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Sri Lanka: Domestic Workers & Employers Survey

Analysis of Findings

ECONOMICS

Decent Work for Domestic Workers: Report No. 2

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Sri Lanka: Domestic Workers and Employers Survey

Analysis of findings

Decent Work for Domestic Workers: Report No. 2

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CONTENTS

Introduction	3
Domestic Worker Survey Findings	4
Methodology and Limitations	5
Survey Findings.....	7
Demography of Workers	7
Domestic Worker Standards	12
Wages	16
Bargaining Power/Assertiveness	18
Observations and Conclusions	18
Employer survey findings.....	28
Methodology and Limitations	22
Survey Findings.....	29
Socioeconomic and Cultural Transition	29
Skill Levels and Work Ethic of Domestic Workers	30
The Relationship with the Worker	31
Employer Perceptions	25
The Emergence of New Institutional Structures	27
Observations and Conclusions	29
Annex I: Domestic Worker Survey Form	(i)
Annex II: Discussion Guide for Employers	(xiii)



INTRODUCTION

There is a dearth of secondary data and information with regard to domestic workers in Sri Lanka. In an effort to understand the socioeconomic and cultural factors critical to promoting or preventing decent work for domestic workers, Verité Research carried out a survey among domestic workers and employers of domestic workers in Sri Lanka during the period of March to June 2014.

Section 2 of the report discusses in detail the findings of the domestic worker survey. The section identifies the current position of domestic workers with respect to working standards, wages and bargaining power. The findings of the survey are presented in the context of the expectations of the ILO's Domestic

This report examines the socio-economic or cultural factors that may be critical to promoting or preventing decent working for domestic workers

Workers Convention (2011). The section concludes by providing recommendations on strategies that can be adopted to promote decent work for domestic workers in Sri Lanka, from the perspective of domestic workers.

Section 3 of the report discusses in detail the findings of the employers survey. These findings are also discussed in relation to the decent work standards stipulated in the ILO Convention. The section provides insights into various factors that both prevent and promote decent work. The section concludes by providing recommendations on strategies that

can be adopted to promote decent work for domestic workers, from the perspective of employers,



DOMESTIC WORKER SURVEY FINDINGS

This section begins with the methodology and limitations of the survey, and moves on to discuss in detail the findings of the survey.

The findings of the survey are organised as follows: the first section analyses the demographic characteristics of domestic workers in terms of level of education, age, civil status, dependents, and ethnicity. It also highlights the differences in demographics of residential and non-residential workers. Section 2 analyses the survey findings with respect to current worker standards. Specific emphasis is placed on hours of work, nature of contracts, incidents of physical and verbal abuse and standards specific to residential workers (such as accommo-

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dation). The section compares current standards with the standards stipulated in the ILO convention. Section 3 discusses the wages and other benefits provided to domestic workers and also compares current practices with the expectations of the ILO convention. Section 4 discusses the bargaining power of workers and their willingness to use any bargaining power they may have to improve working conditions. The final section draws upon the findings of the survey to highlight key factors to be taken into consideration, and provides recommendations on strategies to be adopted when promoting decent work for domestic workers in Sri Lanka.



METHODOLOGY AND LIMITATIONS

METHODOLOGY

For the purpose of this study, a domestic worker is defined as a person who does tasks such as cooking, cleaning, laundry, child care and elderly care within a household in exchange for monetary or non-monetary benefits, regularly working for at least three days a week. Domestic workers who reside in the household they work in are categorised as “residential” domestic workers and those who travel daily from their homes to the household they work in are categorised as “non-residential” domestic workers.

SAMPLE SIZE AND COMPOSITION

Since there was no population list to draw from, the study relied on limited methods to contact domestic workers to be interviewed. A multistage sampling technique was used to create a target sample of 300. The sample categorised workers according to three main distinctions: (1) residential and non-residential workers, (2) by district, and (3) means through which domestic workers are found.

Domestic worker: a person who does tasks such as cooking, cleaning, laundry, child care and elderly care within a household in exchange for monetary or non-monetary benefits, regularly working for at least 3 days a week

The last stage, which ensured that domestic workers were randomly selected, was important in order to ensure the unbiasedness of the sample. Colombo and Gampaha districts from the Western province, and Kandy district from the Central province were chosen for this study as these districts have the highest population density. Of the workers interviewed, 62% were from Colombo, 19% were from Kandy, and 19% were from Gampaha.

SURVEY METHODOLOGY

Verité Research developed a questionnaire that captures information pertaining to the following areas:

- Biographical data (e.g. age, ethnicity, education, civil status, dependents);
- Food and accommodation;
- Remuneration;
- Rights and obligations;
- Current status of bargaining;
- Availability of alternatives, and

- Employer’s socioeconomic background

The detailed questionnaire is provided in Annexure I. The survey was carried out by field officers who conducted face-to-face interviews with the domestic workers.

LIMITATIONS

- The survey was restricted to female workers. Therefore it has a gender bias. It is important that future research in this field cover both female and male domestic workers.
- On many occasions the atmosphere in which the interviews were conducted did not have enough privacy to enable field officers to gather information of a more personal or sensitive nature (e.g. information pertaining to physical abuse). When conducting interviews in low-income settlements, other family members were often present (especially small children) and curious neighbours walked in to see what was going on. Therefore, the information on abuse (both verbal and physical) collected during the survey is likely to be heavily understated.
- Interviews with residential workers conducted in their places of work were done with the permission of the employer. The likelihood of obtaining permission to interview domestic workers alone in the household in which they work is highly correlated to the probability of the worker being treated well. This creates a bias in terms of the data collected as a more positive picture may emerge. To avoid this bias, field officers visited tea estates, which are source destinations for many residential domestic workers in Colombo, and interviewed workers visiting their homes during the new year festival season.
- The survey did not include a question on caste as this is a very sensitive and personal subject. Questions on this topic may have had a negative impact on overall responses to the questionnaire.

Residential domestic workers reside in the household they work in; non-residential domestic workers travel daily from their homes to the household they work in

- Only domestic workers willing to be interviewed were included in the sample. By allowing for non-mandatory participation, the sample may be biased towards more outgoing and better-treated domestic workers who are comfortable discussing their work and working conditions openly. Also noteworthy is the fact that several domestic workers refused to be interviewed once contacted. The sample may therefore under-represent those with milder personalities. The survey also did not include any workers below the age of 14 years. This is because domestic workers below that age are unlikely to come forward or gain

permission to be interviewed from their employers or from their own families.

- The reliability of the responses obtained from the interviewees was at times questionable due to a low level of comprehension evident among some interviewees. This was a general observation made by field officers who conducted the interviews. Given the difficulty in obtaining a direct answer to some questions, the nature of the analyses drawn, especially regarding workers’ opinions on standardisation, can be taken as only indicative and not rigorous.
- The categorisation of households in which domestic workers are employed is based on income, geographical location and the level of urbanisation. This is indicative and does not follow the methodology used by national statistical agencies in the country. In this study, the categorisation was based on observations made by field officers. As the domestic workers interviewed were often not aware of the income levels or, in many instances, even the type of employment of their employer, other information that was easier to collect had to be used to assess the income levels of the households the workers were employed in.



SURVEY FINDINGS

DEMOGRAPHY OF WORKERS

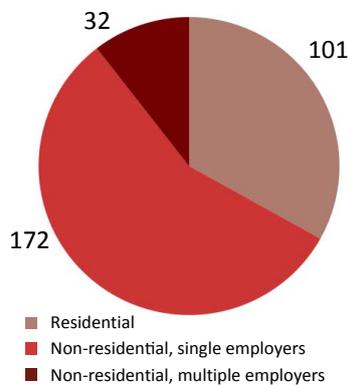
The survey found that the demographic characteristics of the workers played an important role in determining the type of working arrangement they entered into. The survey also found that the standards, wages and level of assertiveness among workers (i.e. willingness to demand decent work conditions) varied based on the type of working arrangement.

The survey identified three different types of working arrangements –

- 1) Residential working arrangement: the worker lives in the household of the employer and provides services
- 2) Single household non-residential working arrangement: the worker does not live in the house of the employer, but travels from home daily to provide services to a single employer
- 3) Multiple household non-residential working arrangement: the worker does not live in the house of the employer, but travels daily from home to provide services to multiple employers

Of the domestic workers interviewed, 33% were residential workers and 67% were non-residential workers. Of the non-residential workers, 84% worked for a single employer and 16% worked for multiple employers (Figure 1).

Figure 1: Type of working arrangement



The survey found that workers with fewer family obligations (e.g. unmarried and without young children) were more likely to be employed as residential workers. The survey also found that Indian Tamil workers are more likely to be residential than Sinhalese workers. This is to be expected as the homes of Indian Tamil workers are generally located in remote areas in the hill country, far from the areas chosen for the survey (Gampaha, Colombo and Kandy). The distance prevents workers from travelling daily to their place of work. The survey also found that the level of education among residential workers was relatively lower than among non-residential workers.

The difference in standards, wages and the assertiveness of residential and non-residential workers may be partly due to demographic characteristics. For example, the survey found that there was a higher likelihood of better educated workers being more assertive and receiving higher wages. Residential workers being paid comparatively less is therefore likely due to their lower levels of education and assertiveness.

This section discusses in detail the demographic characteristics of domestic workers in general and the differences in demographics between residential and non-residential workers.

Level of Education

The survey found the level of education among domestic workers to be low. The education level among the domestic workers interviewed was lower than the national average. According to national education statistics, only 4% of the population have never been to school. Among the domestic workers interviewed, this figure more than quadrupled to 18%, with 67% having not completed compulsory education (Figure 2).

The survey also revealed that the level of education among residential workers is lower than among non-residential workers. The percentage of residential workers who had never gone to school was significantly high at 28%, compared to 13% of non-residential workers. The percentage of non-residential workers who had attended grade 6 to grade 11 was 57%, compared to 42% of residential workers (Figure 3).

Figure 2: Education profile of domestic workers

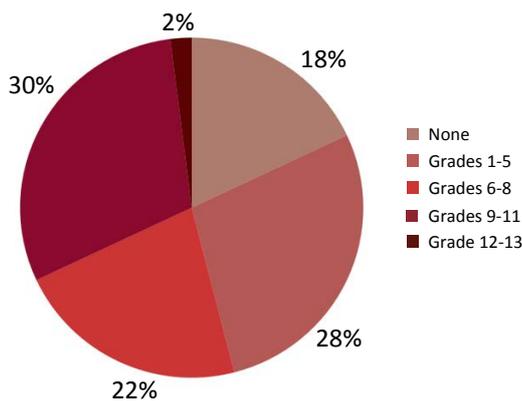
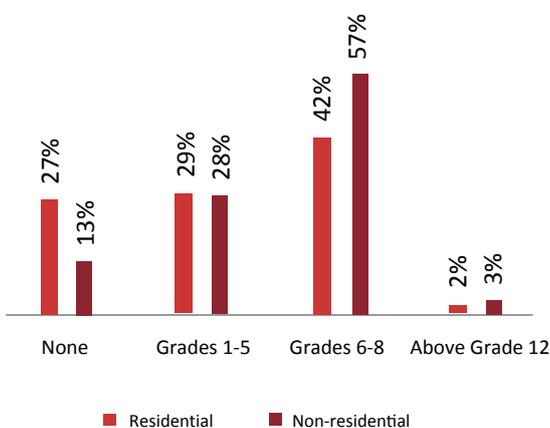


Figure 3: Education profile of domestic workers



Age

A majority of workers interviewed were middle aged. The median and mean age of the domestic workers interviewed was 46 years (refer Figure 4 and 5). A comparison of age cohorts of the national population reveals that domestic workers are generally older.

The survey did not find a significant difference between the ages of residential or non-residential workers. The mean age of residential workers was 47 years, while among non-residential workers it was 46 years. The median age of residential workers was 48 years and the median age of non-residential workers was 45 years.

Figure 4: Age of domestic workers

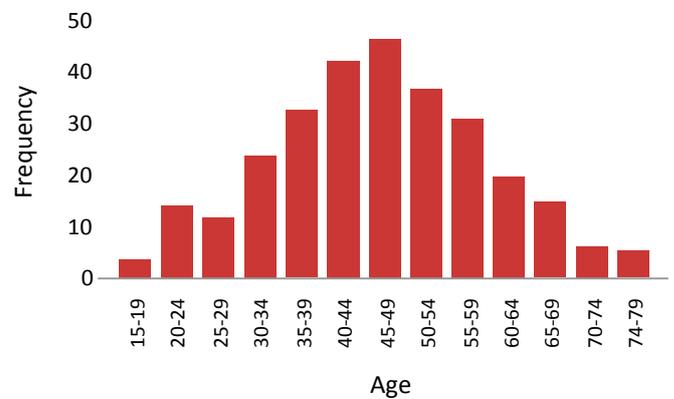
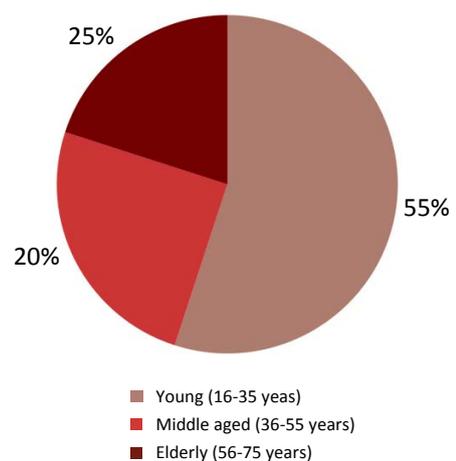


Figure 5: Age profile of domestic workers



Civil Status & Dependents

According to the survey findings, 59% of the workers interviewed were married, 13% were single (never married) and 28% widowed, separated or divorced (Figure 6). The percentage of residential workers who were single (35%) was much higher than the percentage of non-residential workers (3%). Of the total number of single workers interviewed, 90% were residential and more than 50% were Indian Tamil. The percentage of non-residential workers who were married was significantly higher (72%) than residential workers (33%). These findings indicate that the distance and time spent travelling from residences to work places (e.g. hill country tea estates to Colombo) along with family obligations (spouses and children) play a key role in determining the residential or non-residential nature of the working arrangement.

