

Chapter Four: Domestic Worker Mobilisations in India— Work Like Any Other, Work Like No Other¹⁰³

This chapter analyses the history of domestic workers' mobilisations at the national level and at the subnational levels of Gujarat and Karnataka. Similar to the chapter on anti-rape mobilisations, key moments at the national, subnational and international levels, key events and policy windows around which mobilisation has occurred will be explored. Further, the chapter will identify some of the principle actors involved in the mobilisations, particularly focusing on organisations and networks that have emerged at the national and subnational levels. Finally, the main claims raised by these actors and the processes to build consensus will be analysed. But first, we turn to the context of domestic workers to understand the numbers and profiles of domestic workers in India.

4.1 *Setting the Scene: Overview of Domestic Work in India*

Domestic work in India is a highly feminised sector of work, and there has been a phenomenal increase in the number and proportion of women in paid domestic service over the decades. This was particularly the case between 1999-2000 and 2004-2005, although more recent estimates have seen a downward trend (Neetha 2009, 2013c). Domestic work is also a highly invisibilised and undervalued sector of work because of the associations between domestic work and reproductive labour and its performance by poor women (see for instance Gothoskar 2013; Neetha 2013b).

Domestic work is one of the largest sectors of work in urban areas (Task Force on Domestic Work 2011; Palriwala and Neetha 2011: 102). The socio-demographic profiles of domestic workers indicate that the majority are illiterate, and that dalits form a large proportion (about one-third) of these workers (Palriwala and Neetha 2011: 103), although this second trend is changing (Neetha 2013c). Moreover, over the last few years, the numbers of inter-state migrant female domestic workers in the cities have increased.¹⁰⁴ As Neetha Pillai notes, domestic work is increasingly becoming an all-migrant occupation, albeit with some workers being second-generation workers living in the cities since birth (Neetha 2013c). Domestic work in India, as elsewhere, is characterised by informality, precarity, poor working conditions including poor pay, lack of minimum wages, long working hours, lack of rest periods and adequate leave, lack of job security, poor or non-existent maternity and other work benefits (such as child care, pensions, medical insurance), arbitrary dismissals without notice or compensation, acute lack of social security and protection, and caste, class and gendered discrimination.¹⁰⁵ This is all the more acute in the case of migrant domestic workers (Mehrotra 2010). In the following sections, we locate the context of domestic work in India by examining the details of the numbers and socioeconomic profiles of domestic workers, as well as the situation with migrant domestic workers. We also locate the abysmal non-recognition of domestic work as work in law. Before we turn to these issues however, we examine the problems with categorising and defining domestic work.

¹⁰³ The title is taken from Peggie Smith's 2011 article in *Employee Rights and Employment Policy Journal*, Vol. 51, No. 157, 2011; and Washington University in St. Louis Legal Studies Research Paper No. 12-05-30, to capture the nature of domestic work, which although it is work like any other, it is also complicated by its invisibilised nature, and the difficulties of conceptualising the kind of work that constitutes domestic work (see the chapter for details).

¹⁰⁴ Neetha 2004, 2009; Mehrotra 2010; Rao 2011.

¹⁰⁵ ILO 2013; WIEGO website, <http://wiego.org/>, last accessed 20 March 2016; Bhattacharya and Sinha 2009; Palriwala and Neetha 2011.

4.1.1 Definitional issues

Domestic work is difficult to define. This is not only because domestic workers are not a homogenous group, but also because of the nature of domestic work itself (ILO 2013). Definitions are usually unable to capture either the multiplicity of tasks performed, the place or even the duration for which the work is performed, especially when seen from the perspective of the worker.¹⁰⁶ Neetha (2009) identifies some of the key definitions in circulation, nationally and internationally. At the international level, the ILO's International Standard Classification of Occupations (ISCO) recognises domestic work under two classification groupings, 5 and 9:

- Classification 5 (service and sales workers) covers both commercial establishments and private households and includes cooks and domestic housekeepers, home-based personal care workers, and other jobs associated with caring for children and the aged.
- Classification 9 (elementary workers) also covers both private households and commercial establishments and includes domestic and related helpers, cleaners and launderers. This again covers both private households as well as commercial establishments (ISCO 2008; Neetha 2009).

As a recent ILO report (2013) recognises, both classifications are task-based classifications and the “place of work” is subsumed within the classifications. However, what makes domestic work unique and difficult to regulate, among many other things is that it is carried out in private households. This calls for a place of work-based definition.

The India specific bases of classification are also beset by flaws.¹⁰⁷ Under the National Industrial Classification, domestic workers are usually included under Division 95, “private households with employed persons” (Raveendran, n.d). There are further sub-categorisations such as cooks and governess/baby sitters, housemaid/servant and others (Neetha 2009: 490).¹⁰⁸ This definition as Neetha argues, clearly takes account of the place of work as well as attempts to account for a task-based definition. Seemingly, the omnibus categories of housemaid/servants would include those doing the cleaning tasks, and not those doing the cooking and childcare work (through a process of exclusion), but as Neetha says, “all those who are familiar with domestic workers would be aware of the multitude of tasks that many workers perform, and also about the growing number of workers who perform only cleaning tasks” (Neetha 2009: 490). The tasks involved in domestic work usually includes all household tasks such as cleaning of clothes, utensils and the house, cooking, child care, nursing, care of the elderly, and the purchase of provisions and vegetables. Any categorisation system needs to capture the degree of specialisation and the multiplicity of tasks in domestic work as well as the location at which the work is performed (Neetha 2004, 2009).

