

Domestic workers in Lucknow

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1. Introduction

This report is based on fieldwork conducted in Lucknow through interviews with almost a hundred domestic workers. The paper is divided into five sections. The second section is a review of the relevant literature pertaining to domestic work as a form of labour, factors that structure domestic work in India, legislation (however meagre) that applies to domestic work, and conditions of informal labour in Lucknow as they relate to the domestic workers being studied. We base this review on academic papers as well as newspaper reports and pamphlets/booklets issued by NGOs and activists working on this issue. The third section describes the methodology used in the study, as well as its limitations. The fourth section presents our findings - the background of the domestic workers studied and main trends we observe in the work that they perform, mapping their background onto conditions of work, and highlighting some problems and issues that may be relevant for policy.

2. A review of the literature concerning domestic work

The ILO Domestic Workers Convention of 2011 defines domestic work as "work performed in or for a household" (article 1(a)). A domestic worker, then, is "any person engaged in domestic work within an employment relationship." While 83 percent of the world's 52.6 million domestic workers are women, it is also recognized to be generally excluded from existing social and labour protection.² Domestic workers also tend to be particularly vulnerable to discrimination and exploitation as their workplace is shielded from the public and because they lack co-workers. It is argued that the (gendered) avoidance of the recognition of the home/'private' sphere as a workplace contributes to explaining the near-total absence of regulation on domestic work. For instance, globally, around half the world's domestic workers are outside minimum wage legislation despite the fact that the countries they work in have enacted such legislation for other sorts of work.³

Low pay appears in all the literature as systemic problem in this sector.⁴ The ILO policy brief on domestic work notes that domestic work is the lowest paid work in *any* labour market: domestic workers typically earn less than half of the average wages, and sometimes not more than 20 percent.⁵ This is explained by the low levels of education of these workers, the devaluation of housework, pay

²ILO [2011]

³ILO [2013]

⁴Burnham and Theodore [2012]

⁵ILO [2011]

discrimination, and low bargaining power of domestic workers. The other problems that characterize domestic work are the lack of unemployment benefits such as pensions or insurance, lack of control over working conditions and time, and disrespect and abuse on the job.⁶

One point emerging in the literature on domestic work is that, given the differences and complexities of domestic work relative to other kinds of informal work, it demands a separate framework of analysis.⁷ It shares commonalities with both unpaid domestic work as well as paid informal work and combines, at times, some of the worst disadvantages of these two forms of work. At least two aspects distinguish it from other forms of work (that make the usual forms of legislation - such as minimum wage - problematic if simply extended mechanically to domestic work): one, is the live-in/live-out categorization of domestic workers that is not shared by any other type of informal workers; the other is the part-time/full-time distinction: while workers may be part-time from the point of view of their employers, their aggregate labour time across multiple households may well exceed that of other 'full-time' work.

2.1 Domestic work in India

Domestic workers come from especially poor socio-economic backgrounds: In 2009-10, according to NSS data 54% of domestic workers were “illiterate”, and 83% had less than middle -level schooling; 32.4% belonged to the OBC category, 31.2% to the SC category, and 28.4% were upper-caste. Migrants account for the largest share of domestic workers, particularly due to distress migration from rural to urban areas. The age and marital profile of domestic workers shows that it is mostly older, married women who take up domestic work.⁸

Domestic work is also a feminized occupation: more than two-thirds of these workers are women. As a segment of informal work, it is particularly low-paid, but within this segmentation there is also a spectrum of wages paid to different domestic workers, with evidence of gender and caste discrimination. For instance, Kerala has notified the minimum wages for caretakers (mostly women) at lower rates than those for security guards/watchmen/gardeners (mostly men). A caste division of

⁶Burnham and Theodore [2012]

⁷Neetha, N. [2013], p. 36

⁸ibid. The numbers are calculated from the subcategories of the industrial category “private households with employed persons”.

domestic workers is also reported: privileged-caste domestic workers are employed as cooks, whereas those from 'lower' castes are employed to clean.

Control over labour time and labour processes appears to be a major problem in this work: domestic workers are typically expected to be available at the employer's discretion and are also expected to perform a wide range of tasks: housecleaning, laundry, cooking, dishwashing, care of children and the elderly, shopping, fetching and dropping children from/to school. A study of urban domestic labour markets finds that issues of location, distance, travel, and timings determine the opportunities for work.⁹ Only a small fraction of domestic workers are unionized or belong to collectives or associations - this is perhaps because of the peculiar nature of timings and live-in workplaces, as well as the disadvantaged socioeconomic backgrounds of the workers.

