

Launch of Campaign for ILO Convention on Decent Work and Rights for Domestic
Workers: Woodquay Venue,
Dublin City Council, Tuesday, 8 March 2011, 3-5pm

Rights for domestic Workers Long Overdue

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Today, March 8th International Womens' Day, the ICTU unites in solidarity with domestic workers, the Migrant Rights Centre of Ireland (MRCI) and the National Womens Council (NWC) to support the adoption of an International Labour Organisation (ILO) convention to promote the rights of domestic workers.

The recognition that domestic workers are workers, with rights, is long overdue. For far too long recognition of domestic workers' rights has been put on the long finger. This resistance to domestic workers rights has left many domestic workers ruthlessly exploited behind closed doors by their employers: given little or no pay for their labour, made to work and live in very poor conditions with no time off, or subject to verbal, physical or sexual abuse and worse.

I am proud to be invited to join with domestic workers as they claim their rights and just entitlements. Domestic workers are not asking for special treatment, they are rightly demanding equal treatment and proper recognition as workers. That's why the ILO Convention is so important, it finally gives international recognition that domestic workers have the same rights to 'decent work' as any other workers, and they too should be covered by ILO standards.

Campaigning for the adoption of a Convention is meaningful as it will see mark an important step in the realization of decent work standards for ALL domestic workers, EVERYWHERE.

We are at an important milestone in our campaign for proper respect for domestic workers rights. My own journey started in 2005, with the production in English and French of the Congress Guide *Homes and Workplaces -The Rights of Domestic Workers*.

Campaigning continued and in 2007 and with the full force of the Irish trade union movement we negotiated employer (IBEC) and government backing for an *LRC Code of Practice for Protecting Persons Employed in other People's Homes*. Our aim in negotiating that Code was to spell out existing rights and entitlements. In my view it represented an important achievement as it ended the repeated questioning of 'are domestic workers really workers?' and it also ended the ability of employers to pretend they did not know that their workers had rights or that they had obligations. SIPTU and The MRCI have subsequently taken cases and developed important case law on foot of that Code. But we need to take it further but I will return to that shortly.

By 2008 we had secured a commitment from the Irish government, who were at that time on the Governing Body of the ILO, to support the proposal for the adoption of an ILO Convention on the Rights of Domestic Workers. I am happy to report they did so. At the time the Irish Code was influential as it had the benefit of being a tripartite agreement – as it had been negotiated and agreed by unions, government and employers, the same structure as the ILO.

In 2009 the work at the ILO began on the process of development of the first ever international standard to protect domestic workers.

Last year (2010) the ILO took a giant step forward in the fight to create workplace justice for domestic workers around the world. We won the vote for a Convention – but we are not out of the woods yet. The vote will be held again next year and the forces who object to enforceable rights have not gone away and if anything have become emboldened. The unique tripartite structure of the ILO gives an equal voice to workers (1 vote), employers (1 vote) and governments (2 votes). The arguments against a Convention – from employers are basically that no more Conventions are needed, there are enough rights in the world employers can be trusted - and from Governments – well its that the supervisory and reporting process of the ILO conventions are too burdensome and there are enough unratified Conventions in the world already.

That being said we had support among Governments and workers made a lot of progress last year in improving the draft of the text - including

- freedom of association and the effective recognition of the right to collective bargaining; protection from forced labor, the abolition of child labor in domestic work and the elimination of discrimination.
- Employers will be responsible for making sure workers are informed of the agreed terms and conditions of work, preferably through a written contract. The terms would include the work to be performed, pay, normal hours of work, provisions of food and accommodation; Importantly the draft provides that *‘Periods during which domestic workers are not free to dispose of their time as they please and remain at the disposal of the household in order to respond to possible calls shall be regarded as hours of work to the extent determined by national laws or regulations, collective agreements or any other means consistent with national practice.’*
- It also would make clear that domestic workers could decide voluntarily whether to live in the employer’s home and the terms should be negotiated with decent living conditions that respect their privacy.
- Employers will be prohibited from retaining the workers travel and identity documents. They would be protected against all forms of abuse and harassment

and where employment agencies are involved effective regulation of them and their practices is required.

Each line and every word and comma is important to us because around the world, domestic workers are routinely victims of exploitation, from wage theft to verbal and sexual abuse.

The ICTU has made a reply to the ILO call for responses to the draft and we have called for two amendments in particular

- 1) that Member States would be obliged to have in place effective labour inspection and monitoring backed up with dissuasive sanctions – (existing sanctions in Irish law are not having a sufficient deterrent effect) and
- 2) that the rights would apply to domestic staff working in embassies – including locally recruited domestic staff.

Finally, the Irish Congress of Trade Unions and our affiliated Trade Unions representing over 840,000 members are behind the effort to establish a Convention for new standard for domestic workers.

It would be a welcome development if the Government was to support the MRCI to have Observer status at the 2011 Conference.

Things don't end here, although we have a lot of work done we've just begun. We will need active support so that the government and employers see that we will not stop until there is an ILO Convention for domestic workers in 2011 and it is implemented IN REALITY in Ireland.

I would like to end by quoting the first paragraph of the Constitution of the ILO as I think it is very relevant with its focus on decent work as the basis for social justice and peace in the world.

Whereas universal and lasting peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required; as, for example, by the regulation of the hours of work including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of

workers when employed in countries other than their own, recognition of the principle of equal remuneration for work of equal value, recognition of the principle of freedom of association, the organization of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

Thank You
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