



International
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Organization

Study on Living and Working Conditions of Domestic Workers In Cambodia



Trade Unions In Cambodia

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1. Introduction

1.1 Rationale

This study and its key findings intend to bring greater attention to the situation of domestic workers in Cambodia and to facilitate the development of strategies and practical measures for promoting their rights and employment and working conditions in the country.

Domestic work is usually defined as work which takes place in a private “household”. However, domestic work can be performed also in commercial establishments and institutions. It absorbs an heterogeneous group of men and women workers: full-timers/part-timers; working for one or multiple employers; live-in/live-out. Domestic work comprises a variety of occupations: from housekeeping to personal care and related work, including childcare. Domestic work represents one of the most important employment opportunities for many women in many countries. Especially in recent years, the demand for paid domestic work has been on the rise and care work at home has become vital for the economy outside the household to function.

In Cambodia, like in most societies, the task of cleaning, cooking and taking care of the well-being of family members have long been assigned to women. This household work, considered as a typical women’s occupation, is often not perceived as “employment”. It is looked upon as unskilled because most women have traditionally been considered capable of doing the work, and the skills they are taught by other women in the home are perceived to be innate. When paid, therefore, the work remains undervalued and poorly regulated.

Data on the number of domestic workers throughout the world are hard to find. The main reasons for the lack of accurate and comparable data include the high incidence of undeclared domestic work which results in under-reporting, the varying definitions of domestic work in statistical surveys, and the fact that national statistics often do not count domestic workers as a distinct category. However, where data are available it shows that domestic work accounts for a significant proportion of the workforce: in developing countries it accounts for between 4 and 10 per cent of total employment (both female and male).

In Cambodia also, the demand for care work to be performed by non-household members has increased, especially in urban areas, due to recent growth in the economic and tourism sectors and to the consequent improvement of the livelihood conditions of people in these areas. However, despite the demand for and contribution of domestic workers to the larger economy and the general social good, domestic work is undervalued in the Cambodian society and poorly regulated. Many domestic workers migrate from rural to urban areas and are vulnerable to labour and other forms of exploitation due to the isolated nature of their work. Many of them are overworked, underpaid and unprotected.

1.2 Aims

Many of the problems faced by domestic workers can be attributed to the specificity and nature of their occupation and to inadequate attention to key aspects of their situation in international and national law, including existing international labour standards. The

particular vulnerability of domestic workers to abuses of basic human rights, including fundamental principles and rights at work, as well as differences in employment arrangements, methods of remuneration, working time and other aspects of their working conditions, warrant separate consideration and standards adapted to their situation. The Governing Body of the International Labour Organization (ILO) therefore decided in March 2008 to place an item on decent work for domestic workers on the agenda of the 99th Session (2010) of the International Labour Conference with a view to the setting of international labour standards.

In Cambodia, the ILO started to cooperate with constituents and other partners on raising awareness on decent work for domestic workers within this framework of standard setting. Actions included an Awareness Raising Workshop for Trade Unions and Civil Society Organizations (CSOs) in August 2009, a briefing for government officials in October 2009 and a National Consultation on decent work for domestic workers organized by the Ministry of Labour and Vocational Training (MOLVT) in November 2009.

To date, there is a lack of information in Cambodia on the number, working and living conditions of persons employed as domestic workers, especially those working in private households. The only study available is the MOLVT- ILO-IPEC *Survey on Child Domestic Workers in Phnom Penh* conducted in 2003.

Therefore, the International Labour Organization (ILO) in partnership with the Trade Union movement in Cambodia, conducted a research study on working and living conditions of domestic workers in the municipalities of Phnom Penh, Siem Reap and Sihanoukville. The survey was carried out by the ILO in cooperation with ten Trade Unions during the period July - October 2009.

The study, conducted in the three main urban areas of the Kingdom, aims to understand the realities facing domestic workers in Cambodia, with a particular focus on their profile in terms of sex, age and origin and on their real employment and working conditions. A questionnaire was collaboratively designed by the ILO and the Trade Unions to gather comprehensive information on the profile of domestic workers. The main issues identified are hours of work, wage, workload and rest periods, contractual conditions, social security coverage, physical and other form of abuse and exploitation.

1.3. Methodology

In Phnom Penh, the survey on working conditions of domestic worker covered four districts and a total of 30 Communes. Information have been collected in the period 19-25 June 2009 by members of 9 Trade Unions: the Independent Democracy of Informal Economy Association (IDEA), the Coalition of Cambodian Apparel Worker Democratic Unions (CCAWDU), the Cambodian Labour Confederation (CLC), the Cambodian Workers Labor Federation Union (CWLUFU), the Cambodian Tourism and Service Workers Federation (CTSWF), the National Educators' Association for Development (NEAD), the Cambodian Industry Food Union Federation (CIFUF), the Cambodian Labour Union Federation (CLUF), and the National Independent Federation Textile Union of Cambodia (NIFTUC).

