

## Invisible jobs

### The situation of domestic workers

#### SUMMARY

Domestic workers are persons engaged in household services such as childcare, care of the elderly or housekeeping – via a formal or informal employment relationship. They can be nationals of the country or migrants, and can have varied working conditions, involving living within or outside the household. More than 80% of the domestic workers in the world are women.

Due to the 'invisible' and sometimes illegal nature of their job, domestic workers are often confronted by problems such as low pay, irregular residence and employment conditions, no social security or benefits, no access to childcare facilities for their own children and limited time off work. Some subgroups, such as immigrants or live-in workers, are particularly vulnerable to discrimination.

Despite initiatives in several European Union Member States, domestic workers are not always offered protection by national labour laws, and opportunities for 'decent work' can be limited.

The implementation by the Member States of Convention No 189 and Recommendation No 201 of the International Labour Organization (ILO) could provide domestic workers with guarantees of decent work and similar working conditions to those of workers in other economic sectors.



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## What is domestic work?

According to [Eurostat's classification](#), domestic work involves providing care to children, the elderly, or persons with disabilities. It also includes tasks such as cleaning and cooking – traditionally unpaid household jobs allocated to women. Domestic work may also include other tasks like gardening, chauffeuring or providing security services – tasks more regularly performed by men. Changes in western European employment and demography (increasing participation of women in the labour market, challenges of balancing work and family life, and an ageing population) have pushed up the demand for domestic work, turning it into a fast-growing sector of the economy.<sup>1</sup> Some domestic workers live and work full time on the premises of their employer ('live-in' workers). Others live elsewhere and travel to their workplace(s) for a number of hours per week ('live-out' workers). According to the [ILO](#), domestic work is performed as part of an employment relationship for one or more households.

## Characteristics and problems of domestic work

In domestic work, the employment relationship is an 'atypical' one, where the worker is 'invisible' to the outside world and does not have a precise job specification (in terms of working hours, free time or annual leave). This makes it easy for employers to infringe national labour laws.

Where there is no formal employment contract, domestic work belongs to the [informal economy](#), which includes 'all economic activities that are – in law or practice – not covered or insufficiently covered by formal arrangements'. According to the European Federation for Services to Individuals, in 2010, the [share](#) of informal work in the market for personal services was 70% in Italy and Spain; 50% in the United Kingdom; 45% in Germany; 40% in the Netherlands; 30% in France and Belgium; and 15% in Sweden. Potential problems linked to this kind of work include lack of adequate accommodation, privacy or health insurance, as well as no protection against illness, occupational accidents and workplace hazards. There is also a possible lack of access to social security benefits, such as maternity protection and pension schemes. Sickness, injury and pregnancy can thus be grounds for immediate dismissal. This deprives domestic workers of the security offered through '[decent work](#)'. In some cases, mainly involving migrant workers, domestic work is associated with [precarious work](#), defined by the inability of individuals to impose their rights, the absence of social protection, as well as health and safety risks and insufficient income. Furthermore, domestic work is characterised by an unspecified length of employment and uncertainty about future employment. Domestic workers' [wages](#) are often below the national statutory minimum wage, and there is no provision for overtime pay. In addition, wage payments may be delayed, improperly calculated or withheld arbitrarily.

## Number of domestic workers

As the European Trade Union Confederation (ETUC) [points out](#), obtaining reliable data on domestic work in Europe is difficult, particularly due to its often 'informal' character. According to the ILO's recent [global and regional estimates](#), at least 52.6 million persons above the age of 15 worldwide are domestic workers, of whom 43.6 million, or 83%, are women. In 2012, according to European Commission estimates, some 2.6 million persons were employed as domestic workers in the EU-27 Member States. Around 2.3 million of these were women (89%), and slightly fewer than 300 000 men (11%). They were predominantly concentrated in Italy (27.5%), Spain (25%), France (23%), Germany (8.5%) and Portugal (5.1%), due to certain economic and social developments,

workforce needs and traditions.<sup>2</sup> In recent years, the proportion of female domestic workers has been increasing (for instance in [Italy](#), where it rose from 78.3% in 2009 to 87% in 2015).

Such domestic workers can be nationals of the EU Member State in which they work, or nationals of another, or third-country nationals (legally or illegally resident in the EU). In 2014 in [Italy](#), the proportions were 23% nationals to 46% other EU nationals to 31% third-country nationals. [Migrant domestic workers](#) can be recruited by placement agencies through formal processes or through informal ones, exposing them to very precarious situations. Across Europe, [au-pair schemes](#) are another common way of disguised recruitment of domestic workers, especially from among migrants.

