Resource Centre and Committee for Asian Women. Most regional conferences are organized jointly so as to come up with joint strategic plans.
- IDWN also supports domestic workers, leaders and organizations to attend major international and regional conferences. We want to make sure that, in any activities about domestic workers, they are present and recognized for their role.
- Communication through social media: Through the IDWN website, Facebook, G+, Twitter, flickr and youtube, we are publicizing domestic workers activities and actions. Domestic workers' leaders in Asia are learning to use these social media more to publicize their activities. We also work with domestic workers to conduct radio programmes.

**Activities organized, co-organized and supported by IDWN in Asia**

<b>2009</b>		
15 August	Conference on organizing and advocacy of local domestic workers, Hong Kong	With AMRC and HKDWGU
10 Dec	International Mobilizing Day of Domestic Workers	
12-14 Dec	East Asia Domestic Workers Workshop: Issues, Organizing and Advocacy, Hong Kong	With HKCTU
<b>2010</b>		
16 April	Workshop on democratic unionism for Tunas Mulia Domestic Workers Union, Yogyakarta, Indonesia	With IUF-AP
1 May	Asia Domestic Workers Day	With various Asian networks
<b>2011</b>		
23-25 April	Asia Regional Preparatory Conference to the 2011 ILC, Singapore	With ITUC, MFA, GN, IDWN and Singapore groups
7-9 October	Regional Conference Towards Adoption of ILO Convention on Domestic Workers, Jakarta, Indonesia	With GN-AP, Jala PRT, Jakarta PRT, SPSI, KSPI, KSBSI, MFA
10,11,17 Oct	Exchange workshop on organizing local domestic workers – Hong Kong and Indonesia, Yogyakarta, Indonesia	With GN-AP
24-26 Oct	2011 Asia Regional Conference ‘Advocacy towards the Ratification and Implementation of ILO Convention 189 on Domestic Workers’, Manila, Philippines	With ITUC-AP, GN-AP, MFA and ILO
25-29 Sep	Workshop on Organizing and Facilitation, Indonesia	With ACILS, MITRA IMADEI, Jala PRT
21-23 Dec	<i>Building solid and strong domestic workers unions – Workshop on Leadership and Organization Sustainability, Yogyakarta, Indonesia</i>	Co-organized with Jala PRT
<b>2012</b>		
4 March	Pilot Training - Training for Trainers of Domestic Workers Workshop	With ILO and FADWU

14-15 March	“Building and Advancing Strategic Alliances for the Promotion of Decent Work for Domestic Workers”, Regional Conference on ILO C189 Ratification Campaign, Manila, Philippines	With Justice and Peace, AMRSP-Migrants Centre, GN-AP and MFA
17-18 March	IDWN/IUF-AP Meeting on “Strategic-Planning on Organizing and Campaigns of Domestic Workers in India”, Chennai, India	With IUF-AP
10-11 Nov	Founding Congress of Cambodia Domestic Workers Network (CDWN), Phnom Penh	IDEA, with support of IDWN and others
26-30 Nov	3 Workshops on Domestic Workers at World Social Forum on Migration, Manila, Philippines	Various partners
2-5 Dec	National Workshop on Domestic Workers Organizing: Organizing System and Role Building, Jakarta, Indonesia	Co-organized with Jala PRT
11 Dec	Platform for Comprehensive Legislation for DW meeting, India	Supported by IDWN
	<b>2013</b>	
28-29 April	IDWN-ITUC-FES Regional Conference on 12 by 12 campaign for domestic workers, Phnom Penh, Cambodia	With ITUC and FES
29-31 May	Asia-Pacific Regional Preparatory Meeting for the General Assembly High-level Dialogue on International Migration and Development, Bangkok	

## ***Future Plans***

The IDWN will be meaningful to domestic workers only if we can provide support and facilitation so that they can achieve improvements in their rights and social protection. In the next 3 to 5 years, we will be focusing on these activities and goals:

- To strengthen domestic workers' organizations, particularly in Nepal, Hong Kong, Mainland China, Indonesia, Thailand, Bangladesh, Sri Lanka, India, and Cambodia, so that they will organize more members and develop more leaders. We will help them consolidate their organizing structures and leadership by providing support in fund-raising, capacity-building through national workshops and the second training manual (see before), and networking to widen support from trade union centers, civil society organizations and social partners, and to increase domestic workers' visibility.
- To relaunch the network at regional level, by re-activating the former ADWN. We will strengthen capacities so that more domestic workers can play a meaningful role in the IDWN. Activities will include building an interactive communication platform through social media and the IDWN website, learning and sharing of organizing models, and joint campaigns at regional and national levels. In collaboration with trade unions and other labor NGOs, the IDWN is planning to organize a regional Workers' School for domestic workers' leaders to study together with those from other sectors on such issues as the social causes of the exploitation of domestic workers, union and movement building, and the links between development issues and domestic workers. We intend to compile the baseline studies and do more studies to find out the challenges and needs of organizing in Asia
- To improve the rights and social protection of domestic workers, by focusing on some basic rights such as the right to organize, payment of wages in cash, minimum wages, and holidays. We will support national campaigns in Indonesia, Bangladesh, Sri Lanka, Hong Kong, Nepal, Thailand and India by fundraising for national collective actions and national meetings, and publicizing calls for support and action. We will continue to support domestic workers' groups to consolidate and coordinate their national platforms on domestic workers and legal reform.
- To end the exploitative practices of private employment agencies to migrant domestic workers, we will launch a regional campaign to end the excessive fees they charge.