The interviews were conducted in the districts of Sen Sok, Chamkar Mon, Mean Chey and Rusey Keo, where can be found high, middle and low income households. The team of interviewers was composed of 12 Trade Unions representatives (7 women and 5 men) and a total of 300 respondent's domestic workers (80% female and 20% male) were interviewed. Enumerators were trained on data collection.

In Siem Reap, the rapid assessment was conducted in September 2009 in four target communes by interviewing 200 women and men (60% and 40% respectively) working as domestic helpers in private households for a minimum period of six months.

The interviews were conducted by 13 representatives (12 men and 1 woman) of three Trade Unions: the Independent Democracy of Informal Economy Association (IDEA), the Building and Wood Workers Trade Union Federation (BWTUC), and the Cambodian Tourism and Service Workers Federation (CTSWF), in close cooperation with two ILO Officers, representatives of the provincial Department of Labour and Vocational Training and civil society organizations (CSOs). The sampling procedure included a First Step Meeting with the trade unions and the Department of Labour and Vocational Training (DLVT) to identify locations where large numbers of domestic workers are living and working. After a second meeting, enumerators were trained on how to conduct an in-depth interview with domestic workers, followed by a field test of the questionnaire with ten domestic workers.

In addition to the quantitative sample survey in Phnom Penh and Siem Reap, a qualitative survey was also conducted to complement the results of the numeric data in Sihanoukville. Here the research focused on a smaller target group composed of five key informants (1 Commune Police, 1 Chief of Commune/Sangkat, 3 Chiefs of Village) and 50 domestic workers identified by the ILO in cooperation with local authorities and with 2 representatives of the Cambodian Federation of Independent Trade Union (CFITU). Through observation, group discussions and individual interviews, the research team investigated different experiences and perceptions of domestic workers, in particular relationships with employers, problems and difficulties in their work- including reporting of abuses-, and future aspirations.

The results of this study are not intended to be representative of the situation of all domestic workers in Cambodia, but to give a first insights on their working conditions, problems faced and issues of labour protection based on interviews with 550 domestic workers and around 30 key informants. Limitations on data collection included:

- Scarce collaboration with employers who in the worst cases did not allow an interview with their domestic workers
- No or limited time of the interviewees to respond
- Hesitation of respondents in providing answers when their employers sat nearby, so that the answers may be influenced by the presence of the employer and not always reflect the reality.

The findings of the survey in Cambodia are provided below. International research findings from other countries and regions are also provided to put the experience in Cambodia in the international context.

2. Profile of Domestic Workers

2.1 Sex and social origin

The study confirms that domestic work is mainly performed by women (80 percent) who have migrated from rural to urban areas, in particular from neighboring provinces in the case of Siem Reap and Sihanoukville. However, many of the domestic workers in Phnom Penh come not only from the bordering provinces of Kampong Cham, Takeo and Kampong Chhnang, but also from the southern provinces of Kampot and Kandal and from the far northern Prey Veng. The survey also revealed that in the vast majority of cases there was no family relationship between respondents and employers.

2.2 Age

In terms of age, single young women from 19 to 30 years constitute more than half of domestic workers. A smaller percentage of domestic workers is represented by older women and men aged 30-50. It is worth noting that a significant number of respondents is under 18 years old: 10 percent of domestic workers interviewed in Siem Reap are aged 16-18 and 3 percent are under 15. Numbers are even higher in Phnom Penh where almost 10 percent of interviewees are under 15 and 16 percent is aged 16-18.

Any children aged 7-17 who works in the household of people other than their parents is defined as a child domestic worker, regardless of the amount or kind of remuneration they receive. The minimum age for employment set by the Kingdom is 14. Children working under the age of 14 and youth under the age of 18 performing hazardous work are considered to be in the worst form of child labour according to national and international labour standards¹.

2.3 Duration of Employment

On average the duration of service among respondents varies from 2 to 5 years. However, in Siem Reap about 40 percent of interviewees have been working as domestic helpers for less than one year. This confirms, as will be shown further on, that many domestic workers consider their job as a temporary means to earn an income which will allow them to seek a better education and job opportunities in the future.

2.4 Nature of the work

Domestic workers are requested to perform many different tasks in the household: cooking, cleaning, shopping and taking care of children and elderly represent only a small part of their daily assignments. The terms themselves are vague, and “taking care” of a child may range from babysitting to assuming primary responsibility for their education. Moreover, the tasks sometimes seem boundless.