Domestic work is on the rise in India with NSS data showing a fourfold increase from 2000 to 2010.¹⁰ This increase is driven by part-time domestic work, as urban households prefer employing part-time workers without undertaking responsibility for lodging and board, and also hiring/firing them more easily.

2.2 Legislation and implementation

Convention No. 189 of the ILO (also known as the Domestic Workers Convention) and the accompanying Recommendation No. 201 address the exclusions of domestic workers from existing social protection and labour laws. While the Convention is binding for countries that have ratified it, the recommendation is a non-binding instrument that offers guidance. While India has not yet ratified Convention 189, its adoption by the ILO sparked a debate regarding a nationwide legislation for domestic workers: activists were divided, however, on the question of whether to extend existing labour laws to domestic workers, or to have a separate legislation altogether.

Seven states have (recently) included domestic work under their schedule of employments for the Minimum Wages Act, 1948.¹¹ This allows them to notify and revise minimum wages for domestic work. Uttar Pradesh is not among them. However, a critique of the notification of the minimum wages

⁹Coelho, Venkat and Chandrika [2013]

¹⁰ibid.

¹¹These states are Kerala, Andhra Pradesh, Rajasthan, Bihar, Jharkhand, Odisha and Karnataka

is that they (a) devalue domestic work (minimum wages for domestic workers are uniformly lower than for other types of informal work - they are so low, in fact, that they are completely inadequate in covering urban living costs, (b) are defined in terms of tasks rather than an employment relationship making it easy to exclude workers performing non-listed tasks, (c) moreover, there is a clear hierarchy of tasks - minimum wages notified by Kerala are the highest for security guards and gardeners and the lowest for cleaning - a clear caste and gender hierarchy at play, and (d) they are diluted by restrictions on inspections and exemptions from record-keeping.¹²

Domestic work has also been brought under the ambit of the Unorganised Workers Social Security Act, 2008, and the Sexual Harassment of Women at the Workplace Act, 2013. The National Policy on Domestic Work was drafted in 2012 but is yet to be implemented. It proposes a minimum salary of 9000 for skilled household help, compulsory paid leave of 15 days a year, maternity leave, and employer contribution to social security.

2.3 Conditions of informal work in Lucknow

Most of the workers in Lucknow belong to the unorganized sector (86%). More than three-fourths of these workers live on less than 20 rupees per day.¹³ The unorganized sector of Lucknow is composed of daily wage earners like domestic workers, construction workers, petty shopkeepers, sanitation workers, street vendors, hawkers, self employed small businessmen, chikan workers etcetera. As they belong to this class of informal workers, domestic workers are embedded in this system of structural exclusion. The non-availability of regular gainful employment and shrinking spaces for self employment drastically limits the alternative work options available to them.

Much of the informal work in Lucknow is done by workers who migrate in a cyclical manner from the neighbouring districts. The non-availability of gainful employment opportunities in rural areas and agricultural displacement is the cause of this migration. These conditions in rural areas are crucial in reproducing the availability of cheap, exploitable labour in cities such as Lucknow: they are paid extremely low wages and live in very precarious conditions, often in unsafe shelters or are homeless. In its study of 32 labour posts in Lucknow, Vigyan Foundation found that half the labourers belonged to

¹²Neetha [2013], p. 78-82

¹³ NCEUS [2007]

informal settlements in the city and half came from nearby villages, and stayed in open areas of the city.¹⁴

Domestic work can also be seen in the context of (gendered) informal work in Lucknow. While their movement from the surrounding districts to Lucknow would be characterised as ‘marriage migration,’ their working and living conditions are equally characterised by extremely low-paid, insecure employment, and the lack of availability of basic facilities such as drinking water, running water and sanitation.

3. Description of the study and methodology

The interviews with domestic workers was arranged by activists of the Vigyan Foundation, which through its domestic workers union (Gharelu Kaamgar Mahila Sangathan) and its Mahila Mandal, has been working with, or is known to, the domestic workers interviewed. A questionnaire was used to elicit responses from the workers. Given that our interaction was confined to a single day and a single interview per worker, the questionnaire was centred around basic information regarding the workers' backgrounds and their conditions of work. The latter included questions of the kind of work performed (whether live-in or part-time), pay, the method of wage negotiation, the tasks performed during their work, and possible conflicts with employers and reasons for these. Our intention was to not merely assess the problems they faced in their work but also to correlate these to the handicaps that arise from their backgrounds and how these might help reproduce the insecurity of their work. Therefore the questionnaire included questions as to which community they belonged to, whether they were migrants to Lucknow, their education levels, and their living conditions within Lucknow. The interviews were conducted by groups in three areas: Janakipuram, Akbar Nagar, and Mama Chauraha (Vikas Nagar). 91 workers were interviewed in total.