### National and European framework

Worldwide, [labour law coverage](#) for domestic workers is often weak or absent; nevertheless, several countries have already taken legislative steps to improve this situation.

Different national schemes have been created to tackle undeclared work in Europe, such as the [chèque emploi service universel](#) in France and [titres services](#) in Belgium. These systems offer domestic workers healthcare, social protection and a fixed hourly wage, as well as limited working hours and vacation.

Since 2012, the EU has focussed on resolving the issues faced by domestic workers. A [study](#) covering precarious work and social rights in 12 Member States<sup>3</sup> was carried out for the Commission in 2012, to encourage transforming precarious work into work with rights. It analysed problems related to temporary contracts, part-time work, gender, age and migrant workers, as well as factors creating precarious work. The study concluded that the development of non-standard forms of employment and the economic crisis have contributed to an increasing risk of precariousness.

In its March 2012 [Employment Package](#), the Commission underlined the importance of transforming informal or undeclared work into regular employment, which could have a positive impact on labour demand. On 9 April 2014, the Commission proposed the creation of a European platform to improve cooperation and exchange of best practices in the prevention and deterrence of undeclared work, which was approved by Parliament's Committee on Employment and Social Affairs (EMPL) on 7 May 2015.

In June 2012, in the context of the [EU Strategy towards the Eradication of Trafficking in Human Beings](#) (2012-2016), the Commission urged the Member States to ratify all relevant international instruments and legal obligations which could [address](#) trafficking for labour exploitation in a more effective manner. In parallel, it worked with Eurofound to develop [best practices](#) for public authorities.

In March 2013, the Commission submitted a proposal for a Council decision on authorising Member States to ratify the ILO's [Domestic Workers Convention](#) (Convention No 189 concerning decent work for domestic workers), [which is accompanied by Recommendation No 201](#). Parliament endorsed the proposal in December 2013 and the Council adopted [Decision 2014/51/EU](#) on 28 January 2014, thereby authorising the Member States to ratify [Convention 189](#).<sup>4</sup> To date, the Convention has been ratified by six Member States (Belgium, Finland, Portugal, Germany, Ireland and Italy), and is in force in the latter three.<sup>5</sup>

While granting states parties flexibility in its implementation, the Convention sets minimum global labour standards for domestic workers. Ratifying states are required to: establish a minimum working age; prevent abuse and violence; ensure fair and decent working conditions; ensure equal treatment, compensation and benefits; inform domestic workers of the employment terms; provide decent living conditions and easy access to complaint mechanisms. Many issues covered in the Convention are already addressed by EU [Directives on health and safety](#), [workers' rights](#), [gender equality](#), trafficking and asylum).

#### In the European Parliament...

Parliament's Women's Rights and Gender Equality (FEMM) Committee is preparing an [own-initiative report](#) (rapporteur: Kostadinka Kuneva, GUE-NGL, Greece) on female domestic workers and careers in the EU. The Employment and Social Affairs Committee, which is associated under Rule 54, adopted its opinion on 7 December 2015. The FEMM Committee's draft report focuses on the situation of women working as undeclared domestic workers, the difficulties they encounter when entering the legal labour market, stresses the need for a normative concept of domestic work and care and the importance of the rights set out in Convention No 189.

### Main references

[Domestic Workers: Vulnerable Workers in Precarious Work](#), Malcolm Sargeant, International and Comparative Labour Studies, 2014.

[Study on Precarious work and social rights](#), Working Lives Research Institute, 2012.

[Domestic workers across the world: Global and regional statistics and the extent of legal protection](#), International Labour Office, Geneva, 2013.

### Endnotes

<sup>1</sup> According to a Eurofund [study](#), the job of a personal care worker is among the 'top 10 jobs' enjoying relative employment growth.

<sup>2</sup> These numbers are estimates based on the available official statistical data. The real number of domestic workers, as they are often employed in an illegal manner, might be significantly higher.

<sup>3</sup> Bulgaria, France, Germany, Greece, Ireland, Italy, Latvia, the Netherlands, Poland, Spain, Sweden and the UK.

<sup>4</sup> This decision was needed because parts of the Convention fall within the EU's competence. However, the EU cannot ratify ILO conventions, since only states can be parties to them.

<sup>5</sup> The Convention will enter into force in Finland on 8 January 2016, in Belgium on 10 June 2016 and in Portugal on 17 July 2016.

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