¹ ILO Convention 138 on Minimum Age for Employment and ILO Convention 182 on The Worst Forms of Child Labour

In the specific case of men, usually they are hired to work as drivers, security guards, gardeners and handymen.

The results of the survey also confirm that in Cambodia some domestic workers (10 percent), in addition to the “regular” tasks, are also asked to work for their employer’s business (e.g. restaurants, grocery stores, drinks and electronic shops, beauty salons, etc).

Women domestic workers perform the “care work” for other women who therefore are able to join the labour market and to work outside the “household”. This illustrates the lack of care policies by the State, leading to adoption of private solutions such as hiring domestic workers to help in care work.

2.5 Reasons for entering domestic work

The main reasons driving the survey’s respondents to work as domestic helpers are all linked to poverty and lack of income generation opportunities. More than a half of interviewees indicated the high number of dependents – and the consequent inability to economically support their family - as the major factor influencing their decision to enter into domestic work. Lack of jobs in their place of origin, usually small villages in rural areas and the necessity to earn an income to pay off debts (35 percent) were also cited. Moreover, in both Phnom Penh and Siem Reap, being landless was mentioned as an important reason to start working as domestic helper.

The focus group discussions revealed that several domestic workers prefer the job they perform to other occupations. For example, compared with garment factory work, domestic work is considered as having better and safer working conditions: accommodation and health assistance are provided by the employers, while in garment factories the risk of getting sick because of chemical poison is higher – according to the respondents. Garment factory work is also associated with stressful and unsafe working environment, and with the fear of being laid-off in case of factory failure.

3. Working Conditions of Domestic Workers

This session analyzes in details the specific working conditions of domestic workers in terms of contract, living arrangements, hours of work, remuneration, holidays and rest periods. It also looks into different forms of abuse experienced by domestic workers and possible complaint mechanisms.

The survey confirms that in Cambodia, as in the majority of countries worldwide, domestic workers are not covered by minimum labour and social protection in terms of wages, hours of work, resting periods and benefits such as health care and maternity leaves.

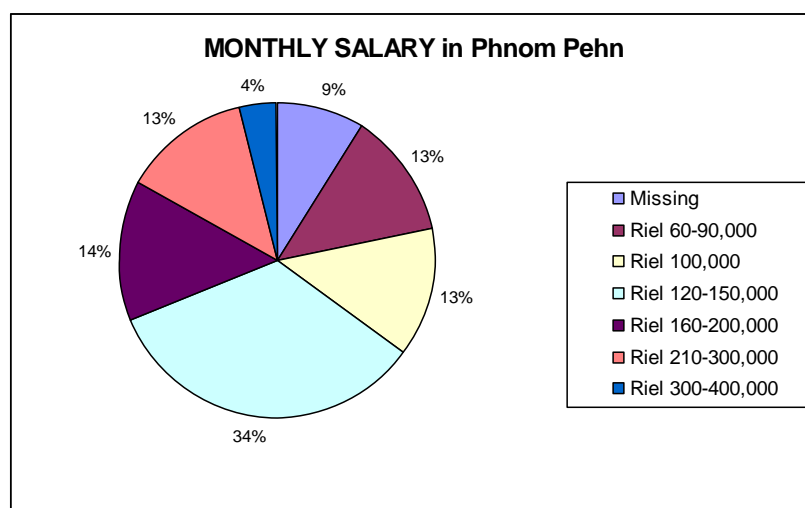
3.1 Work-living arrangements

In Cambodia the workplace is also the domestic worker’s residence. The study reveals that a vast majority of domestic workers (more than 80 percent) interviewed in Phnom Penh and Siem Reap live with their employers. Living and working in their employer’s home has a major impact on workers’ personal autonomy and mobility.

Payment in kind (accommodation and meals) has traditionally been considered part of the remuneration of domestic workers. Although there is evidence that such payments may enable domestic workers to weather economic crises better, it can also lead to considerable abuse. Cambodian domestic workers reported that meals are usually provided according to the household size and resources, and they are generally adequate in terms of quality and quantity. However, more than 50 percent of respondents declared they did not have their own room. International experience learns that a prevalent lack of privacy and safe living spaces for live-in domestic workers, which may lead to situations of abuse and exploitation, in particular for young women and girls.

3.2 Remuneration

Domestic workers are paid a wage to assume a range of “gendered” family responsibilities in private homes. As a whole, domestic work is undervalued in monetary terms. A concrete illustration is given below in the table.



As in many other countries in Asia and in the world, domestic workers in Phnom Penh and Siem Reap reported receiving low wages, especially considering that a typical workday routinely exceeds 12 hours. The results of the survey show that about 60 percent of domestic workers earn less than 150,000 riel (36 USD) a month in Phnom Penh and 14 percent receive a wage of only 50,000-90,000 Riel (12- 22 USD) a month. Approximately 30 percent of respondents indicated they earned a monthly salary of between 150,000 and 300,000 Riel.