The number of dependents was assessed by asking workers how many children they had below the age of 18 years. Of all the workers interviewed, 53% did not have any children below 18 years of age (Figure 7). The number of dependents varied significantly based on the type of working arrangement. Among residential workers, 84% did not have any children below 18 years of age. In contrast, 62% of non-residential workers had children below 18 years of age.

Although residential workers seem to have fewer family obligations (in terms of spouses and children), the percentage of residential workers who were the sole income earners in their family was higher (54%) than non-residential workers (36%).

Figure 6: Civil status of domestic workers (all workers)

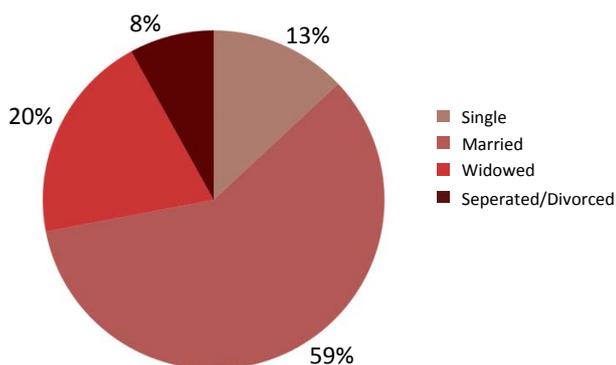
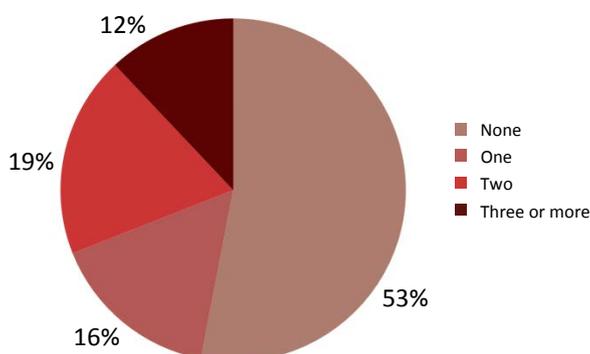


Figure 7: No. of children below 18 (all workers)



Ethnicity

Among the domestic workers interviewed, 40% were Indian Tamil and 47% were Sinhalese. The number of workers who were Jaffna Tamil or Muslim in the sample was not sufficient to conduct a meaningful analysis of differences based on ethnicity (Figure 8). The percentage of Sinhalese workers who were residential was lower (29%) than Indian Tamil residential workers (43%) (Figure 9).

The survey findings indicate that the percentage of residential workers who were either single, divorced, widowed or separated (68%) was significantly higher than non-residential workers (28%). Significantly, more residential workers did not have children below 18 years of age (84%), compared to non-residential workers (38%). The level of education among residential workers was lower than among non-residential workers. The percentage of Indian Tamil residential workers was higher than Sinhalese residential workers. There was no significant difference in the age of workers by type of working arrangement.

Figure 8: Ethnic composition (all workers)

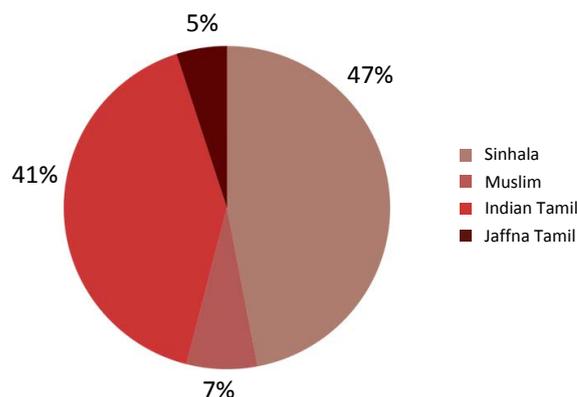
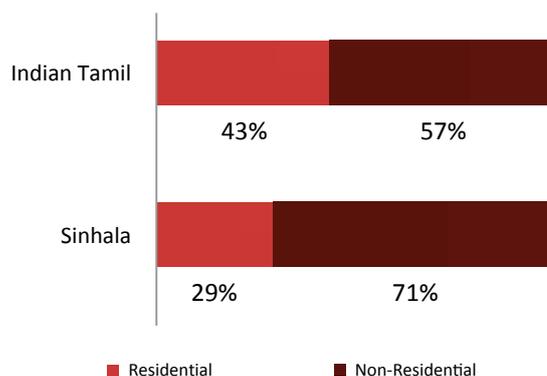


Figure 9: Type of working arrangement by ethnicity



DOMESTIC WORKER STANDARDS

Age

Article 4 of the ILO convention refers to setting a minimum age for domestic workers not lower than that established by national laws and regulations for workers in general. In Sri Lanka, this is above 14 years of age. The convention further refers to implementing measures to ensure that work performed by domestic workers under the age of 18 (and above the minimum age of employment of the respective country) does not deprive them of compulsory education or interfere with opportunities to participate in further education or vocational training.

A limitation of this survey, as highlighted previously, is the low likelihood of child domestic workers coming forward voluntarily or obtaining permission from their employers or their own families to be interviewed.

Of the workers interviewed in this survey, 80% were middle aged (36-55 years) or elderly (above 56 years). The survey had only three workers who were 17 years old. However, it was possible to calculate the age at which workers had begun working as domestic workers, using the information on the current age of the worker and the total duration of their employment as domestic workers. This calculation revealed that 2.6% of domestic workers interviewed started domestic work below the age of 10 years, 4.6% started below the age of 14 years and 10.8% below the age of 18 years. Those who had started domestic work at a young age had very low levels of education, or none at all, as they had not been sent to school by their employers. Case Study 1 provides a pertinent illustration in this regard.

CASE STUDY 1

'I went there when I was 7 years old. They had a big house and a big garden. I begged my parents to let me go to work because all my sisters and other people in the village had gone to houses outside of the village [Badulla]. So they took me to this house in Batticaloa. At the beginning I had to only scrape coconut and do minor chores. I was also asked if I wanted to go to school. My employers said they would provide my uniform and books. But my cousins and others in the village had told me that

the teachers in the schools scold and cane students often. So I was afraid of going to school and I told the family that I didn't want to go to school. In retrospect I regret that.'

'Later on, the workload increased. They had some kind of plantation there and I had to work outside all day. I had to sweep the entire garden, carry heavy loads, and work in the hot sun all day, with no shoes to protect my feet against the very hot sand. I used to get a rash because of that but their uncle was a hospital attendant and he gave me medicine for that and any other issues I had. I had to work hard there. It was the age that I wanted to play around – especially with the employer's children. But I would get scolded and beaten for refusing to do something or for joking around. Even for a small joke, I got scolded. I got all three meals, but there were things I wished I could eat or wear – you know, that young age – but of course I couldn't have them. I was really hurt one day when I overheard a conversation my employer's daughter had with her grandmother. The girl had just received a new outfit from India from her grandmother and asked her grandmother why I didn't get one too. The grandmother replied 'she is only here to work'. But everybody likes to dress well. So I used to feel hurt over things like that and look at the moon and cry, wishing I was home. I used to wish that one day I would be very successful and that they would see that!'

'My parents visited about once a year. I think they received about Rs. 300/- when they visited. I don't think they were paid anything more. I stayed there for eight years and realised I had had enough and left. The house I went to afterwards was very good. They treated me like their own child. I ate what they ate. They worried about me when I got late to return from visiting my sister. They even celebrated my birthday with short-eats, cake, gifts and invited my friends to the house. I stayed there for 17 years, until I got married. They even took care of my wedding. I was happy there and liked it. When I got married and left, I realised that I had to learn to live on my own. I had never managed money or finances or planned for meals or anything like that before. It's very difficult now. I'm not used to it – we are in trouble and have no place to go'.

Hours of work

Article 10 of the ILO Convention states that measures must be taken to ensure equal treatment of domestic workers and workers in general with respect to hours of work, overtime compensation, periods of daily and weekly rest and annual paid leave. In Sri Lanka, the Shop and Office Employees Act No. 15 of 1954 defines the work hours and leave entitlements applicable to employees. According to this Act, a normal period during which any person may be employed in or about the business of any shop or office should: (a) on any one day not exceed eight hours, and (b) in any one week not exceed 45 hours.

The domestic workers interviewed work for six days a week on average (mean and median). The mean hours of work for a domestic worker is 51.5 hours a week (i.e. 8.6 hours a day). The survey found working hours to vary significantly based on the type of working arrangement. Residential workers work longer hours a day compared to non-residential workers (Figure 10). A significant deviation is observed in terms of normal hours of work of residential workers in comparison to normal hours of work defined in the Shop and Office Employees Act (1954).

The survey revealed that married domestic workers with young children had to attend to the needs of family members, and as a result had less time to work. Hence, family commitments play a critical role in determining hours of work and the nature of the working arrangement. Workers who were married worked fewer hours weekly (43 hours) compared to workers who were single (82 hours). Workers with young children worked fewer hours weekly (40 hours) than those without young children (62 hours). Most workers with young children said they could only work during the time period at which their children were at school (they would drop the children at school on their way to work and pick the children up from school on the way back.)

According to the survey, 63% of workers did not have specified working hours. This finding did not vary from residential to non-residential workers. Most non-residential workers with family commitments

Figure 10: Daily hours of work

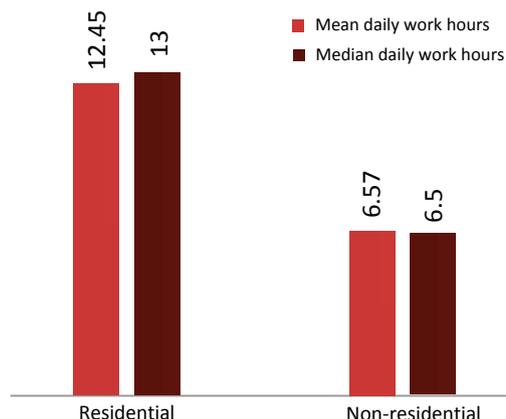
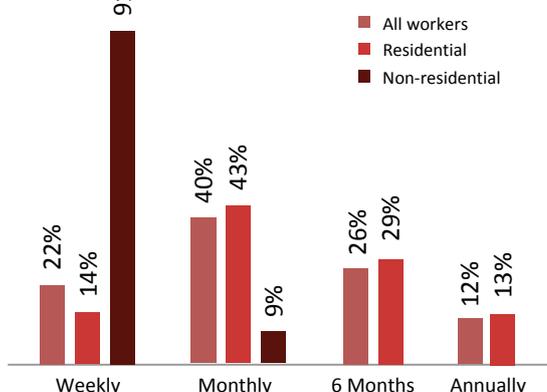


Figure 11: Frequency of receiving 24 consecutive hours of rest



commitments preclude the option of a more formal job. Standardising working hours to be on par with those applicable to other workers in general would take away the flexibility of domestic work and deprive these women of their source of income.

Article 10 of the ILO Convention states that domestic workers should have a weekly rest period of at least 24 consecutive hours. Further, Article 10 also seeks to ensure that domestic workers get paid annual leave in accordance with national laws, regulations, or collective agreements, taking into account the special characteristics of domestic work. According to Sri Lanka's Shop and Office Employees Act (1954), employees are entitled to seven days of paid casual leave and 14 days of paid annual leave, per annum.

According to the survey findings, only 22% of the workers interviewed get a weekly rest period of at least 24 consecutive hours. Most of the workers (40%) get a break once a month (Figure 11). At present, only 14% of residential workers get a weekly rest period of at least 24 consecutive hours.

The survey found leave arrangements to vary significantly based on the type of working arrangement. Only 10% of residential workers had a day off every week compared to 82% of non-residential workers. Most of the residential workers interviewed get a 24

ments indicated that not having specified hours of work was a positive factor. These workers valued the flexibility of domestic work in terms of the ability to report to work late or leave work early, the possibility of leaving the place of work for a short period during working hours to attend to the needs of their own family members and the possibility of taking a day off on short notice.

Hence, the application of Article 10 to non-residential workers (especially those who work for multiple employers – in the morning for one employer and in the evening for another) may not be practical, necessary (since the working hours are already short) or desirable. According to the survey findings, domestic work seems to provide an alternative employment opportunity or means of income for married women with young children, for whom family

hour break only once a month (43%), and some workers get a 24 hour break once every six months (29%). Workers who get leave on a monthly or half yearly basis, are given several days of leave at a stretch.

The implementation of standards specifying paid leave and 24 consecutive hours of rest will benefit residential workers. The survey findings however indicate that almost all non-residential workers working for multiple households and for a single employer get a weekly rest period of at least 24 consecutive hours. It is therefore practical to introduce this standard for residential workers and non-residential workers working for a single employer. However, it may not be practical to implement this for non-residential workers working for multiple employers.