¹⁰⁶ Neetha 2009; also see Bhattacharya and Sinha 2009; Task Force on Domestic Work 2011.

¹⁰⁷ The National Sample Survey Organisation (NSSO) employs several data elements to categorise domestic workers to estimate their numbers, including industry, occupation, activity status, and location of work (Raveendran n.d).

¹⁰⁸ Since the 2007-2008 round, the revised National Industrial Classification (NIC) (2004) has been followed. However, this has created problems for the categorisation and counting of female domestic workers by merging some of the previous gender differentiated sub-categorisations. As Mazumdar and Neetha (2011: 11) argue, now “we can no longer make any clear distinctions, for example, between security guards in private households—a rapidly expanding segment of male employment in urban areas—and domestic workers—an increasingly feminized occupation”.

The National Classification of Occupations (2004),¹⁰⁹ identifies domestic workers in several groups of occupations including: Service Workers and Shop and Market Sales Workers (Division 5) and Elementary Occupations (Division 9)¹¹⁰. Division 5 includes housekeepers and related workers, cooks, personal care and related workers distinguished at both institutional and domestic levels. Division 9 includes domestic and related helpers, cleaners and launderers again at both domestic and institutional levels. The omnibus category of domestic servant finds a place in the occupational categorisation as well. Moreover, domestic workers continue to be spread across occupational categorisations. The problems with both the National Industrial Classification and the National Classification of Occupations are summarised by Raveendran (n.d). He argues that although the industrial classification is based on those who work for a household,

[in] practice, those who work for multiple households for fixed time periods are often not classified as domestic workers. Further, in many cases, the industry codes of the persons employed by households are recorded as that of the specific work performed instead of domestic work. For example, a person tutoring children in the household for wages is given the industry code of primary teacher or secondary teacher instead of domestic worker. Similarly, a driver employed by a private household is given the industry code of non-scheduled passenger land transport. Thus there is a lack of consistency between industry classification and occupational classification and it leads to under estimation of domestic workers.¹¹¹

Organisations such as WIEGO bring to focus further dimensions of domestic work. They classify domestic workers based on their hours of work and the nature of their employment into part-time, full-time and live-in workers.

A part-time worker is a worker who works for one or more employers for a specified number of hours per day or performs specific tasks for each of the multiple employers every day

A full time worker is a worker who works for a single employer every day for a specified number of hours (normal full day work) and who returns back to her/his home every day after work.

A live-in worker is a worker who works full time for a single employer and also stays on the premises of the employer or in a dwelling provided by the employer (which is close or next to the house of the employer) and does not return back to her/his home every day after work.¹¹²

The problem, however, with distinguishing between part-time and full-time workers is that these distinctions are from the perspective of the employer, rather than the worker, as a part-time worker maybe a full-time worker in terms of the number of part-time jobs she does in a day (Neetha 2009).

It is clear that defining domestic work is no easy task. However, the urgency of defining it in terms of the place of employment runs through most of the commentaries and critiques on domestic work (Neetha 2009; Nimushakavi 2011). This is because so much of the legislation in India, particularly labour laws, cannot be applied to domestic workers working in private households owing to the “nature of their place of work”

¹⁰⁹ The National Classification of Occupations (2004) follows ISCO 88. Until the 2004-2005 round, NSSO used the previous version of the National Classification of Occupations (1968) for its compilation of data.

¹¹⁰ There are other occupational classifications that are used to estimate the numbers of domestic workers (see Chen and Raveendran 2011).

¹¹¹ Although the industrial classification is preferred by scholars in estimating numbers of domestic workers (Mazumdar and Neetha 2011), Raveendran proposes a combination of codes including industrial, occupational, employment status and location of work codes. He estimates the numbers of domestic workers based on NIC (industry) Code 950 and informal wage workers with place of work codes 13 or 23 (employer's dwelling) and one of the following NCO (occupation) codes: 159, 510, 520, 521, 529, 530, 531, 539, 540, 541, 542, 549, 574, 652, 986, or 999. In the 66th Round [of NSSO] the occupational codes were 233, 512, 513, 611, 832, 913, 914, 915, 916 and 931 (Chen and Raveendran, 2011: 11).

¹¹² See WIEGO website, <http://wiego.org/>, last accessed 20 March 2016.

which falls in the private sphere. It is equally important to understand that the place of work in case of domestic workers also contributes to their (lack of) ability to bargain for better wages, their right to organise and access to social security measures and a redressal mechanism.

The recent ILO Domestic Workers Convention, 2011 (No. 189), reflects this when it defines “domestic workers” in Article 1:

- (a) the term “domestic work” means work performed in or for a household or households;
- (b) the term “domestic worker” means any person engaged in domestic work within an employment relationship;
- (c) a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.

This is clearly not a task-based definition, but it acknowledges the importance of bringing into purview work done in the household, namely, within the private sphere.¹¹³ However, as Bhattacharya and Sinha (2009) point out, a classification that only looks at employer or household automatically includes both male and female domestic workers, whereas the issues of women domestic workers are different from male domestic workers. Women have much less bargaining power owing to their gender and the fact that they work inside the house, whereas many male domestic workers work as drivers or gardeners. Moreover, certain tasks in particular such as cleaning, dusting and washing utensils are devalued and not considered as “work” and need to be singled out for policy attention (Bhattacharya and Sinha 2009).

Nalini Nayak of SEWA Kerala reflects on the issues of definition by suggesting that “domestic work is difficult to classify but not so difficult to define”. She argues that the ILO Convention defines domestic workers as “those who work *for* the household, whereas in India, [domestic worker groups] would prefer domestic work to be defined as those who work *in* the household” (personal communication, 20 November 2014).