In Siem Reap domestic workers receive a slightly higher wage: only 10 percent of them reported earning less than 100,000 Riel, while the remuneration of more than a half of interviewees ranges between 120-200,000 Riel (28-48 USD) a month.

Wages also vary according to age: older domestic workers receive a lower remuneration compared with the younger ones. This difference in treatment is due not only to the degree of physical ability to work intensively, but it is often justified by the tendency to treat the aged domestic worker as an elder member in the family. This leads to undervaluing the work they perform in the household.

It is also worth noting that overall a small number of domestic workers (5%) do not receive any monetary remuneration at all, and that in Siem Reap almost 20 percent of interviewees were not able to indicate whether they received a wage or not. This confirms the strong historical tendency to remunerate domestic workers by payments in kind and to treat them differently from other workers. For live-in domestic workers in particular, food and lodging have always been looked upon as a form of such in-kind remuneration. This propensity, often justified by the attitude to consider the domestic worker as “a family member” rather than a real worker, often leads easily to conditions of exploitation and abuse.

Domestic workers tend not to complain when the employer provides them with other forms of payment as compensation for their long hours of work. Evidence is given by the findings of the study: domestic workers declared to receive instead of payment “gifts” such as clothes, shoes, toiletries, payment for medicines and health care, including hospitalization.

One of the most striking changes in domestic work in the past 30 years has been the growing prevalence, especially in Latin America, of domestic workers living in their own place and performing their job for multiple households. Although in Cambodia the majority of domestic workers still work for one employer, in the province of Sihanoukville the profile of domestic workers is starting to change.

Many domestic workers reported working for different wealthy households located in the central and coastal area of Sihanoukville. They do not receive a regular monthly salary but their wage is calculated on the basis of the tasks performed daily: most of them are asked to wash clothes and/or dishes, clean the house, baby sit or help during special parties or ceremonies such as weddings, funerals and religious festivals. The salary earned is higher compared to the wage of domestic helpers working for one employer's household (commonly around 20-30 dollars a month)- it ranges between 50 and 100 dollars a month. The condition of not living with the employer has advantages for domestic workers in terms of free-time, privacy, hours of work, personal autonomy and mobility.

3.3 Contractual terms and conditions of employment

Terms and conditions of employment such as the form and modality of payment, working hours, day-off and leave are often not agreed on by the domestic worker and the employer. Many domestic workers reported that they are afraid of losing their job if they ask for clarification on the types of work to be performed, their responsibilities and working conditions.

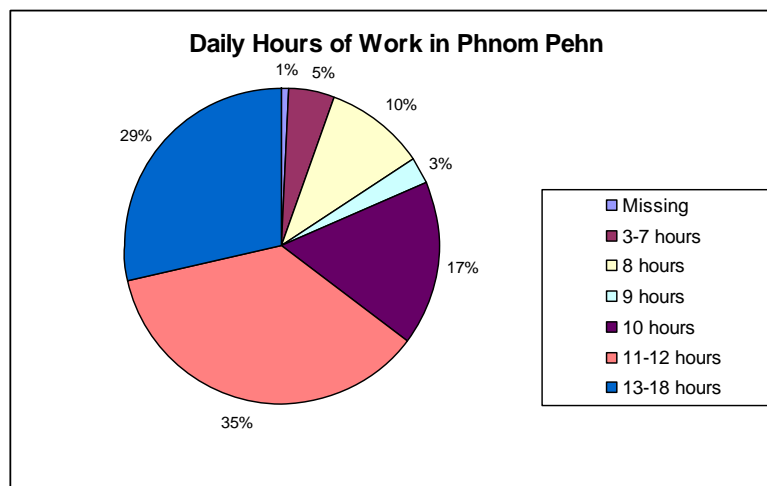
In Siem Reap, more than 80 percent of respondents do not have any kind of agreement with the employer, while in Phnom Penh more than half of interviewees declared to have it. Terms and conditions of employment in almost 90 percent of the cases do not take the form of a written contract: it is rather a verbal agreement based on ‘trust and good will’ which ‘regulates’ the employment relationship between the two parties.

Experiences in other countries reveal that the person working as a domestic worker may not even be involved in the decision - the verbal agreement is made by the domestic worker's family or by a middleperson directly with the employer. This is not to imply that their working lives necessarily lack structure and regulatory control. On the contrary,

their lives and work are regulated by strong non-state norms and expectations regarding work in the employer's household, which may vary significantly from one context to the next, but often result in domestic workers being rarely able to claim their rights as workers.