Incidents of physical and verbal abuse

Article 5 of the ILO Convention refers to taking measures to ensure effective protection for domestic workers against all forms of abuse, harassment and violence. As indicated in the section outlining limitations, incidents of physical and verbal abuse are likely to be heavily under-reported in this survey. The verbal abuse referred to by workers was largely in the form of frequent scoldings or reprimands. The data, albeit limited, suggests that incidents of harassment/reprimands are higher in relation to residential workers than non-residential workers. For example, 38% of residential workers reported incidents of harassment/reprimands compared to 21% of non-residential workers (of the incidents reported 26% of residential workers and 17% of non-residential workers reported incidents of verbal harassment only). Case Study 2 provides more details in this regard.

CASE STUDY 2

'When I was young, my parents had money to educate only one child. So my sister was sent to school. I had been a slow learner – I hadn't started talking till I was 7 years old. When I was eight years old, I was taken to a house in Bandaragama. I didn't go to work as such. I was supposed to "help" in return for food and accommodation. The food was nothing much – often leftovers. I had to work a lot in the house. My parents visited often but I never told them that I got scolded or beaten. I am a strong person so I just stayed quietly and didn't complain. I thought if I didn't complain, I would get scolded and beaten less. I saw how the other workers got scolded for talking back to the employer or for fussing. So I always tried to keep to myself and not complain. I never went to school. The lady's mother tried to teach me to read and write. But that doesn't work when you have to work while learning. I used to write one sentence and then I was asked to go mop the floor. You can't learn like that. I wish I went to school. I was scared to talk to you [referring to interviewer] because I don't know many things. I am a strong person because I put up with that house. I didn't leave that house till I was 21 years old. That was after my father came and asked them for my salary but they refused to give it to him. My mother came the next day and took me home.'

'After that I came to this lady's house [current place of employment]. She is very kind. She introduced me to the Christian faith and I am now a Christian. They take care of me and help me a lot. They made me a National Identity Card and opened a bank account for me. It was only here that I realised what I had missed all these years. I hadn't realised how badly I was treated before.'

'Later, I went abroad to Oman. In the first house I went to, I had no problems. Only the children there were very wicked – they hit me and spoke rudely, but that happens everywhere. Then I returned to Sri Lanka for a while and then went again to a Sri Lankan household in Oman. The lady there was very strict and scolded and hit me often. I made friends with the housemaid in a neighbouring house – an Indian girl. She told me that the previous housemaid at the house I was at was killed. I got scared, and a few days later I jumped over the boundary wall of the compound and went to the Sri Lankan embassy. The embassy called the employer for an inquiry. They allowed me to go back to Sri Lanka and got me a ticket. I have been in Sri Lanka ever since and work here.'

Contract

Article 7 of the ILO Convention states that measures must be taken to ensure that domestic workers are informed of the terms and conditions of their employment in an appropriate, verifiable and easily understandable manner and, preferably where possible, through written contracts. Of the workers interviewed for this survey, only 2% had a written contract, 50% said they had a verbal contract and 38% had no contract of any form. The verbal contracts referred to by workers generally meant a basic understanding between the worker and the employer with respect to wages, frequency of payment, tasks to be performed and leave entitlements. The scope of the contract was not as comprehensive as that outlined in Article 7 of the ILO Convention.

The nature of the working arrangement had an impact on the availability of a contract between the domestic worker and the employer. Of the workers interviewed, 62% of residential workers did not have a verbal or a written contract compared to 41% of non-residential workers. During the interviews, it was observed that non-residential workers managing their own family responsibilities along with their work, were very particular about having in place an agreement with their employers with regard to start and finish working times as well as leave entitlements. Having an agreed time to report to and finish work was even more important for those workers working for multiple employers. Since most of the non-residential workers' working hours were short, they had an agreement with their employers on the nature of tasks to be performed. In the case of residential workers, discussions with workers indicated that both workers and employers seem to place little emphasis on having specific working hours, tasks to be performed and leave entitlements. Case Study 3 illustrates the importance of having in place a contract stipulating tasks to be performed, leave entitlements and other terms of employment.

Standards concerning residential workers

Article 6 of the ILO convention states that if the domestic worker resides in the household of the employer, measures must be taken to ensure the provision of decent living conditions and respect for privacy. The survey assessed the living conditions and respect for privacy of the workers interviewed by assessing the accommodation facilities and meals provided for the worker by the employer.

According to the survey, 52% of residential workers said the employer had provided a private room with a bed, 11% had a private room without a bed, 14% slept on the floor in a common area with a door, and 13% slept in a common area without a door. Around 11% of the workers had other sleeping arrangements, the most common being sleeping on the floor in the room of young children or a female adult in the family. Furthermore, 90% of the workers said the place they sleep in has a fan and a light, and 75% said they have a separate bathroom.

All residential workers interviewed (except one) said they were provided with three meals a day, and even non-residential workers in general were provided food if their work hours overlapped with mealtimes.

Article 9 of the ILO Convention states that residential workers are entitled to retain their travel and identity documents. According to the survey findings, the withholding of personal documents (e.g. national ID, passport) is not an issue faced by domestic workers in Sri Lanka: 96% of workers said their employer does not withhold any of their personal documents. The 4% whose personal documents were with their employer said they had given the documents to their employer for safekeeping as they felt the documents were safer with the employer than with them.

CASE STUDY 3

'My last employer was strict and stingy but his wife was good. He often complained about the food not being good. He also didn't like to see me sit and rest at any time and expected me to be doing some work all the time. Since I am a Jehovah's Witness believer, I had arranged with them to leave work on Fridays at 4 pm and return on Monday morning due to my own religious and family responsibilities. The master was unhappy about this arrangement and asked me to leave on Saturday instead of Friday. But I reminded him of the prior arrangement. He became angry, scolded me and tried to hit me. He threw my clothes and other belongings out of the house and asked me never to return. He threatened to go to the police and accuse me of stealing. I immediately went to the police and lodged a complaint against him. He had also had called the police. In the end though, he apologised and paid the salary due and said nothing was stolen. I never went back there to work.'

WAGES

Article 11 of the ILO Convention refers to taking measures to ensure that domestic workers enjoy minimum wage coverage. At present, there is no minimum wage coverage for domestic work in Sri Lanka and the survey findings indicate a significant variance in the hourly wages of workers.

The survey found the mean daily wage of a domestic worker to be Rs. 430/- and the median wage to be Rs. 400/-, implying that the wage distribution is positively skewed. The mean hourly wage is Rs. 51/- and the median hourly wage is Rs. 47/-.

There is no difference between the daily wages of residential and non-residential workers. However, due to the difference in working hours, the hourly wages of non-residential workers are about double to triple that of the hourly wages of residential workers. For example, the mean hourly wage of non-residential workers is Rs. 111/- compared to Rs. 39/- for residential workers. The median hourly wage of non-residential workers is Rs. 83/- compared to Rs. 33/- for residential workers. The difference between the hourly wages of non-residential workers working for multiple employers (Rs. 82/-) and that of workers working for a single employer (Rs. 71/-) is not very significant.

Article 12 of the ILO convention stipulates that domestic workers be paid directly in cash at regular intervals of at least once a month. The survey found that this standard is more or less complied with. Of the workers interviewed, 40% were paid daily, 11% weekly, 4% fortnightly and 35% monthly. The frequency of payment was largely demand driven and designed to suit the needs of the worker. In terms of frequency of payment, residential workers (70%) were mostly paid monthly, whereas very few non-residential workers were paid monthly (17%). In terms of preferences, the survey found that 57% of non-residential workers preferred to receive daily wages. In contrast, 91% of residential workers preferred to receive wages on a monthly basis.

The incidents of delay and default of payment were very low. Only 2% of workers interviewed had experienced frequent delays in payment and 6% had experienced delays on a few occasions. Only 4% of workers said their employers had refused to pay on a few occasions.

Article 12 of the ILO Convention refers to in-kind payments. The article states that the items or services given as in-kind payments are for the personal use and benefit of workers. The survey found that domestic workers are given both in-kind as well as cash benefits in addition to wages. Of the workers interviewed, 54% said they receive additional benefits (42% received additional monetary benefits and 12% additional non-monetary benefits). The most common were cash payments and/or gifts during festival

seasons and special occasions such as weddings and birthdays, in the event of sickness or bereavement, or (in the case of residential workers) when the worker left for home after a prolonged period at work. The survey indicated that these additional benefits are largely determined by the employer and are, in most instances, likened to charity rather than actual payments made in appreciation of work.

In terms of additional monetary and non-monetary benefits (excluding meals and accommodation given to residential workers), there is no significant difference between residential and non-residential workers in terms of additional benefits.

The survey found it to be common for domestic workers to take loans/advances from employers, with the loan usually being deducted from the worker's salary over a period of time. The survey found that 51% of workers interviewed had taken a loan/advance on several occasions. There is no significant difference between residential workers (52%) and single household non-residential workers (53%); the difference was only prominent in terms of non-residential workers working for multiple employers, where only 39% had taken a loan or an advance from an employer during their period of employment. Case Study 4 provides an insight into payment of wages.

CASE STUDY 4

Kamala is currently employed by a group of Indian boys aged 20-35 years. They share an apartment in Wellawatte, where she goes every day to cook breakfast and lunch, as well as clean. She is satisfied as the work is easy and allows her to drop and pick up her son from school. He says her salary is not enough but she cannot ask for more. She is paid Rs. 400/- a day and receives her salary at the end of the month. The employers do not reduce her pay for days she does not come to work – regardless of whether it is because of her needs or theirs. When asked about paid leave she said 'I get paid if I can't go when my son is sick. Recently they went to Trincomalee and told me not to come – I got paid then also. But having a set amount of leave for a month or year is not good because there will be no one to cook for them! I try to go as much as I can because I feel sorry for them. They call me 'Akka' and even help me on days there is extra work'. She has been working there for three years now. When asked about additional payments or in-kind benefits she said 'I don't expect that from them. I don't get anything extra for New Year or such because they are all boys. There is no lady to think like that. Even when my son got sick and was in hospital, I only asked for leave and never for extra money'.

BARGAINING POWER & ASSERTIVENESS

The bargaining power and assertiveness (i.e. willingness to use bargaining power) of domestic workers provides an indication of their ability to negotiate decent work at an individual level and also their willingness to organise and collectively take initiative in securing decent work.

Bargaining power

The survey included several questions designed to assess the bargaining power of workers at an individual level. There were questions on dependence on domestic work as a livelihood and dependence on the current place of work. Responses to these questions were used to gauge the availability of alternative working arrangements, which is a critical determinant of bargaining power.

Of the workers interviewed, 59% had been engaged in a different job before taking up domestic work. This indicates that for a majority of workers, opting for domestic work as a livelihood was a choice, rather than something they were forced into due to a lack of alternatives. A majority of workers (56%) had opted for domestic work either because the flexibility it affords was compatible with family commitments or because domestic work offered a better income compared to other employment options. Only 29% of workers interviewed said they took up domestic work due to a lack of alternatives (Figure 12).

The reasons for taking up domestic work as a livelihood varied based on type of working arrangement (Figure 12). More residential workers (36%) than non-residential workers (26%) said they had taken up domestic work due to a lack of alternatives. A higher percentage of non-residential workers (44%) compared to residential workers (24%) said they took up domestic work because of the flexible working hours, which allow them to attend to the needs of their own family members.

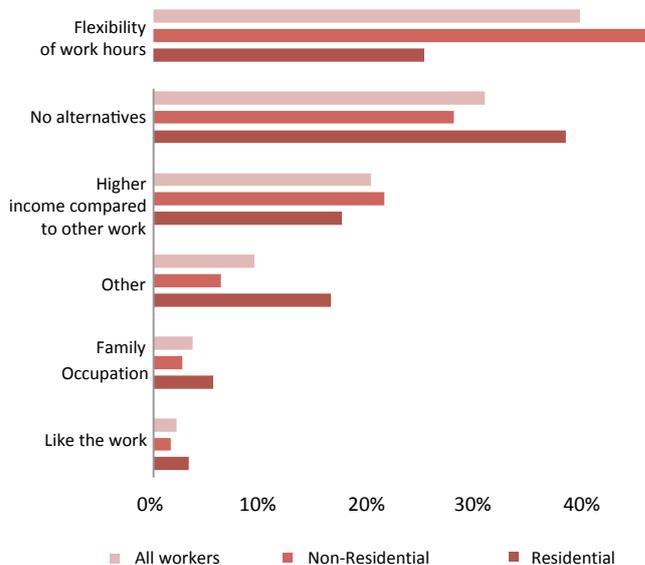
The survey found that a majority of workers married with children (75%) started working as domestic workers only after having children. This was mainly due to their inability to engage in a job that would require a full time commitment. This indicates that despite the availability of alternative employment opportunities, workers with young children are often not in a position to make use of these opportunities due to family constraints. This in turn increases their dependence on domestic work as a livelihood.

The survey found the ease of finding another employer to be very high. Of the domestic workers interviewed, 61% said they would be able to find another employer within one month (29% said it would take as little time as a week) and 80% said they could find another employer within three months. There was no significant difference between residential and non-residential workers in this regard.

CASE STUDY 5

“The younger lady is the one who looks over my work. She doesn’t know much about running a house. She is unsure about what to cook and how much. When the younger couple goes to work, the toddler will only stay at home when I come - he won’t stay with his grandmother. So if I threaten to not come for even a day, the Madam will get scared and beg me to come! Often, I get scolded for getting a few minutes late because then they get late to leave for work. Whenever that happens, I fuss and say I won’t come to work the following day. Then they call me and plead with me to return. I don’t think they see me as a domestic worker. I am more like family”.

Figure 12: Reasons for taking up domestic work as a livelihood



The ease of finding another employer indicates the high demand for domestic workers in the country. However, despite the high demand and ease of finding another employer, the findings of the survey revealed that employers are mostly able to retain workers for a period of two years or more. Among the workers interviewed, the median duration of working as a domestic worker was eight years and the median duration at the current work place was two years. Moreover, the average duration of engaging in domestic work was 11.7 years, and the average duration at the current work place was 4.7 years.