Apart from the definition of domestic work, the question of the appropriate terminology for “domestic work” is also significant.¹¹⁴ The report of the 99th session of the International Labour Conference (ILO 2010:15) notes that the “language surrounding this occupation has varied greatly over time and according to geographical and cultural context”. Drawing attention to the ways in which domestic work has been designated over the years, through terms such as “maid”, “servant”, “household aide”, “household helper”, or through concepts such as “home care”, “private household” the report affirms the importance of the language of work as opposed to care, or aide or helper, which usually mask the broad range of work carried out by carers, as well as obfuscates the work involved in care giving. Moreover, the use of the terms “maid” and “servant” imply a relationship of servitude. In India too, the effort by domestic worker groups has been to shift the discourse on domestic work from a relationship of status and servitude to a relationship of contract and work. The behemoth nature of the task is laid bare in Ray and Qayum’s book on the cultures of servitude where they locate the “persistence of forms of dependency and submission” in relations of paid domestic work and note the ubiquitous use of the terms “servants” and “maidservants” (2009: 4).

¹¹³ The ILO excluded a task-based definition because this could vary across space and time, and instead left it for the countries adopting the Convention to further refine the definition in terms of classifications and terms of employment (ILO 2013).

¹¹⁴ We shall return to the issue with defining domestic work when we examine the attempts in law to deal with domestic work below. We shall also examine the issue of terminology in more detail in organising strategies below.

4.1.2 Numbers of domestic workers and socioeconomic profiles

There is a vast disparity in various accounts of the numbers of domestic workers. As an ILO policy brief on domestic work remarks, “although it is not unusual to find discrepancies between official estimates and estimates from other sources, the case of India is particularly striking given the magnitude of the difference” (ILO 2011: 4). The policy brief’s estimates for numbers of domestic workers in India range from 90 million to 2.5 million, a vast disparity indeed. The recurring figure of 90 million domestic workers is attributed to the media and non-governmental organisations, though, as the policy brief notes, there is no explanation of how this figure is arrived at. The other figure of 2.5 million domestic workers is attributed to a study by Palriwala and Neetha (2009). This data excludes several categories of domestic workers such as gardeners, gate keepers and watchmen, given that these are largely male professions, and the authors’ interest was in accounting for the number of female domestic workers (Palriwala and Neetha 2009).

The National Domestic Workers Movement (NDWM), one of the older mobilisations of domestic workers in the country, also provides an estimate of the numbers of domestic workers in India. It suggests that there are 20 million domestic workers in the country, although it is unclear how they arrive at this figure.¹¹⁵ Another source for recent data on domestic work is the Employment and Unemployment Survey 2009-2010 by the Labour Bureau, which indicates that domestic workers constitute 2.7 percent of total employed persons in India, amounting to more than 10 million domestic workers (Eluri and Singh 2013).

The most commonly cited numbers for domestic workers, however, are based on data analysis of the employment and unemployment figures published by the national Sample Survey Organisation (NSSO), which (as we have seen above) are also beset by categorisation and enumeration issues. Estimates from the 61st Round (2004-2005) reveal a total of 4.75 million domestic workers (based on the category of “private household with employed persons”) of which 3.05 million were women workers in urban areas.¹¹⁶ More recent rounds of NSSO data for employment and unemployment (the 66th and 68th rounds in 2009-2010 and 2011-2012 respectively) show a downward trend in the numbers of domestic workers, with the latest figures (2011-2012) indicating a total of 3.9 million, with women domestic workers constituting 2.6 million (Eluri, S. and A. Singh 2013). As Chen and Raveendran note, “in 2009/2010, 9 per cent of female informal wage workers were hired by households as domestic workers: down from a high of 12 per cent in 2004-2005 but up from 6 per cent in 1999/2000” (2011: 7). Overall, however, there has been a feminisation of domestic work over the decades, and it is to this that we now turn.

Feminisation of domestic work

Domestic work in India has been characterised by increasing feminisation, particularly in the last few decades. The literature on domestic work notes the phenomenal increase in the number and proportion of women in paid domestic service over the decades.¹¹⁷

¹¹⁵ See NDWM website, <http://www.ndwm.org/>, last accessed 20 March 2016.

¹¹⁶ Neetha 2009; Bhattacharya and Sinha 2009; Eluri and Singh 2013. This data (until 2004-2005) also shows a clear distinction between the types of domestic tasks carried out by each gender: most female domestic workers were employed as housemaids/servants, while men dominated in sub-categories such as gardeners, gatekeepers and in the residual category of other occupations (which includes, for example, butlers and chauffeurs) (ILO 2011). Some studies, (for instance, ILO 2011) attribute another figure of 4.2 million domestic workers to the same NSSO data (2004-2005), revealing discrepancies in the categories employed to count domestic workers (Chen and Raveendran 2011).

¹¹⁷ Neetha 2009; Palriwala and Neetha 2011; Chen and Raveendran 2011; Ghosh 2014.

As Neetha has argued, this was particularly the case between 1999-2000 and 2004-2005. In 2004-2005, of the total domestic workers (4.75 million) estimated by the NSSO, 71.6 percent (3.05 million) were women in urban areas, “making the sector the most prominent in female employment in urban areas” (Neetha 2009: 492; also see Bhattacharya and Sinha 2009). The particular category of housemaid/servant within the overall category of “private household with employed persons” showed a high degree of feminisation, with women constituting 87.4 percent of this category (Neetha 2009). In terms of the share of domestic work in female employment overall, this increased from 11.8 in 1999-2000 to 27.1 percent in 2004-2005 (Neetha 2009).

