

Netherlands Domestic Workers' Report on SOLIDAR Round Table Discussion
“Domestic Workers: From Modern-Day slavery to Equal Rights”
4th May 2011 on 12.30-14.30 at EU Parliament, Brussels

Round table discussion was hosted by Birgit Sippel MEP (S&D Group) and was opened by Mr. Conny Reuter (SOLIDAR Secretary General). Around 30 people from various organisations were attending the discussion. Three of them were **Grace Escano (CARE), Slamet Hery and Yasmine Soraya (IMWU NL)**, who came as representative of Netherlands Domestic Workers.



Pictures by: Slamet Heri Sutarjo

“Domestic work is work” was the main message of the discussion. The discussion began with the presentation by experts on the conditions of migrant domestic workers and the adoption of ILO Convention on decent work for domestic workers in June 2011.



First of all, **Ms. Sippel** gave an opening by stating that the domestic workers are workers in the special situation; living in a family and lack of labour control, especially for the migrant domestic workers who do not know about the situation of the country. She mentioned some issues such as working hours and salary. She gave an example in Germany, the salary for workers who take care of elderly is between 600-800 euro per month and this is considered as a very low income and unacceptable. Further issue that is faced by domestic workers is on social security. Domestic workers have no access on social security. Ms. Sippel suggested the importance of contract and the institution to control it. Furthermore, she affirmed the importance of adopting the Convention and the recommendation on Decent work for Domestic Workers since it brings benefit not only for the workers but also for the countries; it is important in the social, economic and also democratic/politic aspects. It is necessary to get majority vote from the states at the ILO Conference next June and also the vote on EU Parliament and also the implementation on the states level.

Ms. Maria Galotti, the Migration Policy Specialist at ILO Brussels, explained on the process of the Convention and the Recommendation. It formally began in 2008 to be discussed in ILO and in 2010 a Convention (and not only a recommendation) was agreed to be prepared and in 2011 it will be adopted. She highlighted that there are a lot of supports from the governments. Some countries, which were against the establishing of the Convention, they now turn to support the Convention such as New Zealand and India. The employers, in the other hand, only support the non-binding instrument (Recommendation only). Ms. Galotti further explained the substances of the Convention (article 1 – the definition). The Convention covers all domestic workers including migrant domestic workers. It does not distinguish the immigration or resident status. It covers all provisions such as the provision of the minimum wage however domestic workers are free to negotiate it with the employers.



Ms. Galotti also explained some other provisions particularly in the relation of free movement in EU, etc. She closed the presentation with asserting the importance of the Recommendation as the guidance of the Convention.

Mr. Jan Jarab, UN OHCHR Regional Representative for Europe gave next presentation. Mr. Jarab explained that the issue of rights of domestic workers are included in the human rights issue. It defined in the International Human rights treaties but it was invisible. Domestic workers' issue is an interesting issue in Europe. Some member states of EU such as Sweden and Ireland are making an intentionally progress of the quantity of domestic workers. He highlighted the relation between (migrant) domestic workers and the employers. How the rights are included as the workers' rights, and also the relation to the immigration law (for migrant domestic workers). Mr. Jarab explained particularly on the rights of domestic workers from the human rights point of view. Rights to access health care, rights of the protection from the domestic violence, etc. At last, Mr. Jarab stated that OHCHR support the adoption of ILO convention and its recommendation.



Next presentation from **Fe Jusay**, RESPECT (European Network of Migrant Domestic Workers). Ms. Jusay explained what RESPECT is (which was initiating in 1998) and what is the position of RESPECT – campaigning for migrant domestic workers in the private households, both women and man, regardless of their immigration status. Fe emphasized the context of migrant domestic workers and the significant employment of migrant domestic workers in Europe, both live in or live out the private households.

There is a denial on the recognition and the protection of their rights. The work field which is available for immigrants is in the private households as domestic workers. The problem is domestic work is not recognised as the proper work particularly for migrants. Therefore, migrant domestic workers become undocumented. There are many abuses of migrant domestic workers and the undocumented, they are working without rights, without social benefit, they cannot open bank account, cannot access health insurance and the children can only go to school until the age of 18. They are also in the condition of 'no work no pay', facing the racist from their employers even though the employers say that they are part of the family. RESPECT calls to change the conditions of domestic workers to get a proper work condition, to get a protection of their basic human rights, as human, as workers and as migrant, also their immigration status. RESPECT's strategies are migrant empowerment, self organisation and education. These strategies are to develop the critical thinking of migrant domestic workers to analyse their situation. These are also contributing to the social, economy and cultural development in both countries, receiving countries and country of origin. RESPECT have also program of reintegration which that is important for the workers to invest in their origin country.

Regarding to ILO convention, RESPECT support the convention and they have also published their brown report regarding to the convention. On June, RESPECT have the outside and inside strategy in

Geneva. Their big concerns are migrant undocumented domestic workers, domestic workers who work in the households of diplomat and embassy, au pairs as cheap labour to do domestic work in the private households and are not covered in this convention. RESPECT will campaign not only in ILC but also beyond ILC.