Assertiveness

The survey findings indicate that although the bargaining power of workers was high, their willingness to exercise this bargaining power (referred to in the study as assertiveness) was low. The assertiveness of the domestic workers interviewed was assessed by their willingness to negotiate the terms and conditions of their work, and to make a formal complaint in the event of a dispute.

The willingness of domestic workers to negotiate terms and conditions of work at the beginning of employment was relatively low. Of the workers interviewed, 60% said their wages were largely determined by the employer. There is no significant difference in the level of assertiveness displayed by residential and non-residential workers in terms of willingness to negotiate terms and conditions at the onset of employment.

The survey found that willingness to make a formal complaint if the worker had been unfairly treated was lower among residential workers than non-residential workers. Of the residential workers interviewed, 51% said they would never make a formal complaint against their employer, while 36% of non-residential workers said the same (Figure 13). The workers preferred to leave the current employer and find another employer rather than make a formal complaint. The survey found that the mean longest duration a residential and non-residential worker had worked for a single employer was seven and six years respectively, indicating that in general both types of workers had been working for the same employer for a long period. This indicates either that incidents of unfair treatment by employers is low, or that workers continue to work despite being treated unfairly. It can also be that a low level of awareness of workers' rights (discussed in detail below) is a reason for workers not recognising unfair treatment and demanding to be treated differently.

The low level of assertiveness across the board may be partly due to low level of awareness of workers' rights. Awareness of workers' rights was assessed based on workers' understanding of social security systems (EPF/ETF), trade unions and worker/union rights. The survey found the level of awareness to be very low: 39% of the domestic workers interviewed had no knowledge of social security systems (EPF/ETF) and 38% had very limited knowledge. Knowledge of trade unions was even lower: 67% of workers did not know what a trade union was, while 21% had very limited knowledge. Furthermore, 81% of workers had no knowledge of worker/union rights. The difference in awareness of rights between residential and non-residential workers was not significant. Case Study 6 illustrates workers' general approach to assertiveness.

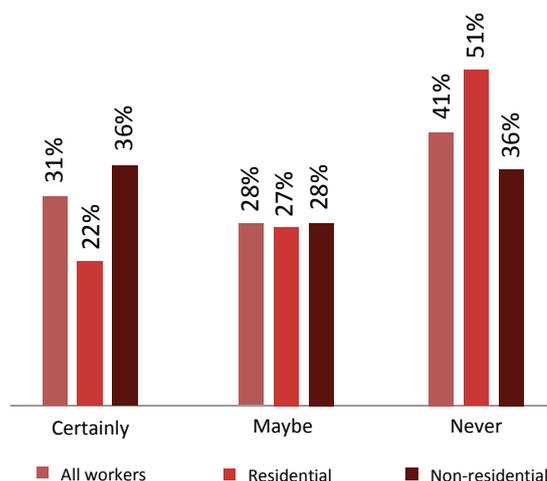
CASE STUDY 6

Yogeshwari is 44 years old. She lives in a small house with two rooms in a low income settlement in Wattala. When she was seven years old, her mother gave her away to a rich family in Nugegoda. She says they took her in as their adopted daughter. However, she was never sent to school and can't read or write. She lived with them and helped around the house till she was 16 years of age. She was not given a salary. She insists that there was no need for payment because they raised her, provided shelter, clothed and fed her. She was given a separate room with all facilities and they were very kind to her.

She married at 17 and has three children. Her husband is a mason, but does not have regular work. At the age of 27 she went back to work for the family who raised her and has been working for them for the past 17 years. She travels to work daily by bus (transport costs her Rs. 80/- daily and nearly Rs. 2000/- per month). At first, she was paid Rs. 5000/- a month. She cleans the house (which has over 10 rooms), irons the clothes and also cooks food for the dogs. She leaves home around 7.30 am daily to be at work by 9 am, and leaves work at around 5 pm. She reaches home by about 6.30/7 pm. She is currently paid Rs. 6000/- a month and works 6 days a week.

She has asked her employers to increase her salary and has been told that they will consider it. She is very grateful to them and likes working for them, because they treat her like a family member. She knows the house well and no one scolds her. They give her children clothes for the New Year and about Rs. 1000/- extra pay. When she is sick they give her money to buy medicine and there have been times when they have taken her to the doctor themselves.

Figure 13: Willingness to make use of an establishment to make a formal complaint if unfairly treated



Potential to engage in collective bargaining

In order to assess workers' willingness to organise and represent their interests (i.e. potential to engage in collective bargaining), the survey tried to gauge the nature of workers' engagement or participation (e.g. active or passive) in community based organisations. In general, the community level engagement of workers was found to be very low. Of the workers interviewed, 71% had never been a member of any form of organisation at any level of society.

The level of community engagement was slightly lower among residential workers than non-residential workers. Only 23% of residential workers had ever participated at community level organisations, compared to 31% of non-residential workers working for a single employer and 42% of non-residential workers working for multiple employers. The low level of participation can also be attributed to workers' availability for involvement in such organisations. Residential workers are likely to have less time and freedom than non-residential workers. This was confirmed by the survey findings, which indicated that residential workers get 24 consecutive hours of leave at longer intervals than non-residential workers (refer Figure 11).

The survey found that despite the lower level of engagement at community level organisations, 56% of workers indicated their willingness to join an association set up to promote decent work for domestic workers (Figure 14). The findings also indicated a significant difference in the level of willingness to join such an organisation by type of working arrangement. Non-residential workers were more willing in this regard than residential workers (Figure 15).

Although the percentage of workers who said they would like to join an organisation established to help improve working conditions was relatively high, most of them were still of the view that they would need their employers' consent to join such an organisation. The survey found that a higher percentage of non-residential workers (64%) felt they did not need their employers' consent to join such an organisation, compared to residential workers (28%). Further, a higher percentage of non-residential workers (55%) than residential workers (28%) expressed willingness to join such an organisation even if their employer were to object.

Willingness among non-residential workers to join a domestic worker organisation cannot therefore be explained by a low level of awareness of rights. The reasons given by workers who said they would not join a domestic worker organisation provided some insight in this respect (Figure 16). The percentage of residential workers (47%) who said they did not want to join such an organisation because of their hesitation to go beyond the private sphere (meaning that they were not keen to engage in such activities)

Figure 14: Willingness to join a DW association (all workers)

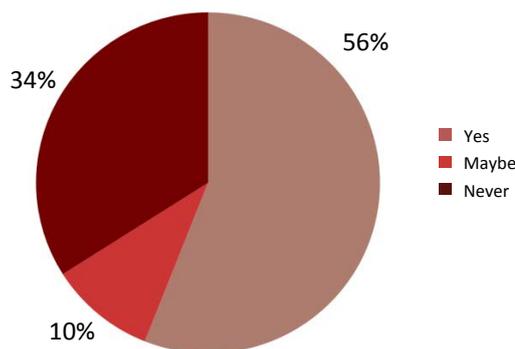


Figure 15: Willingness to join a DW association (by type of working arrangement)

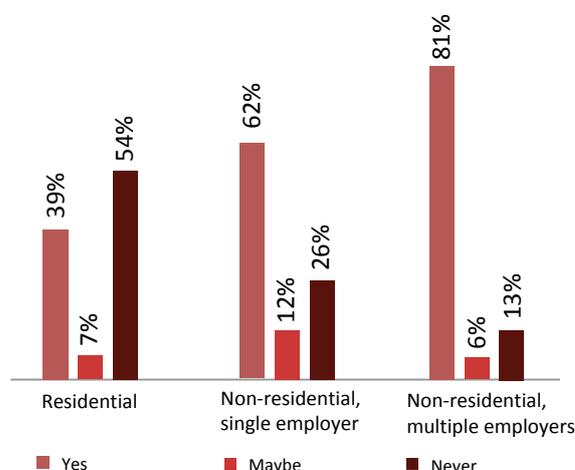
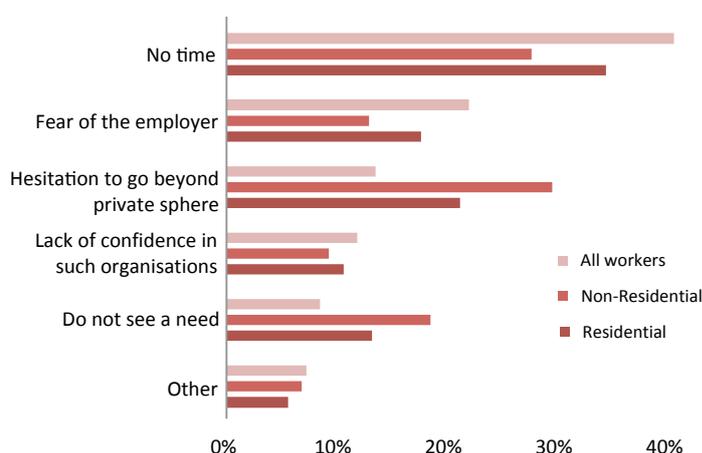


Figure 16: Reasons for not joining a DW association



and because they feel there is no need to do so was significantly higher than the percentage of non-residential workers who said the same (21%).

Lack of time was another reason identified by both non-residential and residential workers. According to the survey findings, non-residential workers find it difficult to spare time for such activities due to their own family commitments. Residential workers may be citing lack of time since many get a rest period only once a month or once in six months.



OBSERVATIONS & CONCLUSIONS

Decent work for domestic workers is assessed by the level of standards (i.e. age, work hours, leave, contract, quality of treatment, wages, and, in the case of residential workers, provision of meals, accommodation facilities, and the right to keep personal documents such as identification and travel documents). The ability to promote decent work is assessed by the level of bar-

This section summarizes the survey findings and provides recommendations for ensuring decent work for domestic workers

gaining power, willingness to exercise bargaining power and willingness to organise to promote decent work for domestic workers. This section summarises the survey findings on decent work, and the ability to promote decent work at present, and provides recommendations on steps that can be taken to ensure decent work for domestic workers.

1 Residential domestic workers are more likely to experience lower standards and wages than non-residential workers

The survey findings indicate that the likelihood of residential workers working longer hours, not getting 24 consecutive hours of leave on a weekly basis and being paid lower hourly wages is higher compared to non-residential workers. Although there is a limitation on the data available on incidents of abuse, the available data suggests that the occurrence of harassment/reprimands is higher in relation to residential workers than non-residential workers.

2 The potential for non-residential domestic workers to collectively work towards decent work for domestic workers is higher than among residential workers

The survey found that willingness to join an association of domestic workers working towards improving the working conditions of domestic workers was higher among non-residential workers than residential workers. Furthermore, a majority of non-residential workers did not see the need to obtain permission from their employers to join such an organisation and most were willing to join such an organisation even if their employer were to object.

3 The bargaining power of domestic workers is high, but willingness to exercise bargaining power (assertiveness) to obtain better working conditions is low

According to the survey findings, the demand for domestic workers is high, as revealed by workers' stated confidence in easily finding another employer within a short period of time. Having alternatives to current employment is an indication of high bargaining power. However, willingness to use this bargaining power is low. For example, a majority of workers accepted the terms and conditions offered by their employer at the onset of employment. Furthermore, willingness to make a formal complaint against the employer in the event of unfair treatment is low.

4 The level of education and awareness of workers' rights among domestic workers is very low

The level of education and awareness of workers' rights is low among workers in both residential and non-residential working arrangements. This can be one reason for the low level of assertiveness displayed by domestic workers in terms of exercising bargaining power to obtain better working conditions.

5 The level of education is an important factor in determining bargaining power and wages for residential domestic workers, but not so for non-residential workers

Although in general the level of education was low across the board, the survey found that the level of education among non-residential workers is relatively higher than residential workers. (For example, 28% of residential workers had never gone to school compared to 13% of non-residential workers.) While education is an important factor in determining the bargaining power and wages of residential workers, it is not so for non-residential workers who already have greater bargaining power than residential workers by virtue of their working arrangement.

6 Residential Indian Tamil workers are less likely to have decent working conditions than residential Sinhalese workers. However, there is no significant difference in the working conditions of non-residential Sinhalese and Indian Tamil workers

The main demographic difference between Indian Tamil and Sinhalese residential workers was found in the age of the workers and their hometown (whether it was rural or urban). Residential Indian Tamil workers are relatively younger than residential Sinhalese workers. (Only 5% of the residential Sinhalese workers interviewed were below 35 years of age, compared to 33% of residential Indian Tamil workers; 43% of Sinhalese workers were above 55 years of age, compared to 22% of Indian Tamil workers. Furthermore, 61% of Indian Tamil residential workers were from rural villages, compared to 24% of Sinhalese residential workers.) The survey found a higher probability of workers who were not married (single) to be working as residential workers (90% of single workers interviewed worked as residential workers). Of these single residential workers, most were Indian Tamil (54%). Thus, in addition to demographic factors (being young and single), ethnicity results in Indian Tamil workers being less likely to have decent working conditions than Sinhalese workers.

7 The frequency of domestic workers changing employers is relatively low

The domestic workers interviewed stated that their preferred solution to a situation of unfair treatment was to leave the employer. Given the ease of finding another employer, if workers feel they are unfairly treated, the likelihood of the worker remaining with the employer for a longer period would be low. However, the findings of the survey with regards to the average duration a worker has spent at their current place of employment and the average longest duration a worker has worked for a single employer indicate that domestic workers, in general, remain with the same employer for a relatively long time period.