Neetha (2009) draws a more variegated picture of the numbers of domestic workers in the 1980s. In 1981, the survey conducted by the Labour Bureau found that neither sex had a monopoly of the occupation among full-time domestic workers. On the other hand, however, other studies done in the same period indicate a preponderance of women domestic workers. For instance, the Shramshakti report of 1988 found that 1.68 million out of an estimated 2.3 million domestic workers were female workers. Similarly, the Catholics Bishops Conference study in 1980 estimated that 78 per cent of domestic workers in 12 cities were female and in Bombay, 90 per cent were female (Neetha 2009: 491-492). Moreover, whatever the differences in numbers between male and female domestic workers, the Catholic Bishops Conference study found that there was gender stratification with the men concentrated in better paying jobs (Neetha 2009).

From 1983 to 1999, there was an increase in the number of women domestic workers. A Jagori study based on NSSO data notes, “In sharp contrast to the number of male domestic workers remaining static at 0.3 million between 1983 and 1999, the numbers of female domestic workers have increased from 1.2 million to 2 million in the same period” (Mehrotra 2008: 2).

According to Palriwala and Neetha (2009), the sharper increase was to come during the early years of the 21st century with a phenomenal jump in the number of women domestic workers by about 2.25 million in five years from 1999-2000 to 2004-2005. Nevertheless, the data reported by the NSSO in 2004-2005 have since been disputed because of anomalies (Neetha 2013c).

In 2009-2010, the number of women domestic workers was estimated at 1.83 million. Although this number is also beset by faulty and limited methods of data collection by the NSSO, if one takes the long view and looks at the figures at the distance of a decade, this still constitutes a growth in the sector from a female share of 63.4 percent (1999-2000) to 68 percent (2009-10) in the wider category of total domestic workers. The housemaid/servant category shows the highest increase over the decade, accounting for 92 percent of all female domestic workers (Neetha 2013c). Feminist economist Jayati Ghosh (2014) argues that this is because the high rates of economic growth have not translated into an adequate increase in the formal sector. Instead, rising inequalities have meant on the one hand, an increase in self-employment with more and more people desperate to supplement incomes, and on the other, a rising middle class that can afford to hire domestic work. Moreover, she argues, “inequality in India permits lower wages for domestic work” (Ghosh 2014).

The relationship with domestic work and women has also been analysed from the perspective of a gender-based division of labour and from a conception of the perceived “natural role” of women in reproduction, to a devaluation and invisibilisation of

domestic work because it is performed by women.¹¹⁸ This critique of the conception of domestic work as naturally associated with women also informs the claims making by domestic workers groups—namely, to shift the discourse from one of unskilled and unvalued labour to one that recognises both their skills and value as workers.

Age and marital status of domestic workers

Neetha (2013c) analyses the data from NSSO for 2009-2010 to make the case that a large proportion of domestic workers are between the ages of 31-40 (33.3 percent) and 41-50 (22.6 percent), while the share of those above 50 years also stood high at 17 percent. This statistic is echoed by a Jagori study (Mehrotra 2010) of domestic workers in Madanpur Khadar J.J. Colony in Delhi, where they found that most women domestic workers were in the age group of 30-40 years, followed by the age group of 40-50 years. Another Jagori report (Mehrotra 2008) based on a survey conducted in Jaipur from October 2005 to September 2006, also found a significant number of women domestic workers in the age group of 31-40 years (27.3 percent), but with the second highest age category between 19-25 years (21.2 percent).

A survey of women domestic workers in Ahmedabad by the Institute of Social Studies Trust (ISST) in 2008 found that 41 percent of the women were between the ages of 26–35 years. A household survey of 100 domestic workers in three settlements of Bangalore revealed that the maximum number of women (78.5 percent) were in the age group of 20-45 years. Despite the variations in terms of migrant status and location (Mehrotra 2008), the patterns that emerge indicate that it is older women who are largely employed as domestic workers. However, interestingly, an AIDWA study on paid domestic work in Pune reveals that more “younger women are joining as domestic workers” (cited in Moghe 2013).

Along with age, the marital status of women is also a key determinant to understand who performs domestic work. As per a 2009 survey conducted by ISST of live-out domestic workers in Delhi, nearly 76 percent reported being currently married. Nearly 11 percent of the workers sampled in East Delhi were single women (ISST 2009). Neetha’s analysis of NSSO data (2009-2010) indicates a variance with ISST’s figures; however, it also indicates that currently married women were the largest proportion of domestic workers (55 percent), followed by widowed or divorced/separated women (30.4 percent). Neetha makes the argument that both the age and marital status of domestic workers are indicative of two things: “the naturalization of housework in a woman’s work by marriage” and that “it is older women (for whom possibly other employment opportunities are few) who take up domestic work” (2013c: 35).