Ms. Britta Thomsen, MEP (S&D), gave short presentation. Based on her investigation, there are around 11 million domestic workers in Europe. In Brazil, they have 8 million domestic workers. 20% of African women are domestic workers, in India, there are a lot of domestic workers. She said that we have to really think about the social security of domestic workers and also on their immigration status since in Europe, domestic workers are mostly migrants. In Denmark there are no domestic workers but there are au pairs and we pay them only 400 euro per month. She closed the presentation with giving a support to the change which will bring better condition for domestic workers.



Subsequently presentation from **Ms. Elke Gutierrez** from OR.C.A (Organisation for undocumented workers) in Brussels. ORCA provide services and assistances for undocumented migrants, and most of them are migrant domestic workers who are employed by one or maximum 2 families. These groups are the most isolated group and vulnerable since the lost their employers means that they will lose also their income. Most of them are woman and they come mainly from Philippino community and Latin America

community as well as presuming Hispanic. The work that ORCA do is basically on the system in order to access the salary or in case of work accident. ORCA try to be an NGO for the invisible people, connect them with other NGOs or organisations, empower them by giving French courses etc. A lot of employers are contacting ORCA in order to get information of hiring a domestic worker particularly migrant domestic workers. Some issues that the employers ask are labour rights of domestic workers and also the work permit. These two are the demand from the domestic workers. Some abuses that the workers have experienced are low salary, over working hours, unpaid holidays, etc. It happens since these workers are not considered as a real worker. Most of the workers are invited to come by the employers, however it's the situation that they are dependent on their employer and when the employers, which are mostly diplomats, should move to another country, the workers are remain staying and becoming undocumented. They lose their jobs, their legal status and also housing. And they cannot go to labour inspection to get their labour rights.

Ms. Emilie Turunen, MEP Green from Denmark , She supports the ILO Convention totally because she has heard about the condition of domestic workers since long time ago. She spots the resolution from her committee; first on the abuses experienced by domestic workers, the role of employers which is also important in this matter since it's very closed to slavery such as keeping the id which makes the workers not to have a work permit and cannot go to police because they are afraid. It's the situation of modern-day slavery. Second, they support the basic rights in the Convention. The workers has access to standard labour rights, access to social security, non discrimination and equal treatment, have trainings and career development, maternity



protection, rest time protection, against abuses and harassment, freedom of association etc. And above of all is the involvement of domestic workers in the society which is very important.



Further explanation from **Mr. Kyriacos Triantaphyllides**, MEP (GUE/NGL). He stated that it is the right time to have a regulation on the protection of domestic workers and he wishes that ILO Convention is adopted in June. He explained the situation in Ireland which has population of 800 thousand people and they employ about 36.000 domestic workers. He said that they have very great need in domestic sector. The employers should be the one who both parents are working and have children. The agencies provide domestic workers and they contact the workers in the country of origin. Employer should use the EURES Procedure. There are a lot of required documents. The salary for domestic workers in Ireland is around 400 euro

which is considered very low and the trade union try to bargain so that the workers can get at least minimum wage which is about 800 euro. The workers come from Vietnam are about 4000 workers, from India re about 2000 workers, from China are about 500, from Abu Dhabi are about 300, from Srilanka are about 9000 and the Philippines are 11.000 people. Some issues are the access of social security , the rights of collective bargaining, the protection from abuses particularly the sexual abuse because most of the workers are woman, and all of these rights are now recognised under the proposed ILO Convention.

Last presentation from **Ms. Wiebke Warneck**, ETUC Legal Advisor. ILO convention is on the top of their agenda. ETUC and ITUC try to observe the invisible workers and bring them out of shadow. She explained the legal standard on the European level, which there is no specific regulation yet on domestic workers. Even though so, the issue has been on the agenda since 1951. All EU Directives on social and labour issues are not specifically regulating the domestic workers sector, in fact they exclude domestic workers, such as the Directive on health and safety and Directive on working time. There was an European Parliament's resolution in the year 2000 on European definition. The fundamental rights agency of Europe were also preparing the report on migrants in irregular situation employed as domestic workers , fundamental rights are challenging the EU and the United States. There is also a motion for EU Parliament Resolution (March 1st, 2011). However, they put some conditions which one of them is not too detail text. This resolution would be important to call the member states to adopt the ILO convention. ETUC and ITUC together support the ILO Convention. They need regulations on minimum wage, reduction on payment in kind, protection of labour rights, contract, access to complain, working time, etc. Therefore we need the resolution of EU Parliament.



The questions, answer and open debate following the presentations afterwards. Netherlands' Domestic Workers actively participate on this part. At the end, SOLIDAR concluded that the participants agreed that there is an urgent need for a global regulation of domestic work which gives the same rights to domestic workers as to other types of workers.

SOLIDAR's briefing on Domestic Workers can be found in :

http://cms.horus.be/files/99931/MediaArchive/30_SOLIDAR_Briefing_Domestic_Workers.pdf