3.4 Working Time (hours, rest periods, day-off, leave)

Domestic workers are usually “the first to rise in the morning and the last to go to bed”- as confirmed by this study. Almost half of respondents reported starting work before six in the morning and ending either at six or even after eight in the evening. As a result, the hours of work performed daily by the domestic workers interviewed range between 9-12 and 13-16 in about 30 percent of the cases respectively. The majority of workers is allowed to take 1 or 2 hours rest during the day.



In terms of working days, more than 90 percent of domestic workers declared to work seven days a week. Only a small percentage (35) of respondents indicated they have a day-off, but frequency is not regular and may vary from once a week to once a month.

According to the findings of the survey, the majority of domestic workers (76 percent in Siem Reap and 67% in Phnom Penh) have the possibility to take 3-5 days of leave during the year, usually on occasion of religious celebrations and national holidays such as Pchum Ben and the Khmer New Year. They commonly go back to their villages to visit family and relatives. Annual leaves rarely exceed two weeks, as reported by more than 90 per cent of the respondents.

The lack of a formalized employment relationship, either written or verbal, the live-in situation which make many domestic workers practically available 24 hours a day, the exclusion de facto from formal labour regulations and their enforcement, result in hours of work, periods of daily and weekly rest, and annual leave conditions less favourable than those applicable to other workers.

3.5 Domestic workers' perceptions on living and working conditions

The majority of domestic workers interviewed (more than 70 per cent) feel that they are treated well by the employer and his/her family. Nevertheless, many respondents reported to commonly experience long working hours, late payment and/or deduction of

wage and verbal insults. Domestic workers tend to view such mistreatments as normal part of their life and do not consider it as abuse.

Older domestic workers, in particular, tend to identify themselves as a member of the employer's family, given the long duration of their service in the household and the respect which is usually accorded to old persons in society. Young female workers, however, especially in the case of live-in domestic workers, are particularly vulnerable to various forms of mistreatment at the workplace. Verbal abuse such as shouting and using inappropriate language is the most frequently reported case of mistreatment. However, verbal insult is considered normal and acceptable: “we already know that being a domestic worker means that we will work as servant, so we have to be patient”, affirmed Srey Ny, a 23 year old woman working as a domestic worker in Sihanoukville for nearly two years.

The survey also revealed that employers consider blaming and insulting domestic workers as a means to train and familiarize them with the work and to improve their job performances.

Other common forms of abuse experienced by domestic workers are linked to remuneration: late payment of wages and salary deduction for damages have been reported in more than 30 percent of cases. Prevalent forms of exploitation included insufficient provision of food, long working hours and restriction of movement: a significant number of respondents declared to have been denied by the employer the permission to go out and make new friends, to take days-off and annual leave, and even to be forced to work when sick.

In Siem Reap, more than 23 percent of female interviewees reported to have been fired because of pregnancy. Physical abuse in the form of beating has been identified in 2 and 3 percent of domestic workers in Siem Reap and Phnom Penh respectively. In some instances beating was carried out with impunity in front of third parties in order to humiliate the worker or exact submission.

This, like all abuse, can have serious long-term repercussions of the domestic workers' health, especially when the victims are young. Cases of sexual harassment and rape have not been reported, although a number of young female domestic workers indicated to not feel safe at the workplace due to the lack of adequate and private spaces for their personal care and needs.

The researches conclude that a significant number of these cases of abuse and exploitation remain in the shadow. Domestic workers tend to accept mistreatment with resignation: they do not expect their employer to attribute value, dignity and respect to their work. Domestic work is still considered in the Cambodian culture as a form of servitude rather than as a real “work”, and this attitude perpetuates hierarchies based on social extraction, ethnicity and economic status, hierarchy in which domestic workers are at the lowest level.

In the few cases domestic workers decide to discuss the mistreatments they suffered with somebody, more than 40 percent prefer to talk with friends. Family or relatives usually reside in the rural areas, far from the cities where domestic workers live. Additionally, many of the respondents were not willing to inform their family because they were afraid their families would worry excessively about their conditions. None of the respondents

declared to have reported cases of abuse to an institution such as the police and women's groups. This confirms the absence of referral institutions and/or mechanism to report cases of abuses and seek support and assistance. This lack further forces domestic workers to silence, as confirmed by the majority of interviewees.

Domestic workers mainly perform their job in conditions of isolation and have limited possibilities to make friends in new location and to meet other people like other domestic workers. Therefore, it is difficult for them to form a network and join associations for the defense of their rights.

The survey was also designed to collect information regarding freedom of association and possible membership in workers organizations. Only one domestic worker in Siem Reap and two in Phnom Penh declared to be a member of associations whose nature was however not specifically linked to the promotion of domestic workers' rights.