Educational qualifications

Neetha’s analysis (2013c) based on the NSSO data of 2009-10 shows that 54 percent of domestic workers were illiterate, while about 83 percent had less than middle level schooling. The ISST study (2009) is even more discouraging. It found that 72 percent of domestic workers were non-literates and only 11 percent could sign their names. A small percentage (8 percent) had completed primary schooling. Moreover, only 1.4 percent of the sample reported having undergone any type of training prior to joining work. The Jagori study of domestic workers in Delhi (Mehrotra 2010) also reveals a similarly disappointing picture. Only a relatively small percent domestic workers (as per the sample) had ever attended school. Of these, 43 percent had only attended school for

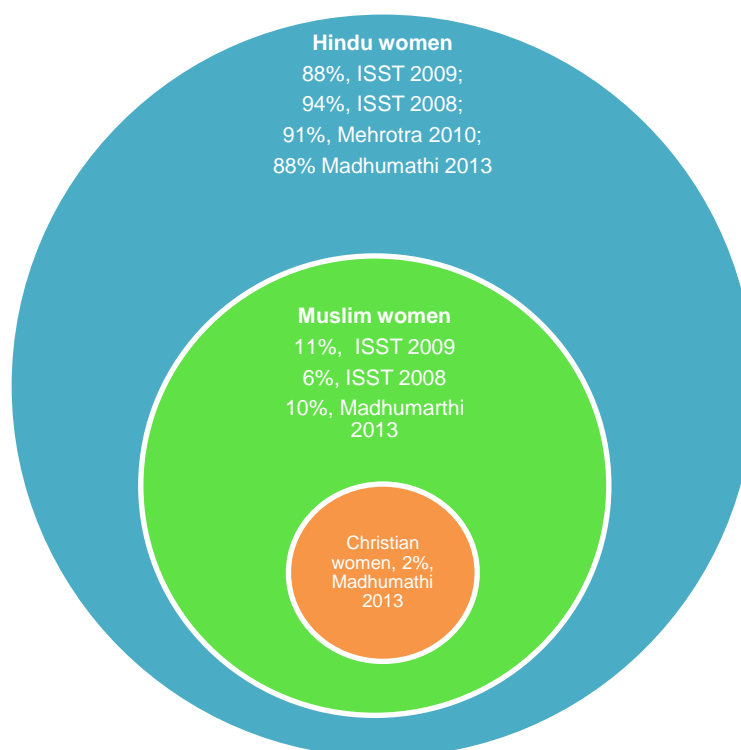
¹¹⁸ Srinivas 1995; Parliwala and Neetha 2009; Gothoskar 2013; Neetha 2013b; Nimushakavi 2011; Raghuram 2001; Ray and Qayum 2009.

3-5 years and 26 percent had attended it for 5–8 years. In the SEWA study of domestic workers in Ahmedabad (ISST 2008), around 40 percent of the women surveyed were non-literates, followed by 28 percent of women who had studied until class 7th-9th. Only 8 percent of the women had studied between classes 10-12.

Religion and caste

ISST's study on domestic workers in Delhi (2009) found that 88 percent of women domestic workers were Hindus as against 11 percent of Muslim women. ISST's 2008 report in Ahmedabad also states that a majority of domestic workers are Hindu women (93.58 percent) (the rest being Muslim). The Jagori study in Delhi (Mehrotra 2010) similarly reveals that 91 percent of domestic workers are Hindus, followed by Muslims, Christians and the remaining belonged to other religions like Buddhism. In the Bangalore study, 88 percent of the women domestic workers belonged to the Hindu community, 10 percent of them belonged to Muslims and the rest were Christians (Madhumathi 2013). Neetha (2004) has argued that the smaller presence of Muslim women, particularly given that a larger proportion of them are below the poverty line, possibly can be explained by sociocultural reasons.

Figure 2: Religious affiliation of domestic workers in India across various studies

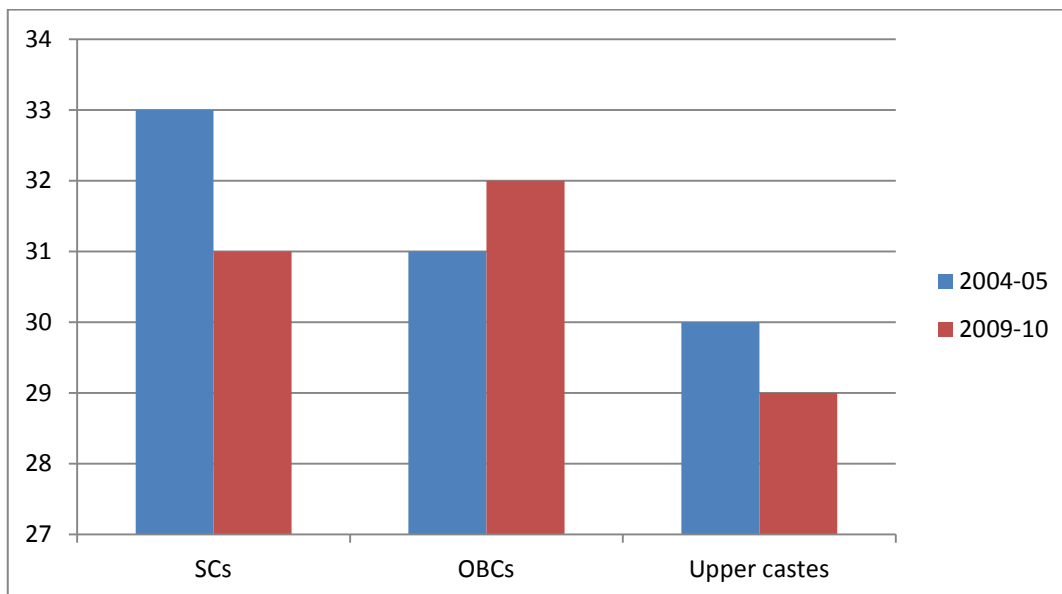


In terms of caste, there are some interesting statistics. The general perception about domestic work has been that is a dalit (Scheduled Caste)-heavy occupation. For instance, a study conducted by Women's Voices and the Bangalore Gruha Karmikara Sangha which covered 1000 women domestic workers across 12 slums across the city, estimated that over 89 percent belonged to the Scheduled Castes (cited in Chigateri 2007). Another Bangalore-based study revealed that women from Scheduled Castes form 75 percent of the domestic workers, whereas 15 percent of the women came from Other Backward Classes (OBCs), 8 percent women came from Schedules Tribes and the rest came from the general category of dominant castes (Madhumathi 2013).