8 The majority of non-residential workers are married with young children and work as domestic workers mainly due to the flexibility of working hours

Of the domestic workers interviewed, a majority of those married with young children stated that their decision to take up domestic work after having children was due to their inability to engage in a more formal job. Domestic work hence provides these workers a source of income, while enabling them to attend to the needs of their family.

9 Being an ex-migrant worker has no impact on standards, wages, bargaining power, or the assertiveness of the worker

An ex-migrant worker is a worker who has returned from working abroad as a housemaid. The survey found that being an ex-migrant worker had no impact on standards, wages, bargaining power or the assertiveness of the worker. The demographic characteristics of ex-migrant workers were similar to those of other domestic workers.



EMPLOYER SURVEY FINDINGS

The survey among employers was conducted to identify the socio-economic and cultural factors that promote and/or prevent decent work conditions, from the perspective of the employer.

This section begins with the methodology and limitations of the interviews, and moves on to discuss in detail the findings of the interviews.

The findings of the interviews are organised as follows: the first section analyses the socioeconomic and cultural transition that has resulted in a decline in the supply of workers and an increase in demand from employers. The second section analyses the interview findings with respect to the skill level and work ethic of domestic workers. This section also examines employers' expect-

tations of the “ideal” domestic worker. The third section details the different types of relationships that exist between employer and worker, and examines the nature and sustainability of these relationships. The next section evaluates employers' perceptions of current standards and working conditions of domestic workers. The final section looks at the emergence of new institutional structures and mechanisms that challenge the dominance of domestic workers, by offering similar services with increasing ease and competitive costs. The findings presented in each of these sections is analysed in the context of the ILO Convention, and in view of the potential impact on domestic worker standards and bargaining power.



METHODOLOGY AND LIMITATIONS

SAMPLE SIZE AND COMPOSITION

The employer survey was a qualitative survey. The survey was conducted among 31 employers from different social and economic backgrounds.

The employers were classified into four categories based on lifestyle: very high, high, upper middle and lower middle income classes. Identification of the social and economic background of these classes was done through information gathered during discussions about family history, education, age, type of employment and lifestyle, and by observations made of the house and the general living conditions of the family.

The employers were also classified in terms of age and education. Determining the employer's age was important to assess whether the perspective of the younger generation differs to that of the older generation. The sample was selected in a manner that ensured a fair distribution of employers of residential and non-residential domestic workers. To ensure consistency with the domestic worker survey, employers were also selected from the same three districts – Colombo, Kandy and Gampaha (with the exception of one employer from Avissawella).

SURVEY METHODOLOGY

There is no official list of persons who employ domestic workers in the country. Therefore, employers who participated in this survey were found through direct and indirect contacts. The survey was “discussion type”, with researchers visiting the employers and conducting one-on-one discussions with them (the discussion guide is provided in Annexure II).

LIMITATIONS

Employers willing to participate in the survey are likely to be those who treat their workers well. Therefore, the findings may have a bias towards relatively better working conditions. Given this bias and the small size of the sample, caution must be exercised when making generalisations based on the findings.

The study did not focus on the impact of alternative arrangements to domestic workers. For example, employers were not asked whether they would consider day-care centres for children and elderly care institutions or firms that provide professional care services as viable or acceptable substitutes for domestic workers.



SURVEY FINDINGS

SOCIO ECONOMIC & CULTURAL TRANSITION

The survey identified two critical developments that have an impact on decent work for domestic workers: first, the decline in supply of domestic workers and second, the increase in demand for domestic workers.

DECLINE IN SUPPLY

The survey found that there is a decline in the supply of domestic workers. The employers interviewed said it was difficult to find domestic workers and that wages for domestic workers are on the rise. The following reasons emerged as the key factors leading to the decline in the availability of domestic workers.

Improved access to education and increased value placed on educating children

According to elderly employers from upper class families, domestic workers were employed by their families as far back as they could recall. The workers' families had gone on to work in these employers' households for generations. Some of the interviewees still had domestic workers employed by their families for the past 20 to 30 years. The interviewees also noted that among the younger generations of workers' families, there were signs of increased social mobility and a move away from domestic work, as the children of many domestic workers were educated and engaged in better jobs.

There is also greater value placed on "English" education than vernacular education. One upper-class elderly employer from Colombo noted that her driver's children go to international schools and "speak English beautifully". Another upper-class employer from Kandy said her domestic worker's children had attended university and now had grandchildren studying at international schools.

Furthermore, traditional sources of domestic workers are gradually disappearing, indicating that the supply will continue to decline. For example, an employer from an elite family in a rural village in Gampaha, living close to a Sinhalese village from where domestic workers have been sourced for generations observed this transition. He said people in the village willing to work as domestic workers are all above 40 to 50 years of age. Their children are mostly educated. Children

who are better educated are working in the government sector (as teachers, nurses etc.), and others are working in garment factories or selling fruits by the side of the road. The employer also noted that it would be difficult to find domestic workers from the same village after the present generation. This shows that even for people in rural villages, domestic work is no longer the only option available. Tea estates however, seem to remain an important source of origin of Indian Tamil domestic workers.

Two key issues that have an impact on decent work for domestic workers are the decline in supply of workers and the increase in demand from employers

The availability of alternative employment opportunities for low/semi-skilled females has led to a decline in both the quantity and quality of domestic workers

Employers noted that women in rural areas had fewer opportunities of employment in the past to work outside their village. One employer said that if a female worker wanted to leave the village in which she grew up, her only option was to go to Colombo and work as a domestic worker. In contrast, low or semi-skilled female workers today have a number of alternative employment opportunities such as working in a factory, going abroad as a housemaid, working for firms that offer office cleaning services or tea making services or working in a shop/restaurant. Another employer noted that the social stigma associated with domestic work also compels workers to seek alternative work even if domestic work is financially more beneficial. As a result of these developments, even low and semi-skilled workers are opting to not take up domestic work.

INCREASE IN DEMAND

The survey also found that while the supply of domestic workers has declined, the demand for domestic workers has increased compared to in the past. This is due to the demand created by a new generation of employers from the emerging middle class. These employers did not grow up in families that employed domestic workers, and are the first generation in their families to do so.

The survey also found that the new generation of employers were struggling to find and retain domestic workers. In contrast, the older generation of upper class families have been able to find and retain domestic workers for a longer period of time. Furthermore, younger upper-class employers continue to employ the same domestic worker employed by their parents or were able to find a domestic worker through the same networks (although many noted that it was becoming increasingly difficult to do so). Not having access to such networks, the new generation of employers seem to depend more on the services of agencies and brokers.

Skill levels and work ethic of domestic workers

Employers expressed that it is not only becoming increasingly difficult to find workers but also that the quality of the services of workers is declining. Almost all employers emphasised that there is a low level of comprehension and ability to follow basic instructions or work without supervision among workers. In addition to incompetency, the other major issue faced by employers was the poor work ethic of workers. Employers further complained that workers who took extra days of leave, did not return on the dates and times agreed upon (while failing to inform the employer of changes) and left employment either without any prior notice or with very short notice.

The decline in quality can also be the result of the social and economic transition discussed previously. Increasingly fewer skilled workers want to take up domestic work. In other words, those who cannot find other employment opportunities seem to opt to be domestic workers. The employer who previously referred to the village in Gampaha, which was once a major source of domestic workers, said there would always be a few people left in the village who would work as domestic workers, but it would be unlikely that these individuals would be able to find any other form of employment. Most employers also said their domestic workers were “illiterate”. However, when identifying the “ideal” worker, literacy was not an expected quality. This indicates that employers either did not consider literacy to be important or did not expect to find domestic workers with even a basic level of education.

The expected quality or standards from the employers’ perspective was more with regards to work ethic and grooming or behaviour, than competency. The expected level of competency was not very high, it was simply the ability to follow instructions and work with little supervision. Many employers valued work ethic over competency, and, especially where residential workers were concerned, the importance of trust and honesty were emphasised (e.g. the ability to leave the house and/or children under the care of the domestic worker).

In terms of behaviour, employers generally seem to expect domestic workers to be somewhat subservient. The interviews revealed that employers expect domestic workers to “know their place” and to not argue. Employers also expected workers to be respectful and grateful for employers’ benevolence towards workers and their families.

The survey also found a positive relationship between the quality of the domestic worker and their work standards/bargaining power. When employers find domestic workers with qualities they expect and value, they attempt to retain the worker by going out of their way to treat her (and her family) well. Thus, the bargaining power of workers increases significantly when they fit the description of the “ideal” domestic worker.

THE IDEAL DOMESTIC WORKER

According to employers, the “ideal” domestic worker would be able to work independently with little supervision, follow instructions, would be punctual and reliable (e.g. would come back from holiday on the date agreed and/or inform in advance of any delays), trustworthy (would not steal or lie), clean, loyal, faithful (would not discuss the employer’s household affairs or family issues with outsiders) and respectful.

Relationship with the worker

The survey found that among generational domestic workers (those who have worked with the same family for generations) there existed a close paternal relationship between the employer and the worker. However, there are signs of this relationship breaking down. In contrast, among the category of first time employers, there was evidence of a more distant, employer-employee relationship.

The relationship between the worker and older, upper-class employers typically tended to be close and paternal. Hence, it is different from a formal employer-employee relationship. In many cases, these relationships have been created over several decades and are not limited to the current worker, but also to the worker's family members, who would have previously been employed by the same employer.

There are many instances where this category of employers go to the extent of arranging marriages for workers, making gold jewellery, helping the worker to build or buy their own house, helping them save money and manage their finances, advising and helping them in matters of health and medical care for themselves as well as their family, and supporting in various ways the education of their children (e.g. buying school material, paying tuition fees etc.). Furthermore, workers are often taken on family trips and outings to the cinema and exhibitions. Some elderly workers who had been employed by the same families for several decades have been placed at elderly care homes by the employer, or are being taken care of at the home of the employer. Hence, workers who have been working for a family over a long period of time seem to become part of the family and are further considered the responsibility of the family.

The survey revealed that in working arrangements of this nature, employers often expect workers to be grateful, and any demands on the workers' part in terms of negotiating for better pay, or extra payments for extra work is considered ungrateful. Workers who have received these types of extra benefits are also likely to feel indebted to the employer and refrain from making additional demands. The employers in this category stated that their domestic workers do not demand wage increases, but the employers themselves increase wages on their own initiatives.

The survey also revealed signs of the relationship between employers and domestic workers gradually changing towards a more distant employer-employee relationship. This change was most pronounced among the new generation of first time employers. This new generation of employers have known their domestic workers for a shorter period (e.g. one employer had 10 domestic workers during a period of two years and another had 10 domestic workers within a period of five

years). The employer and the worker are more often than not strangers to each other. As a result, these domestic workers do not hesitate to make demands and leave the employer immediately if dissatisfied with their work or working conditions.

The decline in generational domestic workers and places from where domestic workers originate (e.g. remote and rural villages) is also compelling even upper-class families to recruit workers from families with whom they do not have a past relationship. However, there is still a strong preference among all employers to use their personal networks to find a domestic worker, rather than to go through an agency or advertise in the

Employer perceptions

The ILO Convention on decent work refers to a number of standards that ensure decent working conditions for domestic workers. These standards stipulate hours of work, paid leave, and rests/breaks during the day, minimum wages, written contracts, social security and a right to participate in collective bargaining.

Paid leave, hours of work and breaks during the day

The survey found that the perceptions as well as the standards of treatment, such as paid leave, hours of work and breaks, differ based on the residential/non-residential nature of the working arrangement, and it is therefore important to characterise them separately.

In general it was observed that the bonds between non-residential workers and employers tend to be less strong. Employers place a higher level of trust in residential workers compared to non-residential workers. For example, one employer said she asks her residential worker to keep an eye on a non-residential worker who comes to do the cleaning twice a week, because the employer did not have the same degree of trust in the non-residential worker. Furthermore, non-residential workers seem to have much higher bargaining power than residential workers in terms of determining hours of work and number of days of work. Employers also said that they found non-residential workers to be regularly late and frequently absent.

As a result of different working arrangements, non-residential workers are not considered entitled to paid leave. If they take a day off it is considered no pay leave. In contrast, residential workers often receive paid leave. Furthermore, leave arrangements between residential workers and employers differ from household to household (employers indicated that it was decided by mutual agreement.) The leave arrangements in the households of the employers interviewed varied from one day

There are signs that the nature of the relationship between employers and domestic workers is changing

a week to two weeks a year. The most common arrangement seems to be four to five days a month or a few days once in two months. Residential domestic workers also receive extended leave (one to two weeks) during festival times (e.g. Christmas, New Year, Deepavali) to visit their homes.

Since non-residential workers work for only a few hours a day, there were often no defined breaks or hours of rest; they simply did the work assigned during the hours agreed upon. Residential workers too however, did not have defined rest periods or breaks during the day. Breaks seemed to be defined by the tasks set out – once tasks were completed, workers could rest. Most employers interviewed were of the view that residential workers get enough rests/breaks during the day, in between the tasks assigned to them.

Remuneration

The payment for residential and non-residential workers differed from household to household. Residential workers were typically paid monthly, with wages ranging from Rs. 7000/- to Rs. 15,000/-. Non-residential workers were paid daily, with wages ranging from Rs. 350/- to Rs. 1000/-. Wages and other in kind benefits were somewhat positively linked to the socio-economic level of the employer. Furthermore, employers indicated that wages were based on the amount of work the worker was expected to complete. Increments to wages largely depended on the discretion of the employer.

