

# DECENT WORK FOR DOMESTIC MIGRANT WORKERS



*Estimates, rights and  
best practices*

# Migrant Workers World-Wide



- 214 million people live outside their country of origin
- 105 million are workers
- 50 million are women workers
- 52 million domestic workers world-wide
- Between 17 to 25 million migrant domestic workers

# Decent work deficits: The double discrimination



- **Salary** : Migrant workers earn less than nationals.
- Domestic workers: Often denied minimum wage
- **Unemployment** : Everywhere higher rates for migrant workers.
- Domestic workers: losing job, losing home
- **Social security** : Disparity in protection
- Domestic Workers : no protection; no access to health services
- **Safety and Health**: Migrant workers occupy dangerous jobs
- Domestic workers: face violence and rights abuses
- **Freedom of Association** : Limited access for migrants
- Domestic workers: denied freedom of association
- **Discrimination** : Access to employment
- Domestic workers : pregnancy test, HIV/AIDS testing
- **Decent work deficits even worse for undocumented workers:**
- **Forced Labour: 14,2 million victims**

# Economic and social contribution of migrant domestic workers



- **Increases household productivity and living standards**
- **Enhances well-being of women and children**
- **Increases school enrollments**
- **Contributes to economic activity**
- **Contributes to development (remittances: 372 billion USD a year)**

# The charter of rights for migrant domestic workers



- 1. All ILO Conventions apply
- 2. Core Labour Standards
- 3. Specific ILO and UN Conventions
  - ILO Convention 97
  - ILO Convention 143
  - ILO Convention 189
  - UN Convention of 1990

# Underlying principles of standards



## Underlying principles

- ❖ Equal treatment (C97, C143, C189, UN)
- ❖ Equal opportunity (C143, UN)
- ❖ Respect for basic human rights (C143, 189, UN)
- ❖ Protection of undocumented workers (C143, UN, 189)

# ILO Convention 97



- **Definition of migrant workers**
- **Equal treatment for regularly admitted migrants:**
  - Salary
  - Working conditions (hours, overtime, holyday)
  - Social security
  - Trade union rights
  - Benefits of collective bargaining
- **Other provisions:**
  - Free service to migrants (agencies); Combating misleading propaganda; No expulsion in case of incapacity; Prohibition of pregnancy or HIV/AIDS testing.

# Convention 143



- **Article 1:**
- «EACH MEMBER FOR WHICH THIS CONVENTION IS IN FORCE UNDERTAKES TO RESPECT THE BASIC RIGHTS OF MIGRANTS»
- Other provisions:
- Loss of job for regular migrants should not lead to expulsion (Art.8)
- Even if irregular, migrants are entitled to salaries and social security for work performed. (Art 9)
- PART II : Equal opportunity, eliminating discrimination in practice
- Migrants should be allowed to change employers (Art 14)
- Family reunification



# UN Convention



- Builds upon ILO Convention
- Wider coverage
- Seeks to discourage irregular migration
- Seeks to protect vulnerable migrants
- Covers every type of migrants
- Differences in complaint procedures

# The Rights-Based Approach



- ILO and UN Conventions complement each other
- A Unique source of protection for both migrant and national workers
- Once ratified make a difference
- Limit governments appetite for constant changes in migration policies
- Together they contribute to maximize benefits of migrations for all.
- It is now up to trade unions to campaign for ratification and implementation!

# Good Practices



## Trade unions:

- Organizing migrant domestic workers
- Promoting ratification of ILO/UN Conventions
- Collective bargaining
- Alliance with civil society groups
- Trade Union Cooperation agreements
- Providing legal services

## Governments:

- Legal avenues for migration
- Firewall between labour inspection and immigration police
- Regulating employment agencies
- Measures to protect domestic workers in diplomatic household