The Jagori study (Mehrotra 2010) also reveals that a high 61 percent of the domestic workers belong to Scheduled Castes. Interestingly, in this study, 31 percent of the domestic workers belonged to general category compared to only 5 percent from OBCs. Traditionally, dominant caste Hindu families would not allow “lower caste” Hindus or Muslims to work in their homes. However, this trend has begun to break down, reflected by the number of women belonging to “lower castes” entering domestic work (Neetha 2009; Sengupta and Sen 2013). Some domestic workers do not enter domestic work in their place of origin due to their “higher” caste status but do so elsewhere. Similarly, “low caste” women would not find employment in their place of origin but less strict caste norms in bigger cities would provide them with employment opportunities.¹¹⁹

At the national level, NSSO data for 2004-2005 reveals that SC women constituted 33.4 percent of domestic workers, with OBCs constituting 30.7 percent and interesting upper castes constituting 30.3 percent (Neetha 2009). These sets of figures had already complicated our understandings of who performs domestic work; that while domestic work was disproportionately performed by dalit women, there was a sizeable proportion of dominant castes and other backward castes performing domestic work. NSSO data for 2009-2010 indicate a shift in these numbers, with women from the OBCs category accounted for the highest proportion (32.4 percent) followed by SC workers (31.2 percent) and upper castes (28.4 percent) (Neetha 2013c). While the shift from the numbers in 2004-2005 is not large, interestingly, there has been a small decline in SC numbers (and in dominant caste numbers too).

Figure 3: Caste composition of domestic workers (NSSO data) 2004-2005 and 2009-2010



Neetha, writing in 2004, and using smaller qualitative studies had made the argument that over time, there had been a decline in the numbers of SC women in domestic work. Although she attributed it at the time to the increase in the number of dominant caste domestic workers, this second trend has not borne out. However, the argument that over time, there seems to have been a decline in the number of dalit women in domestic work has borne out. With more and more women of different castes entering domestic work,

¹¹⁹ Kasturi 1990; Raghuram 2001; Neetha 2003.

other dimensions of education and poverty have come into the picture, making domestic work a concrete option for poor women because of its lack of rigid entry requirements. Despite a change in the caste composition of domestic work, however, caste discrimination has not been entirely done away with (Neetha 2009; Nimushakavi 2011).¹²⁰

4.1.3 Migration status and domestic work

Migration of women has mostly been studied in connection with male migration (Neetha 2004). Implicit in such gender-blind analyses of migration is the assumption that patterns of female migration are likely to mirror those of male migration (Thadani and Todaro 1984). Consequently, migration of women has been conceptualised as domestic and private and not related to the sphere of production (Neetha 2004: 1681). It has only been recently that female migration, especially from rural to urban centres, is being recognised as separate and distinct category of migration. This is particularly important because as we shall see below, there is a preponderance of migrant women in both live-in and live-out domestic work.

Numbers of migrant domestic workers

Analysis of the NSSO data (2009-2010) suggests that across all castes, migrants accounted for the largest share of domestic workers, “with the supply of workers maintained through a regular flow of distress migrants from varied and shifting rural origins” (Neetha 2013a). This finding is echoed by several micro-studies. The ISST survey data (2009) which was restricted to only live-out domestic workers in Delhi finds that nearly 80 percent of the samples were migrants, of which nearly 41 percent came to Delhi specifically for paid domestic work. The largest number of migrants (39 percent) came from Uttar Pradesh, with 15 percent from West Bengal and 10 percent from Bihar. The rest came from Rajasthan, Tamil Nadu, Madhya Pradesh, Tripura, Uttarakhand and Jharkhand (ISST 2009).

Mehrotra (2010) also found that 86 percent of the women domestic workers in Delhi were first-generation migrants and only 14 percent were born in Delhi. Of these, again, a high number (48 percent) were from Uttar Pradesh, followed by 16 percent from West Bengal. The rest came from states including Bihar, Madhya Pradesh, Rajasthan, Orissa, Assam, Tamil Nadu, Jharkhand and Chhattisgarh. The preponderance of migrants from West Bengal is reflected in Rajasthan as well, where nearly half of the live-out domestic workers surveyed belonged to West Bengal (49 percent) (Mehrotra 2008). A further 48 percent of the domestic workers were internal migrants from Rajasthan (rural-urban migration) and the rest came from states of Bihar, Andhra Pradesh, Madhya Pradesh and Uttar Pradesh.

In other states, while migrants dominated domestic work, they were not necessarily external migrants. For instance, Moghe’s study in Pune notes that domestic workers migrate from “different and more underdeveloped parts of Maharashtra, particularly the drought and agrarian crisis-stricken areas of Marathawada and Vidharba” (Moghe 2013:64).

In Kolkata, interestingly, many live-out women domestic workers, although not quite migrants, are commuter domestic workers; they commute to the city from the smaller suburbs and villages around Kolkata by local trains. As Sengupta and Sen note, the

¹²⁰ We discuss this in some detail in the section on caste below.

“supply of labour is more in localities, which are close to local train route ... commuter workers have less to choose from (like new migrants workers), greater financial compulsions (which force them to take arduous journeys everyday), and thus are willing to work at lower wages” (Sengupta and Sen 2013: 58).

