

Decent Work for Domestic Workers



*Convention No. 189
Recommendation No. 201*

Key principles of the instruments



- All ILO Conventions apply to domestic workers (Preamble).
- ILO Conventions are minimum standards
 - (art. 19) in relation to other Conventions.
 - (art 19. 8 Constitution in relation to national legislation.

Key principles of the instruments



- **Definition: sufficiently broad, sufficiently narrow.**
 - Keyword: “Employment relationship” (art 1)
 - Work in or for a household

- **Possible exclusions(article 2).**
 - (a) categories of workers who are otherwise provided with at least equivalent protection;
 - (b) limited categories of workers in respect of which special problems of a substantial nature arise.

Key principles of the instruments



- **Respect of basic human rights**
- **Fundamental Principles and Rights at work**
 - Human Right Treaties referred to in Preamble
 - Other ILO Conventions referred to in Preamble (97,143)
 - Core labour Standards
 - Freedom of Association
 - Elimination of child labour
 - Abolition of forced labour
 - Non-discrimination

Key principles of the instruments



- **Equality of Treatment:**
 - ✦ Terms and conditions: art 6
 - ✦ Working time art 10
 - ✦ Minimum wage art 11
 - ✦ Payment in kind art.12
 - ✦ Social security art. 14
 - ✦ Access to court art. 16

Key principles of the instruments



- **Consultations with trade unions**
 - ✦ Exclusions (art. 2)
 - ✦ Safety and Health (art. 13)
 - ✦ Social Protection (art. 14)
 - ✦ Employment agencies (art. 15)
 - ✦ Implementation of the Convention (art. 18)

Key principles of the instruments



- **Migrant workers**
 - Scope of the convention (art 8)
 - Preamble (C97-C143; UN Convention)
 - Written contract prior to crossing border
 - Regulation of employment agencies (art. 15)
 - Repatriation costs.

Key principles of the instruments



- **Articulation between the Convention and the Recommendation**
 - Freedom of Association
 - Non-discrimination
 - Repatriation costs
 - Weekly rest
 - Payment in kind
 - Termination of employment
 - Work in diplomatic households