3.1 Limitations

Our interaction with these workers was very brief. Our data is therefore confined to quantitative variables that could be easily collected (such as pay, hours worked, etcetera). Our assessment is entirely based on these variables. However, we know that the problems associated with domestic work are much wider than these and that more subjective knowledge would be needed for a comprehensive

¹⁴ Vigyan Foundation [2011]

understanding. In particular, questions of power in the employer-employee relationship and the dynamics of caste and gender in determining these relationships would be very relevant to domestic work. Our questionnaires could not capture these dynamics in more than just a rudimentary fashion.

Another limitation is that our sample was composed entirely of women. While domestic work is predominantly performed by women, workers such as security guards to households or gardeners - occupations that fall under the definition of domestic work - tend to be largely male. As we were not able to interview them, our report pertains only to a subcategory of domestic workers. We were also unable to interview any live-in workers. Their experiences and problems are therefore missing in our study.

4. Findings

4.1 Background

The following is a brief summary of the profile of the workers in our sample. As is the case of domestic work in India as a whole, our sample consisted of married, older women. Out of the 91 surveyed domestic workers, the average age was 35 years. Out of these, a majority (88%) were married. Most of the workers reported to have absolutely no education whatsoever: 73 workers (80%) reported to not have gone to school and only 5 workers (5.5%) had an education of 8th grade and above. Muslim workers were somewhat overrepresented in our sample (about a half reported to be Muslim, while their share in the population in Lucknow is only a third, according to the 2011 Census).

Most of the workers also belonged to disprivileged castes. The caste composition was divided between OBC (27%) with Hindu OBCs and Muslim OBCs, followed by SCs (17%) and general category (11%). However, 41 respondents did not specify their category. Around half the workers interviewed reported to being migrants to Lucknow - most stated that they done so because they had accompanied their husbands or had married spouses who already lived in Lucknow.

Our sample did not have any live-in domestic workers. While part-time domestic is certainly on the rise in urban locations in India, the lack of any live-in domestic workers in our sample is simply because we interviewed workers in the localities where they resided and had no access to those who

lived within their employers' homes. In terms of living conditions, more than a third of our respondents said that they did not have access to running water or drinking water in their houses. Around a half did not have access to sanitation facilities. In terms of access to schooling for children, about 32 workers said that there was no school nearby.

4.2 Conditions of work

Number of households and hours worked

Part-time work across multiple households was an important characteristic in our sample, where only 22% of the surveyed workers were employed in a single household, while 78% of them worked in multiple households. Among the part time workers, 30% worked in two houses, 37% in three houses, 16% in four houses, 10% in five houses and 1.5% in above six houses. On an average, they worked around 6 hours a day, with the sample range being a minimum of 2 to a maximum of 11 hours a day.

This reflects an important change in the composition of urban domestic work. It appears that increasingly, households prefer to employ domestic workers to perform a series of tasks (cooking, cleaning and washing laundry) instead of employing them full-time for an entire day. The workers we interviewed reported that the time they actually spent in each household frequently exceeded the number of hours initially agreed upon, because the tasks they were expected to perform took more time on certain days. Many of them also said they were unable to find more houses to work at. This trend towards part-time work therefore appears to exacerbate both the intensity of the labour demanded and the precarity of finding employment adequate to meeting living needs.

Wages

There was a wide variability in wages earned with the maximum monthly wage standing at Rs 17000 (for a full time worker) while the minimum was just Rs 200 per month. On the whole, however, wages were extremely low with the average monthly wage being Rs 2430. This is a wage that is completely inadequate in order to meet basic living expenses in a city such as Lucknow. The minimum wage for 'unskilled' workers in Uttar Pradesh is notified at Rs 7100 per month. As the minimum wage itself is calculated as the most basic expense requirement for a worker's family to meet needs of food, clothing, shelter and other amenities, it is clear that domestic workers are far from earning a living wage.

Bargaining, conflict and union membership

The wages were negotiated through bargaining between the worker and the employer. Out of the surveyed sample size, 66% of workers disclosed their past experiences of fights, disputes and conflicts with their employers on various matters. Just over half the sample size (54%) said that they were part of a union or association. This cannot be interpreted (unfortunately) as a general figure for domestic workers in Lucknow, as our access to these workers was precisely through their contacts with the Mahila Mandal of the Vigyan Foundation, and it is obvious that their members would be overrepresented in our sample.