In sharp contrast to data from the other states, however, in Ahmedabad, close to 97 percent domestic workers reported Ahmedabad as their domicile and only 3 percent reported their area of origin to be Madhya Pradesh¹²¹ (ISST 2008).

Live-in workers

Much of the growth in domestic work in recent years has been with that of live-out, part-time domestic workers, although there is now a growing demand for live-in workers (Neetha 2004). If domestic workers are beset by the invisibilisation of work resulting in a paucity of information particularly in official statistics, the problem is even more acute with live-in domestic workers, with most of the available information based on qualitative studies. Neetha (2004) has found that in Delhi, first and foremost, almost all the live-in domestic workers are migrants. Further, of these migrant women, a large majority (90 percent) were Christian tribal women. Kujur and Jha have further noted that over 50 percent of such tribal women workers belong to Jharkhand (Kujur and Jha 2006). The Census 2001 data also confirms the presence of 38,364 female in-migrants from Jharkhand in urban Delhi, more than double the number over the previous decade (Rao 2011).

In explaining the preponderance of Christian tribal women as live-in domestic workers in Delhi, Nitya Rao argues,

Feminisation premised on the availability of cheap and trustworthy female labour, is accompanied by increasing recruitment of poor and ethnic minority of women as domestics, especially from the tribal areas of eastern India. ...They are preferred as live-ins due to the stereotypes of them being simple, honest, obedient and hard-working; all positively valued attributes in domestic service, and hence easier to control than their non-tribal counterparts (Rao 2011:763).

This understanding of the need to have a pliable live-in domestic worker is also echoed by an ISST study on domestic workers in Delhi, in which child domestic labour emerged as a significant issue. Nearly 33 percent of live-in workers started work as domestic workers below the age of 15 years (ISST 2009). This is further borne out by the study on domestic workers in Bangalore, although the sample size of live-in domestic workers is quite small (see Madhumathi 2013). What also emerges in the Bangalore study is that a majority of the live-in domestic workers are not married (Madhumathi 2013). This is in sharp contrast to the larger picture of women domestic workers (see above). In the ISST study, other significant issues that emerge for live-in domestic workers are the withholding of salaries, harassment due to long hours of work (many reported working for nearly 12 hours a day), as well as issues of isolation, due to the restrictions on their mobility and the inability to maintain relationships beyond the communications with the employer and the agencies employing them.

Unlike the case of Delhi, in her study of domestic workers in Pune, Moghe (2013: 64) observes that employers prefer maids who hail from their native place as “this offers continuity for those who relocate time to time for professional reasons, and is also convenient from a cultural (language, cuisine, etc.) point of view”.

¹²¹ The migrant workers were found to be working only in the Chandkheda area of Ahmedabad. There were no migrant women in the other three areas surveyed (ISST 2008).

Processes of and reasons for migration

Sex—specific cultural constraints combined with practices of employment and wage discrimination all imply differences in the outlook and expectations of female migrants. Due to the gendered labour market, women are also demanded and have the incentives to move in the same way as men. The role of agency and social networks as facilitators in migration has been recognised in the recent literature on migration theory (Neetha 2004:1681).

Women form a crucial part in the decision to migrate, in the case of both live-in and live-out domestic workers (Neetha 2004; Madhumathi 2013). In fact, the “availability of employment for women was found not only central to the family’s decisions to migrate but also gave women considerable role in the decisions” (Neetha 2004: 1684). Moreover, women migrating to urban centres are aware of the availability of domestic jobs in the city, and are informed of the higher wages and conditions of work. Further, other women such as single women (abandoned, separated or divorced) who have children to support also migrate and take up domestic work (Neetha 2004). Neetha further argues that interestingly,

Though poverty and unemployment (89.1%) were the most important reasons for migration, it was not found as strong as in the case of live out workers...migration was also seen as a rite of passage that provided status, independence, trainings and savings ... Personal freedom, rejection of traditional gender roles, increase in status and dignity, ability to earn money and support ones family along with the charm of living in a big city were other reasons that prompted female migration for domestic work (Neetha 2004: 1684).

Social networks also play an important role in the process of migration of women for domestic work (Neetha 2004: 1685). In the ISST study (2009), a large proportion of domestic workers had specifically migrated for domestic work (41 percent). The presence of friends and families in Delhi, the study found, was reassuring for the majority of live-out domestic workers to move and work in Delhi. Sixty-five percent of the migrant domestic workers received help in finding work in the city from these networks (Neetha 2004). Further, agencies and networks assist migration by providing income support, information about the destination, first residence and access. Neetha argues that “social networks and agencies based on regional, religious, caste and kinship identities are found to be central in the transplantation of these workers’ lives from rural to urban settings” (Neetha 2004: 1685).

However, even among the migrant domestic workers, there are differences in the type of migrations for live-out and live-in domestic workers. Largely live-out or part-time domestic workers migrate with their families whereas live-in workers are usually autonomous of peer group migrants (Bhattacharya and Sinha 2009: 7). The implications of the differences in types of migrations is that live in workers have limited access to larger social networks whereas live-out migrants do have access to social networks based on family, neighbourhood or kinship which helps in understanding work-related information and social support (Bhattacharya and Sinha 2009). Moreover, usually, live-out female domestic workers live with their families in squatter settlements and work in nearby private homes belonging to middle and upper middle classes (Neetha 2004). Neetha (2003) recounts a case study of migrant women domestic in Delhi where only 4.2 percent women domestics migrated on their own and the rest migrated with their families. Some of these women had worked in other regional cities like Kolkata, Patna, Chennai and Jamshedpur, before moving to Delhi. She explains that the “decision to migrate was taken mostly in the context of the household, as for many it is part of the family survival strategies. Poverty, lack of food and scarce job opportunities at the place of origin were found (about 98%) to be the most important reasons for migrating to

Delhi” (Neetha 2003: 1684). As per the study, lack of employment for the male members forces women to migrate and support the family and children.