4. Future aspirations

This research study also aimed at understanding the dreams and expectations of domestic workers, in particular whether they intend to continue to work as a domestic helpers or if they have other plans for their future. In Siem Reap, half of respondents wish to stop working as a domestic worker and half intend to continue², while in Phnom Penh more than half of respondents expressed the intention to stop performing their current job and change occupation.

The answers to these questions vary according to a mix of several factors: age, level of education, number of dependents and employers' attitudes. On average, even respondents who expressed their willingness to continue with domestic work, were not able to indicate for how long they intended to do it. When indicated, the period usually did not exceed five years and is mainly related to the opportunity to save enough money to engage in other kind of occupations in the future. Indeed, only 3 percent of interviewees, prevalently old, declared to be willing to continue to work as a domestic worker for ever.

Older domestic workers generally feel to be treated well and to receive a fair salary, decent accommodation and proper meals. Especially the ones who do not have any dependents or relatives to support, developed affection for the family of the employers and considered themselves as part of this family. However, older domestic workers also expressed a wish to stop working, since their age does not allow them anymore to carry on such a heavy job which requires physical strength and good health conditions. In addition, they prefer to go back to their village to spend the remaining time of their lives with their family.

Regardless of the age, other reasons influencing the decision of the respondents not to quit their job are linked to the lack of job opportunities in their village of origins, to the low level of education not enabling access to a better job, and to the impelling necessity to earn an income to support their children and siblings back home. Many domestic workers also reported not to have any other choice since they have to pay off debts.

² 48.82 percent of interviewees wish to continue and 49.29 percent prefer to stop working as a domestic workers

The analysis of reasons given by interviewees willing to stop working as domestic workers reveals that the majority of them wish to find a job with better employment and working conditions, in particular in terms of remuneration, workload, working hours and rest periods. Avoiding further experiences of abuse and exploitation - such as reported in the previous section - were also mentioned as a major factor for preferring to look for a different job.

A significant part of domestic workers, especially young and married women, would like to save enough money to open their own business either in their village of origins or in the city. Preferred businesses include a tailor shop, groceries, hair dresser or a beauty salons, all female-dominated occupations in Cambodia. Young women in particular expressed the desire to improve their skills and continue to study in order to gain access to better opportunities in the labour market. However, the specific training and skills they are willing to learn, also reflect a preference for traditional women's occupations in the country.

5. Conclusions and Recommendations

5.1 Conclusions

Main findings of the research are:

- Employing someone to undertake domestic households chores is a long time practice in Cambodia, associated with gender stereotypes on the traditional role of women in the household as caretakers and caregivers. Domestic work is still considered in the Cambodian culture as a form of servitude rather than as real “work”. This attitude perpetuates hierarchies based on social origins, ethnicity and economic status, hierarchy in which domestic workers are at the lowest level.
- The study clearly indicates that although some domestic workers only work at the employer's households and return to their home each day, most domestic workers live with the family that employs them. In fact, it is assumed that high rents for houses and living expenses in the cities of Phnom Penh and Siem Reap, combined with the low salaries, contribute to the situation of domestic workers living with their employers.
- Also, as the cities are a common destination for those in search of employment or alternative lifestyle, children and young people are attracted to the cities and their perceived or real opportunities. It is becoming more and more common to find young children among the domestic workers population, as found in the survey on child domestic work conducted by the Ministry of Labour and Vocational Training and IPEC in 2003 and also confirmed by this survey. In Cambodian culture, children are regarded under the control and guidance of their parents. There is no widespread recognition that children have “independents rights”. Thus, it is common for employers of child domestic workers to be seen as looking after them and providing food and shelter. As such, exploitation or even child servitude in the most extreme cases can escape from public scrutiny. Without knowing the real situation parents as well as society in general perceive child domestic labour as normal and acceptable.

- The study widely demonstrated that domestic workers in Cambodia, as in the majority of countries in the world, are not entitled to the same rights of other wages earners resulting in domestic workers having indecent working conditions. Their average salary is around 20 dollars a months: considering the workload and the long hours of work, usually ranging between 12-18 hours daily, they do not even earn 1 dollar a day. The majority of them are also deprived of the right to have days-off and paid holidays. Social security provisions, including maternity protection, are completely denied to domestic workers. The employment relationship is strongly regulated by cultural norms and lays in the complete absence of any kind of formalization. Even verbal contracts are not common and working and living conditions are left to the “free will” of the employers and their kindness.
- Domestic workers are particularly vulnerable to exploitation and abuse, as reported by the vast majority (around 70 percent) of respondents to the survey. They commonly experienced verbal abuse, late payment, restriction of movement and, in few worst cases, physical violence. However, they are usually not aware of their rights as human beings and as workers and tend not to complain when mistreated: this culture of silence perpetuates the attitude of servitude as justification for the abuses suffered.
- It is also true that the absolute lack of referral institutions/mechanisms for support and assistance certainly do not encourage domestic workers to denounce situations of exploitation and abuse, as reported by the vast majority of interviewees. They prefer to talk with friends and tend not to inform their families and relatives back home. In fact, due to their isolation, domestic workers usually are not able to report abusive conditions and have limited access to complaint mechanisms. Even in the case they would be able to report a case of abuse to the relevant authorities, there is no specific and proper law to be applied, being domestic workers excluded from the scope of the labour law.
- Being domestic workers one of the most vulnerable categories of workers, it is not a surprise that half to almost two-thirds of interviewees would prefer to do another job: domestic work is perceived to be only for those who have no other option. Indeed, having no other choice was indicated as one the reason pushing people with low education and debt-bond to work as domestic worker. Many consider their present occupation as a temporary mean to earn an income and save some money. They hope to be able in a near future to upgrade their skills and to either find a better job or to run their own businesses.

