



# “Analysis On The Problems Of Women Domestic Workers In India”

**Deepa Singh**  
sage university, Indore

## Abstract :

Domestic work is work done in or for multiple households. In India, household work is always considered to be the responsibility of women. It has become essential for both men and women in a family to earn money for a better life. However, the need to employ a female worker to do all the household chores has increased. Domestic workers make up a part of the unorganised workforce in the Indian population. Their working conditions are often undervalued, unprotected, and unregulated. The pandemic has highlighted the importance of keeping our homes and surroundings clean. On the other hand, it has also highlighted the importance of acknowledging the presence and skills of domestic workers. Domestic workers do not receive minimum wages or working conditions that are safe. In this context, this paper aims to discuss their challenges, working conditions, and their rights to be protected.

**Keywords:** domestic workers of India, working conditions, human right, unorganized protection.

## Introduction :

For more than millions of women worldwide are domestic workers. It is one of the oldest types of informal employment. It remains as a highly personalized and an important area of work, especially for women workers. Domestic workers are often identified with socially and economically weaker sections of people, for whom this becomes the main source of income. In India, household works are always considered to fall within the ambit or sphere of women. And it has constantly been viewed as the ‘duty’ of women; be it mother, sister, wife or daughter. In the present set-up of the so called globalized working era, it becomes indispensable for both the male and female members of a family to earn for a better and a demanding life. So, it has become very casual to engage a female worker to look after or take care of all the household chores.

There is a high need for domestic staff due to the strong preference for nuclear households. Women are more likely to do housework because they have fewer options and are less likely to have access to higher education, the workforce, and other opportunities. These female domestic workers are part of the unorganised workforce of the Indian population and there is a steady increase in the number of these women’s domestic labor. The type of work can vary from cooking, washing & cleaning, looking after children, etc. Even though the work seems to require skill and hard work, it falls under the category of unorganised labour.

These workers are highly dependent on their employers and if there is an altercation between these workers and the employers, they lose their jobs immediately. The situation is even worse if the domestic workers stay in the employer’s house as they are subjected to sexual abuse. Thus, they become the main cause of vulnerability and exploitation against them.

## DEFINITION OF FEMALE DOMESTIC WORKERS:

Domestic workers have been defined in multiple ways over time. A few definitions are as follows:

1. An act presented in Rajya Sabha (Upper House of the Indian Parliament), entitled “The Household and Domestic Servants (Conditions of Service and Welfare) Act”, GOI 2004, defined domestic workers as:
  - a. “Domestic servants means any person who earns his livelihood by working in households of his employer and doing household chores”, and
  - b. “Housemaid means a women servant who performs household chores for a wage”.
2. The International Labor Organization (ILO) broadly defines a domestic worker as “someone who carries out household work in a private household in return for a wage.” (as quoted in Kundu, 2007)
3. Unorganized Non-Agricultural Workers’ Conditions of Work and Social Security Bill, 2007, has included the domestic servants into the category of wage workers. According to the bill “wage worker means a person employed for a remuneration as an unorganized non-agricultural worker, directly by an employer or through any agency or contractor, whether exclusively for one employers or more employers, whether simultaneously or otherwise, whether in cash and or in kind, whether as a temporary or casual worker, or as a migrant work, or workers employed by household including domestic workers” (GOI, 2007)

## PROBLEMS FACED BY FEMALE DOMESTIC WORKERS AT THE WORKPLACE AND HOME :

Domestic workers who are women have several issues both at work and at home. They are never treated fairly by employers because they are unaware of their rights. The caste, religion, and even regional characteristics of these laborers are other grounds for prejudice. The kitchen of someone from a higher caste is off limits to a domestic worker if they are a member of a marginalized group in society. There is a caste-based division of labor among the female domestic employees. A person's caste identification is always vital while applying for any specific domestic employment.

The following are the primary issues these women encounter at work:

1. Almost 80% of female employees are dissatisfied with their pay and demand higher wages. They receive a daily wage of Rs 1,000–1,500 for cooking and a monthly wage of Rs 200–500 for washing clothes and cleaning the floor.
2. They perform "extra work" when visitors come to their employers' homes, but the employers do not reimburse them for these services.
3. There are no paid holidays, which translates to no work and no money. These fundamental concepts are put into practice in this employment.
4. They request at least one free day every week, however their employers are against this demand.

## PROBLEMS AT HOME :

Most women who work as housekeepers have alcoholic husbands who are frequently violent. They must desist from their aggressive tendencies.