Distance from workplace

Spatial closeness appears to be an important factor in deciding employment: in terms of distance of workplace from their residence, 38 of them reported on an average 30 minutes walk from their residence (in terms of time); while 42 of them reported an average distance of 1.3 kms.

5. Highlighting some major problems faced by domestic workers

It appears to be very much the case domestic workers in general come from backgrounds of extreme disprivilege. More than three-fourths had not completed a single class in formal schooling. Many of them were SC or OBC women and half the sample consisted of muslim women. Around half of them had migrated from the districts surrounding Lucknow, and as the previous section shows, many of them lacked basic facilities such as water, sanitation and availability of schools for their children in their places of residence. Most were married, and their spouses were engaged in similarly low-paid occupations involving informal labour. These disadvantages have clearly translated to access in finding regular, well-paid employment opportunities in the city.

However, we find many indications that domestic work is qualitatively and quantitatively distinct from other forms of informal work in Lucknow. It shares the general lack of social security and employment benefits and the general level of low pay, but we find that it is also exploitative in different kinds of way than other sorts of informal labour. This makes it problematic to view domestic work as just another form of informal work and demands special consideration in terms of formulation policy:

- A. Even by the appalling standards of pay in the informal sector, domestic workers are extremely low-paid. In our interactions with female workers at labour addas (spot labour markets) most reported to be earning a wage of around 500 a day for construction work. By contrast, the domestic workers work daily (in most cases, without holidays) for an average daily wage of less than a hundred rupees! **The typical domestic worker therefore earns less than a quarter of the going wage in the informal labour market.**
- B. Another difference is the part-time nature of domestic work. **Unlike a construction worker who is hired for an entire day at a spot labour market and therefore bargains for a daily wage, the domestic worker is instead hired to perform a series of tasks across multiple households.** She thus has to bargain for wages in terms of these tasks. It appears that the general devaluation of housework operates to push the willingness of employers against paying any decent wage. As the worker is not full-time they are absolved from the responsibility of paying a living wage. As a result, the overall outcome is that final wage that part-time workers earn, added across all the households that are worked, is extremely low.
- C. **The ability to bargain is also made more difficult by the fragmented and isolated nature of domestic work.** The domestic workers reported that employers frequently pushed them to perform more tasks than were initially agreed upon. They also report fights over raising the level of wages and over leaves. They say, however, that they can be very easily dismissed for raising these issues as there are many other workers more than willing to take their place. This is exacerbated by the general lack of availability of domestic work. Moreover, as domestic work is determined by spatial location (the closeness of the household to the worker's own home), this forms an additional segmentation of the market.

While we argue that domestic work is characterised by different forms of exploitation that are frequently gendered, it is also clear that regulating domestic work is meaningless if it not accompanied by measures to improve conditions of informal work in Lucknow as a whole. It would directly raise the earnings of the households of domestic workers whose spouses are engaged in informal labour. Addressing distress migration to Lucknow by creating decent employment opportunities in the nearby

districts would also be necessary in this context. Regulation of the informal sector would (and is being) easily subverted by the sheer numbers of workers who have no other avenues of employment.

6. Conclusion: Implications for policy

Extremely low pay appears to be the most significant issue for those performing domestic work. Therefore, minimum wage for domestic work should and must be implemented within Uttar Pradesh. The inclusion of domestic work in the schedule of employments in the Minimum Wage Act has already been carried by other states. Our study however points to certain characteristics in the market for domestic labour market that make a mechanical extension of minimum wage law problematic. A daily or monthly wage does not have much relevance for domestic workers who are employed in multiple households. An hourly wage could be a possible alternative. As work often spills over agreed-upon timings, an overtime pay should also be specified.

The hourly wage would have to be set a level high enough to ensure that the aggregate payments to the domestic worker would be enough to meet her (and her family's) living expenses. The minimum wages notified for domestic work in other states indicate the prevalence of the 'family wage' ideology: that male workers as 'breadwinners' ought to be paid enough to sustain a household, while there is no such compulsion for female workers, who are assumed to be merely supplementing family income. The hourly minimum wage for domestic workers must result in earnings that comparable to those earned by classes of workers.

Full-time domestic workers are generally expected to work without any weekly leave and any leaves that are taken for medical or family emergencies are accompanied by deductions in pay. A mandatory weekly leave and overtime pay should therefore be implemented for them.

Beyond specific regulations for the domestic work sector, our experience of our interactions with domestic and other workers in Lucknow indicates that an overall attempt to improve conditions of urban informal work is absolutely necessary. The provision of adequate housing, ensuring the implementation of minimum wages and other mandated benefits would go a long way in improving working and living conditions of some of the most vulnerable workers in Lucknow.

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