5.2 Recommendations

The results of the study confirm the need for action to promote and protect the rights of domestic workers as also unanimously agreed and decided by the tripartite partners during the National Consultation on Decent work for Domestic Workers in November 2009 and in the earlier conclusions of the awareness raising meetings held by CSOs and Trade Unions. In relation hereto, the following recommendations can be presented to improve the living and working conditions of domestic workers and to effectively promote and protect their right to decent work.

- Recognize the different needs of local and international migrants domestic workers and amend and/or draw up legislation accordingly
- Set up mechanisms and services to regulate the process of recruitment
- Ensuring proper monitoring and enforcement procedures
- Confirm political commitment from all parties to improve laws and regulation to promote the rights of domestic workers
- Promote understanding of the issues concerning domestic work
- Conduct a study on labour law systems and relevant international standards for domestic workers.

Additional recommendations agreed during the meetings of Trade Unions and CSOs include:

- Public awareness-raising campaign:
 - recognition of domestic work as work, like any other
 - changing perception about domestic workers, stressing the valuable contribution they make to families, society and the economy,
 - respect for the dignity and rights of domestic workers
- Outreach to domestic workers: awareness raising, training, organizing, networking, representation
- Education and skills training for domestic workers
- Awareness raising and training for employers
- Systematic data and information gathering on domestic workers, local and international migrants
- Adopting a National Action Plan on Decent work for Domestic Workers
- Set-up of Working Group composed of stakeholders to be headed by the MoLVT to draw up, ensure implementation and monitor the National Action Plan on decent work for domestic workers.

The study is also in line with researches on working and living conditions of domestic workers in other countries which indicate among **elements of hazards and exploitations to be addressed as a priority:**

- Strenuous, long hours, unpaid/underpaid, no days-off (weekly, holiday), heavy load, unsafe working conditions, inadequate provision of food
- Limited or no access to education (for under 18 domestic workers), medical care, recreation and adequate lodging
- The live-in condition easily leads to conditions of exploitation and abuse (e.g. restriction of movement, confinement) and should be discouraged, in favour of part-time arrangements by multiple employers

- No defined terms and conditions of employment
- Physical, emotional, mental and sexual abuse.

Additionally, **possible suggestions for Action** may include:

- Include domestic workers in the scope of the Labour Law and revise it where necessary in order to guarantee minimum labour standards to domestic workers. *Ensure that domestic workers have normal hours of work, overtime compensation, periods of daily and weekly rest, and annual leave as determined by national laws and regulations, and which are not less favourable than those applicable to other wage earners*
- Establish mechanisms to provide social protection benefits for domestic workers and workers in the informal sectors
- Provide free compulsory education to reduce child domestic work
- Allocate financial resources for the promotion of income generation activities and the creation of job opportunities in rural areas
- Monitor human rights violations and abuses through competent authorities. *Ensure that arrangements are in place to ensure compliance with national laws and regulations applicable to domestic workers, such as labour inspection services, with due regard to privacy.*
- Formalizing the employment relationship by proposing a *model contract* for domestic workers, where tasks, remuneration, modality of payment, working hours and rest periods are clearly specified and understood by both parties
- Regulate recruitment agencies: regulated employment agencies may provide the means of formalizing the domestic work relationship and imposing meaningful regulations that distribute costs equitably rather than placing them all on the domestic worker
- Ensure that domestic workers have easy access to fair and effective dispute settlement procedures
- Develop guidelines for drawing up formal code of conduct by mutual understanding
- Provide support for upgrading skills, vocational education and training
- Raise awareness among institutions and general public on the value of domestic work as work and on the rights of domestic workers
- Tap strategic partners in advancing the issue (media, community leaders, etc)
- Monitor abuse and exploitation and provide assistance
- Promote the rights of domestic workers to organize and encourage them to form workers associations.
- Provision of income generations and micro-credit facilities especially for women
- Job promotion: creation of job centers matching the demand and request of workers
- Registration with local authority without compromising the privacy of the home
- Establishment of rescue, crisis and care center for abused domestic workers
- Promote international collaboration for funding and technical assistance and
- In implementing the above, cooperation between government, employers' and workers' organizations concerned is critical.
- Cooperation with other like-minded Non Governmental Organizations (NGOs), media, donors and legal associations