Employers seem to be more comfortable with the idea of extra pay for extra hours of work for non-residential workers than for residential workers. In terms of extra benefits in kind or cash, residential workers seem to generally receive more benefits than non-residential workers. Furthermore, in most instances, non-residential workers' cost of transport was separately paid by employers in addition to their wage.

Employers were not averse to the idea of a minimum wage, but identified a number of obstacles to implementing such a system. Different types of working arrangements and the variety of work performed by domestic workers were cited as impediments to introducing a minimum wage. Furthermore, employers seem to consider the expenses they incur in terms of providing domestic workers with food, accommodation, medical care and other items (e.g. soap, toothpaste, shampoo, clothes etc.) as "part of the package". Most employers were of the view that domestic workers could save their entire salary, as all their needs were taken care of by the employer.

Written contracts

Very few of the employers interviewed had made written contracts with their domestic workers. Some employers were favourable to the idea of a written contract, stating that it may prevent domestic workers from being exploited. Those who were against written contracts stated that since domestic workers are often illiterate, they may not understand the contents of the contract, and it could be abused by employers to exploit workers. Some employers were of the view that contracts would give domestic workers too much bargaining power. In general, employers preferred the current system of mutual agreement between the worker and the employer on the nature of work, payment and other facilities.

Collective bargaining/formation of trade unions

A majority of employers were averse to the idea of domestic worker trade unions and domestic workers engaging in collective bargaining. Some employers said they would not recruit workers who belonged to a union. Some reasons given for opposing collective bargaining and trade unions were as follows;

- Domestic workers' low level of education and low level of comprehension could result in them being party to unfair demands by trade unions;
- The politicisation of the trade union process (vested interests could use workers to further their own agendas); and
- It could potentially tarnish the good relationship/rapprochement between workers and employers.

However, some employers were favourable to the idea of domestic worker trade unions, acknowledging that this may help domestic workers who are badly treated or exploited to fight for their rights and be compensated for unfair treatment. However, even these employers preferred "informal groups" among domestic workers themselves, where workers could discuss issues and concerns with each other. Although it is common for employers to attempt to prevent domestic workers from mingling with other domestic workers (in order to prevent them from learning each other's wages and internal household affairs), employers recognise that such informal groups do exist. Even employers who were not at all supportive of formal trade unions were more favourable towards these informal groups.

The ILO Convention on domestic workers stipulates a number of standards that ensure decent work for domestic workers

Social security systems

A majority of employers noted that the saving habits of domestic workers are very poor. Many employers said they had, on their own initiative, encouraged domestic workers to save. Since workers are generally reluctant to go to the bank, employers have opened bank accounts for their workers, and deposited either part of the workers' salary or the entire salary in the account. Some employers had encouraged workers to open a fixed account and borrow against that to build a house. This trend is observed more in the case of residential workers than non-residential workers. Employers noted that in most instances when workers go home for festivals they withdraw and spend all of their savings.

A number of employers said they plan to give a significant sum of money to their domestic worker when the worker retires or leaves. Some employers said they plan to make gold jewellery for their workers on the occasion of marriage.

Most employers made special mention of the circumstances of young female workers of Indian Tamil origin. It was noted that young girls were placed in households as domestic workers by their parents through brokers. The worker's entire salary is taken by her family and it is the family (in most cases the father) who decides whether she remains at a particular household or moves on to a new one. This decision is largely based on the remuneration offered; very little consideration is given to safety, happiness and other facilities. Employers also noted that family members call the worker several times a month to ask for money.

Overall, most employers were positive about implementing a social security system, such as the EPF/ETF for domestic workers. However, they highlighted a number of obstacles in this regard. Non-residential working arrangements and high staff turnover were considered a major bottleneck. For example, one employer noted that if workers were to terminate employment every few months (as had been the experience of some employers), employers would find it difficult to manage the paperwork related to EPF/ETF. Some employers stated that implementing EPF/ETF was a good idea, but that they could not afford it. Many said that domestic workers themselves may not like the idea of deducting funds from their wages to contribute to EPF/ETF.

The emergence of new institutional structures

New institutional arrangements will also have an impact on promoting or preventing decent working conditions for domestic workers. Some institutional arrangements such as employment agencies have come in as facilitators to assist employers to find domestic workers and vice versa. Other institutional arrangements discussed below can be possible substitutes for the services currently provided by domestic workers.

Employment agencies

The shortage of domestic workers, disappearance of traditional networks of sourcing domestic workers, emergence of a new middle class lacking access to such traditional networks, and the busy lifestyles of employers have created a demand for the services of employment agencies. These agencies work as brokers who link workers to employers and charge a commission for the service provided. According to employers who have utilised the services of such agencies, the commission charged varies from agency to agency. All agencies have a policy of replacing a domestic worker without charging extra if the worker were to leave before a stipulated period – this period too varies from agency to agency, but can range from two to six months. Furthermore, some agencies have restrictions on the number of worker replacements (e.g. only three domestic workers will be replaced within a given period of time without extra charge).

Employment agencies do ensure that employers and domestic workers sign a contract outlining leave and payment upon entering into a working arrangement. However, employers noted that a copy of the contract is not given to the domestic worker.

Employer experience in sourcing a domestic worker through an agency is mostly negative. Employers were dissatisfied with the services provided by these agencies and had a very poor opinion of them. Employers stated that the domestic workers provided by the agencies had very low working standards and did not meet the requirements outlined by the employer to the agency. Furthermore, some employers said they realised later that the domestic workers too had been deceived in terms of the type of work they would be expected to perform and the amount of pay they would receive. Some employers were also of the view that agencies ask domestic workers to leave the employer upon the expiration of the stipulated period during which the agency is required to refund the commission.

Due to the factors detailed above, the level of confidence among employers in employment agencies was low and the level of trust in workers hired through these agen-

New institutional arrangements will also have an impact on promoting or preventing decent work for domestic workers

cies was also very low. Almost all employers stated that they prefer to exhaust all private channels of finding a domestic worker before reaching out to an agency.

Day care centres and elderly care homes

A major shortcoming in the survey was the failure to take stock of emerging alternative institutional mechanisms that may, in the long run, substitute the services currently provided by domestic workers. The increasing cost and declining quality of work provided by domestic workers may compel employers to resort to services provided by institutions such as day care centres and elderly care homes. Day care centres are increasingly becoming acceptable to most young parents, but elderly care homes still have some stigma associated with them as children are perceived to have a social obligation to take care of elderly parents.

Firms providing cleaning/care services

There are a number of emerging firms that provide cleaning and tea-making services to offices. Previously, private firms would recruit employees for these services, but it has now become commonplace to outsource

these services to specialised firms. In the future, these specialised firms may extend their services to private households as well. Already with regards to care services, there are private firms that supply care takers or nurses on demand to households to look after sick and elderly people. At present, a limited number of households can afford such services as the cost is high. Whether the rising expense (and declining quality) of domestic workers reduces the gap between the cost and value of services provided by specialised firms and domestic workers remains to be seen in the future.

Restaurants/catering services/food take-away and delivery services

Food outlets are mushrooming in and around urban centres. Eating out as opposed to eating at home is becoming a more acceptable lifestyle choice, especially for younger people. Moreover, restaurants are increasingly offering take-away and delivery services. Although this study did not focus on these new developments, they are likely to have an impact on the future demand for domestic workers as it may reduce employers' dependence on domestic workers.



OBSERVATIONS & CONCLUSIONS

This section discusses the impact of the five determinants identified in the above in terms of promoting or preventing decent working conditions for domestic workers, as stipulated by the ILO Convention. The discussion addresses both standards (e.g. minimum wages, work hours, contracts) and bargaining power.

This section discusses the impact of the factors promoting/preventing decent work for domestic workers

The determinants have an impact on both bargaining power and standards, with bargaining power having a significant impact on standards. For example, low bargaining power is expected to have a negative impact and high bargaining power is expected to have a positive impact on standards.

1 A shortage of workers created by declining supply and increasing demand will have a positive impact on workers' standards and bargaining power

A shortage of domestic workers created by the declining supply and increasing demand in general will have a positive impact on both the standards and bargaining power of domestic workers. The interview findings confirm this. The impact was most obvious in terms of wages, where almost all employers agreed that wages for domestic workers have increased significantly over the years. In addition, most employers said that domestic workers are more demanding than they used to be in the past and are likely to leave if unhappy with the work or working arrangement (this indicates an increase in bargaining power).

2 There is a positive relationship between the quality of work of domestic workers and the standards and bargaining power of the worker

There is a positive relationship between the quality of work of domestic workers (as defined by the employer) and the standards and bargaining power of workers. The closer a domestic worker's work is to the quality expected by the employer, the higher the standards the worker receives, and the higher her bargaining power. From the perspective of the employer, such workers are a scarce resource and high value is hence placed on finding and retaining such a worker. The further the domestic worker's work is from the quality expected by the employer, the less the employer feels obliged to give in to the demands of the worker or raise working standards.

3 Close, paternal, cross-generational relationships between employers and workers can make both parties resist formalising working arrangements

Close, paternal, cross-generational relationships between employers and workers can make both parties resist formalising working arrangements. This type of relationship seems to have a positive effect on working standards, but a negative effect on workers' bargaining power. A sense of indebtedness is likely to prevent domestic workers from making demands, and the expectation of gratitude will make the employer feel betrayed if the domestic worker were to make demands. Moreover, in this situation, the standards provided may be more supply driven (i.e. with the employer deciding the domestic worker's needs) than demand driven (i.e. with the domestic worker informing the employer of her needs).

4 Signs of a breakdown in relationships of the above nature may have a positive impact on the formalisation of domestic worker standards

Signs of a breakdown in close, paternal, cross-generational relationships between employer and worker may have a positive impact on the formalisation of domestic worker standards. If workers and employers are unknown to each other, both parties may be more willing to take measures to safeguard their own interests. Since workers would not feel indebted to employers, their bargaining power may increase. Although this may have a positive impact on the formalisation of standards, it does not necessarily mean that the actual standards of the worker will be better than those that exist in a close, paternal relationship between employer and worker.

5 Consideration should be given to the different working arrangements that exist, especially residential and non-residential arrangements

Employer perceptions of standards highlight the importance of taking into consideration the different working arrangements that exist, especially in terms of residential and non-residential arrangements. The application of certain standards such as paid leave, working hours, rest periods or breaks during the day, social security payments etc. is likely to be more difficult with respect to non-residential work-

ers than residential workers. The clash of interests between employers and non-residential workers over work hours is an example of this. These perceptions also highlight the importance of drawing a distinction between residential and non-residential domestic workers since the manner in which certain standards apply would differ accordingly.

6 Employers generally prefer current working arrangements

Employers generally seem to prefer existing working arrangements, although they did acknowledge the merits of introducing standards such as minimum wages, social security systems and written contracts.

7 Employers are not keen on domestic workers forming trade unions

There is a high degree of aversion among employers towards trade unions and collective bargaining for domestic workers. Instead, employers seem to be more comfortable with the idea of “informal associations” or “groups” where domestic workers discuss wages and other issues with each other.

8 Changing the terminology associated with domestic work may attract and retain workers

Changing the terminology associated with domestic workers and domestic work (e.g. addressing domestic workers as those in charge of household management/supervision) could attract and retain domestic workers, as it may minimise the stigma attached to the profession.

9 Introducing mandatory standards as outlined in the ILO Convention may lead to a decline in the demand for domestic workers

In a situation where employers say they are experiencing rising employment cost and declining quality of work of domestic workers, introducing mandatory standards as outlined in the ILO Convention may lead to a decline in the demand for domestic workers, as employers may feel it is too costly and of insufficient benefit to themselves. The emergence of organisations or systems that substitute the services of domestic workers such as day care centres, elderly care homes, firms providing professional cleaning and care services, food outlets offering take-away and delivery services etc. may further decrease employers' dependence on domestic workers.

10 Employment agencies have a negative impact on ensuring decent work for domestic workers

Employment agencies seem to have a negative impact on ensuring decent work for domestic workers. If agencies are partly responsible for the high turnover of domestic workers, as implied by the employers interviewed, this could have a negative impact on formalising standards and introducing social security systems. Furthermore, the poor quality of workers sourced through agencies and the ease of replacing one worker with another (since agencies have a roster of workers) have a negative impact on the bargaining power of domestic workers.