- a) The majority of women receive little financial assistance from their friends and family.
- b) Additionally, they endure maltreatment from their spouses. These laborers are badly underpaid. Due of their lack of resources, they entered this line of labor.
- c) They repeat the same tasks at home, resulting in a double effort that includes both their personal and professional responsibilities.
- d) Although these women often go to public hospitals, they also like private ones because they demand less time because of it. As a result, when their health declines in both scenarios, their expenses rise.
- e) They must typically wait in a lengthy queue for hours to gather two buckets of water because most of them live in disorganized colonies with limited water supplies, which presents another challenge to them.
- f) Due to their lack of education and financial situation, these employees are unable to pay attention to their children's education.

## International and National Status

There have been instances where domestic worker concerns have received too much attention on a worldwide scale. To draft and enact legislation to protect their rights, however, has remained up to the states' judgment and priorities. A convention that establishes minimum wage requirements for domestic employees is known as the Convention on Domestic employees, or officially the Convention concerning Decent Work for Domestic Workers.

The International Labor Organization's 100th session saw the adoption of its 189th convention, making it. It becomes effective on September 5, 2013. It focuses on the rights granted to domestic employees, such as the right to a living wage, daily and weekly rest periods, and the freedom to select where they want to live or spend their time off.

The lack of full recognition of domestic employees as "workers" and the treatment of their job as "productive labor" in India causes it to fall into a trap, and as a result, the labor laws do not specifically address domestic workers. The Domestic Workers Welfare and Social Security Act, 2010, was the target of an attempt to pass specific legislation; however, the bill was never passed. Subsequently, the Domestic Worker's Welfare Bill, 2016, was introduced but was never carried out, leaving domestic workers with no statute or legislation under which to voice their concerns.

The Supreme Court has ordered the federal government to stop funding domestic worker subsidies and has encouraged state governments to start domestic worker registration.

It is notable that certain governments, like Tamil Nadu, Rajasthan, and Karnataka, have established minimum pay for these workers. Even if it may be a step in the right way, simply correcting pay may not be enough to stop real-time infractions.

## Labor Legislations and Domestic Workers:

The unorganized sector includes domestic workers in large part. They are not covered by insurance, maternity benefits, old-age pension subsidies, or wage protection. Additionally, they are unable to make retirement plans. The basic justification for this is that since they are not technically employed, they are not protected by national labor laws. They are only subject to the whims and benevolence of those who employ them. Since they are completely shut off from their homes, families, and friends, domestic employees who are migrants must deal with even more difficulties. They are unable to request time off to attend any activities taking place in their hometown. They do not receive consistent pay that guarantees. Encourage domestic workers to join groups or unions so they may advocate for their rights and strengthen their negotiation position.

The Unorganised Sector Workers' Act, 2008 (Act 33 of 2008) was created by the government with the intention of improving the living circumstances for "Domestic Workers." After that one more Act made for the same intention that is "Domestic workers Welfare and Social Security Act 2010".

The strong employers who employ domestic servants also subject them to harassment and torture, and these incidents are frequently hidden from view. The primary cause of these hardships is a lack of legal safeguards for their rights. They therefore endure a variety of hardships and sorrows in spite of their fruitful job. The primary cause of the multifaceted abuses and exploitation that domestic workers in India encounter is the lack of laws or particular legislation.

## CONCLUSION :

The condition of domestic employees, especially women workers, is highly depressing. They should have the ability to work with dignity and respect, get fair compensation, be able to manage work and family obligations, and have access to self-development opportunities. Therefore, it is without a doubt the duty of the Central and State Governments to establish policies and make significant efforts to include domestic employees in labor laws.

Domestic workers must get the necessary protection and care, without any kind of discrimination. To safeguard, secure, and defend this unappreciated, underprivileged part of the economy and acknowledge their contribution, it is important to either include these domestic workers within the existing labor laws or to pass special legislation. The pandemic has created a crisis scenario due to the loss of employment, which has a significant impact on the situations of domestic employees. Therefore, via well-considered legislation, an effective administrative machinery for the proper execution of the legislative obligations, and robust civil society participation, the rights of domestic workers in India will be reinforced and maintained.

Additionally, legislation establishing a minimum wage and requiring weekly vacations are among the urgent needs of the hour. Due to their social and economic vulnerability, domestic workers should be given the required attention and protection. Developing this sector would do more to further the development of the nation. The condition of domestic workers would be greatly enabled and empowered by support from civil society and public awareness.

Let's provide this underprivileged, unacknowledged, and invisible workforce the tools they need to stand up for their lawful rights and respect for human rights.

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