ANNEX 1

SURVEY ON THE WORKING CONDITIONS OF DOMESTIC WORKERS

Conducted by Cambodian Trade Unions and ILO Phnom Penh

Submitted by: _____ Date: _____
Trade union: _____

I- Profile of DW interviewed:

1. Female _____ Male _____
2. Age: under 8 _____ 8-12 _____ 13-15 _____ 16-18 _____ 19-21 _____
21-25 _____ 26-30 _____ 30-40 _____ 41-50 _____ Over 60 _____
3. Residence (district and city): _____
4. Place of Origin: Rural province in Cambodia _____ Other city in Cambodia _____
Same as residence _____
5. Duration of Employment: Under 1 year _____ 1-2 years _____ 3-5 years _____
6-8 years _____ over 8 years _____

II- Working Conditions

5. Reason(s) for going into domestic work
In debt: _____, Landless: _____, Many dependents: _____, Others: _____

6. What do you do? Cook _____ Do the shopping _____
Take care of children and/or elderly _____ How many? _____
Clean the house _____ Do the gardening _____
Do the laundry _____ Drive the car _____
Bring children to/fetch them from school _____
Work in business of employer (pls. specify) _____
Others (pls. specify) _____
7. How many days a week do you work? _____ days
8. Are you living with your employer? Yes _____ No _____
If yes, do you have a room of your own? Yes _____ No: _____
Are your meals provided? Yes _____ No _____
9. Do you receive a wage? Yes _____ No _____
a) If yes, how much? Per day _____ Per week _____ Per month _____
In addition, does your employer provide any of the following?
- clothes/shoes _____ schooling (tuition, fees, transport) _____
- toiletries (soap, toothpaste, etc.) _____
- Payment for visits to doctor _____ hospitalization _____ medicines _____
- others (pls. specify) _____
- b) If no, does your employer provide any of the following?
- clothes/shoes _____ schooling (tuition, fees, transport) _____
- toiletries (soap, toothpaste, etc.) _____
- Payment for visits to doctor _____ hospitalization _____ medicines _____
- others (pls. specify) _____

10. How many hours a day do you work? _____
 When do you start? Earlier than 5 a.m. _____ 5 to 6 a.m. _____ after 7 a.m. _____
 When do you finish? Earlier than 6 p.m. _____ 6 to 8 p.m. _____ after 8 p.m. _____
11. Do you get rest periods? Yes _____ No _____
 If yes, how long? Less than 1 hour _____ 2 hours _____ More _____
12. Do you have a day off? Yes _____ No _____
 If yes, how often? 1 day a week _____ 1 day every 2 weeks _____
 1 day every month _____ More (pls. specify) _____
13. Do you have any leave? Yes _____ No _____
 If yes, how many? Less than 15 days a year _____ More than 15 days a year _____
14. Do you have an agreement with your employer regarding your responsibilities and working conditions?
 Yes _____ Verbal? _____ Written? _____
 No _____
15. In general, do you feel you are treated well by your employer? Yes _____ No _____
16. As a Domestic Worker, have you experienced any of the following?
- | | YES | NO |
|---|-------|-------|
| - Verbal abuse | _____ | _____ |
| - Beating | _____ | _____ |
| - Late payment of wages | _____ | _____ |
| - Reduction/withdrawal of wages | _____ | _____ |
| - Sexual violence | _____ | _____ |
| - Forced to work when sick | _____ | _____ |
| - Not allowed to take day off/ holidays | _____ | _____ |
- If yes, did you discuss it with somebody? Yes _____ with whom? _____
 No _____
17. Are you a member of any association? Yes _____ Which one? _____
 No _____

III- Information on Employer's household

18. Is your employer a relative? Yes _____ No _____
19. Are there other Domestic Workers in the household? Yes _____ No _____
 If yes, how many? _____
20. Household Grade: 1_____, 2_____, 3_____, 4_____, 5_____

 (1: Very rich, 2: Rich, 3: Average, 4: Poor, 5: Other)

IV- Your Future

21. Do you wish to continue working as a domestic worker? Yes _____ No _____
 a- **If yes**, How long? _____

 reason: _____

- b. **If No**, What are you going to do after that? _____

Thank you so much for your answer!