ANNEXURE I

Domestic Workers Interview Schedule

Interviewer: A/B/C/D/E/F/G/H/I/F	Survey number:
District: Colombo/ Gampaha/ Kandy	Locality:

[A] Introduction and disclaimers

- What this survey is about the current socio-economic status of domestic workers
- Would take approximately 1 to 1 ½ hours to complete
- Right to not answer any question or stop interview at anytime
- Reassurance of anonymity and confidentiality
- No responses will be connected to any particular employer

[B] Biographical Data

Q	Instructions	Question	Prompts	Answer	Code
1		How old are you?		..... years	#
1a		Ethnicity		<input type="checkbox"/> Sinhala <input type="checkbox"/> Muslim <input type="checkbox"/> Indian Tamil <input type="checkbox"/> Jaffna Tamil <input type="checkbox"/> Other	1 2 3 4 5
2		Up to what level have you gone to school?		<input type="checkbox"/> None <input type="checkbox"/> Grade 1-5 <input type="checkbox"/> Grade 6-8 <input type="checkbox"/> Grade 9-11 <input type="checkbox"/> Grade 12-14 <input type="checkbox"/> any post-secondary	1 2 3 4 5 6
3		What is your hometown		.....
4		Civil Status		<input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Other.....	1 2 3 4 5 6
5		Number of children below 19yrs		.....	#
6		Are you the only income earner of your household?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0

6a	If No,	Who brings the highest income in your household?		<input type="checkbox"/> Parent <input type="checkbox"/> Spouse <input type="checkbox"/> Sibling <input type="checkbox"/> Child <input type="checkbox"/> Other	-
7		How many people depend on your wages? Including yourself.		.....	#
8	Choose all that apply	Do/did any of your family member do domestic work?	Mother, grandmother, sister, aunt, daughter...	<input type="checkbox"/> Parent <input type="checkbox"/> Grandparent <input type="checkbox"/> Aunt/Uncle <input type="checkbox"/> Sibling <input type="checkbox"/> Spouse <input type="checkbox"/> Child <input type="checkbox"/> Other.....	#
9		How long have you been working as a domestic worker in Sri Lanka?	When did you start?	..... years	#
10		Have you been abroad as a migrant domestic worker?		<input type="checkbox"/> Yes <input type="checkbox"/> No years	0
	If yes,	For how long?			#

Only for ex-migrant workers

Q	Instructions	Question	Prompts	Answer	Code
11		Which country/countries did you work in?		..... ..... ..... .....	@
12		Why did you come back to SL for work?		<input type="checkbox"/> End of contract <input type="checkbox"/> Fired <input type="checkbox"/> Closer to family/friends <input type="checkbox"/> Work too difficult <input type="checkbox"/> Financially more beneficial <input type="checkbox"/> Sick <input type="checkbox"/> Mistreated <input type="checkbox"/> Other.....	1 2 3 4 5 6 7
13		Comparing domestic work in Sri Lanka with abroad, which do you prefer in terms of			

		Wages		<input type="checkbox"/> SL <input type="checkbox"/> Abroad	1 0
		Leave policy		<input type="checkbox"/> SL <input type="checkbox"/> Abroad	1 0
		Work hours		<input type="checkbox"/> SL <input type="checkbox"/> Abroad	1 0
		Working conditions		<input type="checkbox"/> SL <input type="checkbox"/> Abroad	1 0
		Safety		<input type="checkbox"/> SL <input type="checkbox"/> Abroad	1 0
		Family / friend relationships		<input type="checkbox"/> SL <input type="checkbox"/> Abroad	1 0
		Ability to save money		<input type="checkbox"/> SL <input type="checkbox"/> Abroad	1 0

|C| About work

Q	Instructions	Question	Prompts	Answer	Code
1		Type of current employment		<input type="checkbox"/> Live in <input type="checkbox"/> Daily to one house <input type="checkbox"/> Visits more than one location on a regular basis <input type="checkbox"/> Other.....	1 2 3 4
2	For live ins- For daily workers-	What compelled you to be a live in and not a daily worker? What compelled you to be a daily worker and not a live in?		<input type="checkbox"/> Could not find work close to home <input type="checkbox"/> Did not get any other job offers <input type="checkbox"/> Better income <input type="checkbox"/> Need to be home to care for family <input type="checkbox"/> Better flexibility <input type="checkbox"/> Other.....	1 2 3 4 5 6
<i>For those who go to more than one location regularly, request them to think of the most frequented location when answering questions throughout the remainder of the interview</i>					
3		City/town of workplace		.....
4		How long have you been at your current workplace?	When did you start working at your current workplace?	..... years	#

5	For live-ins	What hours do you work on an average day? Breaks during the day?	Start time and end time?	Start : End : Break time:	#
	For daily workers	How many hours do you work a day?	Excluding travel time	.....	#
5a					
6	For daily workers	How many days a week do you work?		.....	#
		How many houses do you work in?		.....	#
6b					
6c	For live ins	How often do you get 24 (or more) consecutive hours of leave?		<input type="checkbox"/> Weekly	1
				<input type="checkbox"/> Bi-weekly	2
				<input type="checkbox"/> Monthly	3
				<input type="checkbox"/> Every 6 months	4
				<input type="checkbox"/> Annually	5
7	Choose all that apply	Do you get distinct and stated break times?	Ex for eating, religious practices etc?	<input type="checkbox"/> Meals/tea <input type="checkbox"/> Bathing/hygiene <input type="checkbox"/> Religious practices <input type="checkbox"/> Leisure activities	1 0
8		Do you have specified hours where you are required to be at work?	As opposed to flexible hours and changeable daily routine?	<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
9	Choose all that apply	What type of tasks are you currently assigned at work?		<input type="checkbox"/> Cooking <input type="checkbox"/> House cleaning <input type="checkbox"/> Laundry (washing, ironing) <input type="checkbox"/> Grocery shopping <input type="checkbox"/> Childcare <input type="checkbox"/> Elderly care <input type="checkbox"/> Garden work <input type="checkbox"/> Pet care <input type="checkbox"/> Accompany employer on holidays <input type="checkbox"/> Other.....	#
10		How many live in the house you work in?		.....	-
11	For those who are not employed in more than one place	Do you provide services to other households too?	Ex: do you do any work for an extended family member of your employer who doesn't live there?	<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0

12		Do you have contract or terms of employment?	Perhaps an agreement made at the beginning?	<input type="checkbox"/> No contract <input type="checkbox"/> Verbal contract <input type="checkbox"/> Written contract <input type="checkbox"/> Not sure	1 2 3 4
13		How did you get to know about your current employment?		<input type="checkbox"/> Personally knew the employer <input type="checkbox"/> Through a common contact <input type="checkbox"/> Through an agency <input type="checkbox"/> Media advertisement <input type="checkbox"/> Other.....	1 2 3 4 5
14	Assess the level of understanding	Did you have a clear understanding of your work hours, payment, leave policy, duties at work, termination of employment when you started?		<input type="checkbox"/> Very low <input type="checkbox"/> Low <input type="checkbox"/> High <input type="checkbox"/> Very high	1 2 3 4
15		Do you do more or less work than what you were first employed to do?		<input type="checkbox"/> More <input type="checkbox"/> Same <input type="checkbox"/> Less	1 2 3
16		How is your daily work routine made?	Ex: who decides which task to do first?	<input type="checkbox"/> Whatever the employer states <input type="checkbox"/> A joint decision based on input from both parties <input type="checkbox"/> However you like	1 2 3
17		What is the most physically difficult task you have to do at work?		..... .....	-
18		How often is this task assigned to you?		<input type="checkbox"/> Several times a day <input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> More than monthly	1 2 3 4 5
19	For those under 18 years old only	Have you ever had to work between 10pm and 5am?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 2

[D] Employer SES

Q	Instructions	Question	Prompts	Answer	Code
1		How many bedrooms in the house you work in?		<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 or more	1 2 3 4

2		Is the house Air Conditioned?		<input type="checkbox"/> AC <input type="checkbox"/> Non-AC	1 0
3		How many cars are used in the household you work in?		<input type="checkbox"/> None <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> More than 2	1 2 3 4

[E] Food and accommodation

Q	Instructions	Question	Prompts	Answer	Code
1	For daily workers	Where are your meals from during work hours?		<input type="checkbox"/> Work hours do not overlap with meal times <input type="checkbox"/> Meal(s) provided by employer <input type="checkbox"/> Meal(s) brought from home <input type="checkbox"/> Don't have time for meals	1 2 3 4
2	For live ins	How many meals are provided to you by your employer?		<input type="checkbox"/> 3 meals <input type="checkbox"/> 2 meals <input type="checkbox"/> 1 meal <input type="checkbox"/> No proper meal	1 2 3 4
3	If any meals are provided,	Where do you have your meal(s)?		<input type="checkbox"/> At the employer's table <input type="checkbox"/> Kitchen <input type="checkbox"/> In own room <input type="checkbox"/> No regular place <input type="checkbox"/> Other.....	1 2 3 4 5
4	If any meals are provided,	Are any of your special dietary needs accommodated by your employer (Religious or health requirements)?		<input type="checkbox"/> Not at all <input type="checkbox"/> Sometimes provided with alternatives <input type="checkbox"/> Yes, I am allowed to make what I require <input type="checkbox"/> I do not have special dietary needs	1 2 3 4
5		Does the house you work in have a separate 'servants' washroom'?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
6		What type of bathroom facilities are provided to you?		<input type="checkbox"/> No facility <input type="checkbox"/> Squatting toilet outside <input type="checkbox"/> Squatting toilet inside <input type="checkbox"/> Commode outside <input type="checkbox"/> Commode inside	1 2 3 4 5

7	For live in workers only	What sleeping facilities are provided by your employer?		<input type="checkbox"/> Own room and bed <input type="checkbox"/> Own room and floor <input type="checkbox"/> Floor of common area (with door) <input type="checkbox"/> Floor of common area (without door) <input type="checkbox"/> Other.....	1 2 3 4 5
8	For live in workers only	Do you have a fan and lights where you sleep?		<input type="checkbox"/> None <input type="checkbox"/> Fan only <input type="checkbox"/> Light(s) only <input type="checkbox"/> Fan and light	1 2 3 4
9	For live in workers only	How do you keep in contact with you family while at work?		<input type="checkbox"/> I visit them <input type="checkbox"/> They visit me <input type="checkbox"/> Letters <input type="checkbox"/> Phone <input type="checkbox"/> None	1 2 3 4 5
10	For live in workers only	Do you get additional leave for special occasions like New Year, Deepawali, family functions?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
11	For live ins only	Do you need permission to leave the house?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
12		On a scale of 1 to 5, rate the satisfaction level of your food and accommodation		<input type="checkbox"/> Very dissatisfied <input type="checkbox"/> dissatisfied <input type="checkbox"/> Satisfied <input type="checkbox"/> Very satisfied	1 2 3 4
13		On a scale of 1 to 5, how satisfied are you with the facilities provided in comparison to those at your own home?		<input type="checkbox"/> Very dissatisfied <input type="checkbox"/> dissatisfied <input type="checkbox"/> Satisfied <input type="checkbox"/> Very satisfied	1 2 3 4

[F] Payment

Q	Instructions	Question	Prompts	Answer	Code
1	Choose all that apply	How are you usually paid?	Do you get only money or with food etc?	<input type="checkbox"/> Whenever I go home	1
				<input type="checkbox"/> Monthly salary	2
				<input type="checkbox"/> Weekly salary	3
				<input type="checkbox"/> Fortnightly salary	4
				<input type="checkbox"/> Daily wage	5
				<input type="checkbox"/> Additional monetary bonuses for festivals/birthday/etc.	1
				<input type="checkbox"/> Additional gifts for festivals/birthday etc.	2
2		What is your wage?		Calculate average daily wage in Rs.	#
4		Do you normally get paid on time? (as promised)		<input type="checkbox"/> On time all the time	1
				<input type="checkbox"/> Delays sometimes	2
				<input type="checkbox"/> Frequent delays	3
				<input type="checkbox"/> Delays all the time	4
5		Have you ever been refused payment?		<input type="checkbox"/> Never	1
				<input type="checkbox"/> Few times	2
				<input type="checkbox"/> Several times	3
				<input type="checkbox"/> Often	4
6		Have you ever got a loan or advance payments from your employer?		<input type="checkbox"/> Never	1
				<input type="checkbox"/> Few times	2
				<input type="checkbox"/> Several times	3
				<input type="checkbox"/> Often	4

[G] Rights and obligations

Q	Instructions	Question	Prompts	Answer	Code
1	Live ins only	Has your employer ever withheld any of your personal documents like your bank passbook, NIC?		<input type="checkbox"/> Yes	1
				<input type="checkbox"/> No	0
2	Assess answer and categorize	Can you tell me what EPF is?	Employees Provident Fund-	<input type="checkbox"/> Not aware	1
				<input type="checkbox"/> Vaguely aware	2
				<input type="checkbox"/> Well aware	3
3	Assess answer and categorize	Can you describe what a trade union is?		<input type="checkbox"/> Not aware	1
				<input type="checkbox"/> Vaguely aware	2
				<input type="checkbox"/> Well aware	3
4	If well aware,	Who do you think has union rights?		<input type="checkbox"/> Not aware	1
				<input type="checkbox"/> Vaguely aware	2
				<input type="checkbox"/> Well aware	3

5		Have you ever been part of any formal association?		<input type="checkbox"/> Frequently <input type="checkbox"/> Occasionally <input type="checkbox"/> Never	1 2 3
6		Would you join any organization that is committed to improve standards of DWs?		<input type="checkbox"/> Yes even help start one <input type="checkbox"/> Yes if there is one <input type="checkbox"/> Maybe given certain conditions <input type="checkbox"/> Never	1 2 3 4
6a	If maybe or never	Why is that?		<input type="checkbox"/> Scared to join such organizations <input type="checkbox"/> Organizations usually fail/are ineffective <input type="checkbox"/> There is often misrepresentation from such organizations <input type="checkbox"/> No time to commit <input type="checkbox"/> Hesitation to get involved outside of the private sphere <input type="checkbox"/> See no need for such an organization <input type="checkbox"/> The failure of other similar organizations	1 2 3 4 5 6 7
7		If you were to join such an organization, do you feel you need your employers' consent?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
8		Would you still join if the employer objects?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
9		Will you be able to give up your salary if a joint decision is preventing you from going to work, how long?		..... days	#
10		Will you be able to join a public demonstration by DWs?		<input type="checkbox"/> Yes I will join <input type="checkbox"/> No time <input type="checkbox"/> Embarrassed of being seen in public as a domestic worker <input type="checkbox"/> Afraid of being in media <input type="checkbox"/> Not interested/ See no need <input type="checkbox"/> Other.....	1 2 3 4 5 6

11	I will read some statements to you now, can you please tell me whether you agree, disagree or have no opinion of the following? It's easier to have a pre-agreed fixed work hours and work days		<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	1 0 -
12	I prefer to get OT and have fixed work hours	OT means Over time for work outside of stated work hours	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	1 0 -
13	I prefer to have a leave system that includes a fixed number of days off per year and maternity leave		<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	1 0 -
14	It is necessary to have a legalized minimum wage for DWs	Minimum wage means a rate set by the state as a minimum payment to DWs	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	1 0 -
15	I like getting a monthly salary more than a daily wage		<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	1 0 -
16	DWs should be part of an EPF plan; including paying contributions and receiving benefits		<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	1 0 -
17	I like to have flexible work hours		<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	0 1 -
18	I prefer a work agreement that allows immediate termination of employment if either party requires it		<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	0 1 -
19	I like a written contract more than a verbal contract		<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> No opinion	0 1 -

[H] Negotiations

Q	Instructions	Question	Prompts	Answer	Code
1		How do you normally set your terms and conditions?	For example your wages, hours, leave?	<input type="checkbox"/> Whatever the employer offers <input type="checkbox"/> Similar rates to other DWs known <input type="checkbox"/> Rates based on previous employment <input type="checkbox"/> Based on required income for dependents and self <input type="checkbox"/> Based on qualifications and experience <input type="checkbox"/> Based on work hours and tasks <input type="checkbox"/> Rates offered by the agency <input type="checkbox"/> Other.....	1 2 3 4 5 6 7 8
2	Choose all that apply	Have you ever requested for a change in any of the following from your current employer?	For example...	<input type="checkbox"/> Wage increase <input type="checkbox"/> Day off <input type="checkbox"/> Certain task <input type="checkbox"/> Work hours <input type="checkbox"/> Other benefits like food or accommodation <input type="checkbox"/> Other.....	1 0
2a	If any above,	How often are your requests granted?		<input type="checkbox"/> Never <input type="checkbox"/> Sometimes <input type="checkbox"/> All the requests	1 2 3
3		Within reason, how confident are you that a request you make to your employer will be granted?		<input type="checkbox"/> Granted for sure <input type="checkbox"/> Uncertain <input type="checkbox"/> Not granted for sure	1 2 3
4		What is your most common method of requesting from your employer?		<input type="checkbox"/> Refrain from asking at all <input type="checkbox"/> Ask someone else (Ex. Another employee) to ask on her behalf <input type="checkbox"/> Roundabout/indirect requests or hints <input type="checkbox"/> Direct request <input type="checkbox"/> Threaten to leave for a better offer	1 2 3 4 5

5		Do you feel you have the right to make requests such as better accommodation, added benefits like a TV or medical care, salary increases?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
6		What withholds you from making direct requests to your employer?		<input type="checkbox"/> Indebtedness to the employer (financial or kind) <input type="checkbox"/> Social status/ power of employer <input type="checkbox"/> The availability of other methods of asking <input type="checkbox"/> Fear of loss of existing benefits <input type="checkbox"/> Fear of verbal abuse for making a direct request <input type="checkbox"/> Fear of being fired <input type="checkbox"/> Fear of physical abuse for making a direct request	1 2 3 4 5 6 7

[I] Problems at work

Q	Instructions	Question	Prompts	Answer	Code
1		Have you ever been sick or injured bad enough to the extent of needing medical help while at work?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
1a	If yes,	What type of medical help did you receive?		<input type="checkbox"/> Treated at home by employer <input type="checkbox"/> Taken to receive medical help by employer <input type="checkbox"/> Obtained medical help on my own <input type="checkbox"/> Neglected getting medical help <input type="checkbox"/> Got money to get treatment <input type="checkbox"/> Other.....	1 2 3 4 5 6
1b		Did the injury or sickness result in end of employment?		<input type="checkbox"/> Yes <input type="checkbox"/> No	0 1

1c	If no, to 1b,	Were you granted leave or rest time to recover?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
2		On a scale of 1 to 5, how satisfied are you with the healthcare benefits you receive from your employer?		<input type="checkbox"/> Very dissatisfied <input type="checkbox"/> dissatisfied <input type="checkbox"/> Neither <input type="checkbox"/> Satisfied <input type="checkbox"/> Very satisfied	1 2 3 4 5
3	Only those who have children	Were you working when you had your children?		<input type="checkbox"/> Started working only after having children <input type="checkbox"/> Left on my own when pregnant <input type="checkbox"/> Was asked to leave when pregnant <input type="checkbox"/> Other.....	1 2 3 4
4	Those who left when pregnant	Were you able to return to the house you were working before having the child?		<input type="checkbox"/> Could not go back <input type="checkbox"/> Had the option and didn't <input type="checkbox"/> Went back	0 1 1
5	Ask if a good rapport is built Specify physical or verbal whenever possible	Have you ever faced physical or verbal threat while at work?		<input type="checkbox"/> None <input type="checkbox"/> Yes, verbal only <input type="checkbox"/> Yes, verbal and physical <input type="checkbox"/> Not sure (Elaborate in case study if possible)	1 2 3 -
6		Have you ever had any problems or disputes come up at work?	For example, asked to do a task you couldn't or shouldn't?	<input type="checkbox"/> Yes <input type="checkbox"/> No	1
	If yes,	Have you made any complaints or attempted discussing them with your employer?		<input type="checkbox"/> No attempt or complaint <input type="checkbox"/> Attempted and unresolved <input type="checkbox"/> Attempted and resolved unsatisfactorily <input type="checkbox"/> Attempted and resolved satisfactorily	2 3 4 5
7	IF there is an interesting or extreme story	Would you like to elaborate on the specific incident?			

8	Choose all that apply	Who do you complain to if you have any problems at work?		<input type="checkbox"/> Family member <input type="checkbox"/> Neighbour or friend <input type="checkbox"/> Other domestic workers <input type="checkbox"/> Support system for DWs <input type="checkbox"/> Samatha Mandala <input type="checkbox"/> Employer <input type="checkbox"/> Other.....	-
9		Where do you go now to lodge a formal complaint against your employer, if you had to?		<input type="checkbox"/> Police <input type="checkbox"/> Grama Sevaka <input type="checkbox"/> Labour tribunal <input type="checkbox"/> Nowhere	1 2 3 4
10		If you had a formal process to lodge complaints against issues relating to domestic work, do you think you will use it if the need arises?		<input type="checkbox"/> Certainly <input type="checkbox"/> Only if it is proven to be effective <input type="checkbox"/> Maybe <input type="checkbox"/> Never	1 2 3 4

|J| Other employment

Q	Instructions	Question	Prompts	Answer	Code
1		What was the longest time you have worked for one employer?		..... years	#
2		Have you been in other professions before engaging in domestic work?		<input type="checkbox"/> Yes <input type="checkbox"/> No	1 0
3		How did you decide to take up domestic work?		<input type="checkbox"/> Got an attractive job offer <input type="checkbox"/> Allows for more suitable lifestyle <input type="checkbox"/> Could not find any other work <input type="checkbox"/> Can earn higher <input type="checkbox"/> Enjoy the work <input type="checkbox"/> Always been my family occupation <input type="checkbox"/> Other.....	1 2 3 4 5 6 7
4		How long do you think it will take you to find a job similar to your current one?		<input type="checkbox"/> Within one week <input type="checkbox"/> Within one month <input type="checkbox"/> Within three months <input type="checkbox"/> Within six months <input type="checkbox"/>	1 2 3 4

5		Have you got any other job offers in the past 3 months?		<input type="checkbox"/> Yes <input type="checkbox"/> Tentative ones <input type="checkbox"/> No	1 1 0
6		What are the benefits you see between your job and working for a company?	Ex: a supermarket, Factory, abans cleaning	<ul style="list-style-type: none"> ● 	-
7		What are the disadvantages you see between your job and working for a company?	Ex: a supermarket, Factory, abans cleaning	<ul style="list-style-type: none"> ● 	-

----Thank the interviewee for their time and corporation----

For the interviewer to assess:					
1		Was the employer in the vicinity anytime during the interview?		<input type="checkbox"/> Yes, all the time <input type="checkbox"/> Off and on <input type="checkbox"/> Not at all	1 2 3
2		Any other distractions / behaviour during the interview			

[K] Potential future involvement

Code	
Section K interviewed	1
Section K not interviewed	0

If interviewer feels that the interviewee is

- | | |
|--|--|
| 1) Very responsive | 3) Shows curiosity or great interest in survey |
| 2) Forward/bold | 4) Articulate in responses |
| 5) Aware of rights | 6) Able to invest time |
| 7) Has motivation to invest time. i.e : vision to change current situation, not complacent | |

Then, proceed to the following:

	Instructions	Question	Prompts	Answer
1		Have you helped in organizing any event or a society either currently or in the past?	For example, civil societies, religious place, children's school	<input type="checkbox"/> Yes several <input type="checkbox"/> Yes some <input type="checkbox"/> Very few <input type="checkbox"/> None
	If yes several,	Where and what role did you have?		Where..... Role.....
2		Are you interested in getting involved to help make standards of DWs better?		<input type="checkbox"/> Very <input type="checkbox"/> Somewhat <input type="checkbox"/> Little <input type="checkbox"/> Not
3		This survey would remain anonymous in our analysis and report. But for the purpose of future dialog on initiatives to make DW standards better, would you be willing to give us your name and contact information? You will have a future chance to decline any further conversation.	For example, future involvement will be Focus Group Discussions	Name Address Phone

[L] Interviewer assessment- Complete the following only if Section K was used

Q			
1	If section K was used, please answer the following	Comprehension skills (Good understanding of questions, gave relevant responses, to the point)	<input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Average <input type="checkbox"/> Poor
2		Communication skills (articulation, quick responses, less tangents)	<input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Average <input type="checkbox"/> Poor
3		Enthusiasm (body language, curiosity about our project)	<input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Average <input type="checkbox"/> Poor

ANNEXURE II

Employers Discussion Guide

- **Introduction of Verité Research**
- **Establishing the purpose of the discussion**
- **Reinforced need for free and frank responses**
- **Establishing the need for recording**

1. Introduction

- Could you please tell us a bit about yourself? (Probe the highest educational qualification, the job if these do not come out). The interviewer is to make a note of the social status through observation.

2. Type of domestic worker and the relationship between them

- According to you, how would you describe an ideal worker? (Please try to ask this question at the end of the interview). Probe age and gender they prefer and reasons for every characteristic they say.
- For how long have you had domestic workers? How many do you have now? Are they live-ins or dailies? Do they work only in your house? (Probe if they have always had domestic workers and for what kinds of purposes).
- How did you find the domestic worker you have/had?
- What types of activities do you do together? How often?
- How close is she with you? How often do they confide you in their personal matters?
- Have you visited their homes? Do they bring their families here?
- Do they get their own room and rest rooms?
- To what extent do you trust your domestic worker? (Probe why they would trust/distrust regarding money, personal information etc).
- If you had any past domestic workers, how often do they stay in touch with you?
- How difficult/easy it is to have more than one domestic worker? For what reasons? What is the nature of the role you play when you have many domestic workers under you?

3. Remuneration

- In addition to the salary, what else do you give your domestic worker? (Probe accommodation, healthcare, gifts, bonuses)
- How often do you give these and on what occasions? Any specific reason as to why?
- To what extent do you help your previous workers financially? Why? (Probe frequency and reasons)

4. EPF

- What do you think of having an EPF system in place for domestic workers? (Probe why they like/dislike it and advantages/disadvantages of it)

5. Trade Union

- What are your opinions of having a domestic worker who is a member of a trade union? (Probe deeply the reasons for this answer asking why and how).

6. Working Times

- How were the time allocations for the domestic worker decided? Who decides these? Was it agreed upon between the 2 of you? What factors were taken into consideration when doing it? (Availability of the domestic worker/household need etc)
- If they are to work in the weekends or extra hours, do they ask for extra money separately?

7. Leave Policy

- How difficult it is to manage without a domestic worker? How long can you manage (Probe reasons)
- How many days off does your domestic worker get?
- What do you think of *paid leave*? If you are to give them paid leave, how many of those would you like to give them per year?

8. Contracts

- How did you come into terms of work with the domestic worker? (Probe the nature of the contract – verbal/oral)
- What is your opinion on having a written contract? (Probe barriers, pros and cons)
- Could you please tell us any instance where you had to ask the domestic worker to leave/resign? What caused you to make such a decision?

9. Redress Mechanisms

- What types of unpleasant experiences have you gone through/do you go through with your domestic workers? (E.g. theft, refusal to do assigned work, excessive borrowings of money, frequent leave requests, fights, absence without informing etc)
- Could you please share with us one instance where the dispute was amicably settled and the domestic worker returned to work subsequently?
- How good do you think you are when it comes to resolve disputes with domestic workers?
- If not, what do you usually do when such situations arise?
- What would you do if your domestic worker asks for a salary hike?

10. Effect on personal situation/ opinion on standardisation of work/barriers to decent work

- In case you are not in a position to afford a domestic worker, what would you do?
- What problems do you face most frequently when having to employ a domestic worker?
- Assume that you have the opportunity to come to an agreement in writing with the domestic worker on the tasks, number of working days, salary etc. How would you like this/dislike this and why? (Probe pros and cons)
- What do you think of trade unions? Are you a part of a trade union? To what extent do you benefit from it?
- Why do you think it will not be beneficial/will be beneficial?
- What is your opinion of having your domestic workers being engaged in trade unions? If they spend their leisure time for trade union related activities, what do you think about it? (Probe ALL the reasons they give deeply)
- Probe their fears/preferences regarding this.
- If you are not bound by legal constraints, how would you change the work conditions for domestic workers?
- What mechanisms would help to improve these conditions?
- In your opinion what is the reasonable minimum legal daily wage for domestic workers?

Thank you!



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