Similarly, Madhumathi (2013) argues that in her study of domestic workers in Bangalore, lack of employment constituted the recurrent reason (46 percent) for women domestic workers to migrate, followed by marriage, poverty and children’s education. In most cases, husbands’ unemployment is also one of the major reasons for women taking up domestic work (also see Neetha 2004; Madhumathi 2013). The Bangalore study reveals almost 42.27 percent of husbands of domestic workers were found to be unemployed (Madhumathi 2013).

4.1.4 The sporadic and piecemeal recognition of domestic workers in law

Domestic workers have largely been left out of the purview of existing national level labour laws. As a consequence, they are not entitled to work-related benefits such as maternity leave or other social security as workers; nor are their working conditions or hours of work regulated. The fundamental reason for their exclusion is the lack of recognition of domestic work as work by the law. Moreover, the law is reluctant to consider the employer’s home as a workplace to which labour laws apply. Legislation pertaining to workers such as the Industrial Disputes Act, 1947, the Employee’s Provident Fund Act, 1952 and Factories Act, 1948 bypass domestic workers because of the interpretation of terms such as worker, establishment and factories excludes any work done in private homes (Nimushakavi 2011). Other legislations such as the Trade Union Act 1926, the Workmen’s Act 1923 and the Industrial Disputes Act 1947 could in principle be applied to domestic workers, but in practice, owing to interpretation of these laws, they are excluded from the application of these legislations too. As Nimushakavi argues, this “could change with a change in public policy towards domestic workers” (2011: 91). Interestingly, all labour laws become applicable to workers conducting the same domestic duties of cleaning, cooking, etc., if they change their workplace from a private residence to an office or factory because of what the law considers a workplace (Nimushakavi 2011).

An important point is that domestic workers are also implicitly excluded from the National Minimum Wages Act 1948. Although the benefits of the Act can be extended to domestic workers through state legislations, there are very few states where notifications have included domestic workers. Sustained efforts by domestic worker groups have resulted in minimum wage notifications in 10 states and one union territory: Karnataka (2004), Kerala (2005), Andhra Pradesh (2007), Tamil Nadu (2007), Rajasthan (2007), Bihar (2009), Odisha (2009), Assam (2013), Meghalaya (2013), Jharkhand (2014) and the Union Territory of Dadra and Nagar Haveli (2007).

A few states have also attempted to regulate domestic work through the setting up of welfare boards for domestic workers (Madhav 2010; John 2013). Laws to enable domestic workers to avail of social security provisions through welfare boards have been amended or passed on the back of mobilisations by domestic workers in Kerala (Kerala Artisan and Skilled Workers’ Welfare Fund), Maharashtra (Maharashtra Domestic Workers Welfare Board Act, 2008), and Tamil Nadu: (Manual Workers Act (Regulation and Employment and Conditions of Work), 1982).¹²² However, as John argues, “the gaps

¹²² Rupa Kulkarni locates the long history of struggle that led to the Maharashtra Domestic Workers Welfare Board Act which was passed in 2008 (Kulkarni 2010). However, Moghe in her analysis of the law also points out that this is a weak law (Moghe 2013). She notes that the Act has a restricted provision to create tripartite welfare board for domestic workers vested with powers to frame and implement welfare schemes for domestic workers. However, Moghe points out that there is no clear source of funds for this welfare board, and it is entirely dependent on the

between the existence of a law or welfare programme, knowledge of it among potential beneficiaries, and the actual operation and coverage have to be noted” (John 2013: 9).¹²³

There have been sporadic attempts to regulate domestic work as a whole through specific legislation on domestic work at the national level since independence, but these were to no avail (Palriwala and Neetha 2011).¹²⁴ Other recommendations for a national-level law and welfare fund for domestic workers by the Committee on the Status of Women in India 1974 and the National Commission on Self Employed Women and Women in the Informal Sector 1988 also fell on deaf ears (Palriwala and Neetha 2011).

This picture has slowly begun to change with a few important national-level legislations including domestic workers as workers. The inclusion of domestic work in the Child Law (Prohibition and Regulation Act) 1986 (through an amendment in 2006), the Unorganised Social Security Act 2008 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 have been landmark moments in the regulation of domestic work in India, and all of them have resulted from mobilisations by domestic workers.¹²⁵ However, there is still no comprehensive legislation dealing with domestic work, and while domestic workers in some states are recognised by the law as workers for some purposes, overall, domestic workers in India remain unrecognised and unprotected by the law.

4.2 Locating domestic worker mobilisations at the national level

If anti-rape mobilisations began in earnest in the late 1970s, claims making on domestic work emerged later, in the 1980s. Moreover, unlike the anti-rape mobilisations, which took on a truly national character, mobilisations on domestic work have been more sporadic and based on subnational-level mobilisations.¹²⁶ More recently, there have been efforts to bring together mobilisations across the country through networks and campaign groups such as the National Domestic Workers Platform (NDWP) and the

state's funding. Among its many problematic issues, “its biggest flaw is that it has no provision to regulate the working conditions of paid domestic workers and does not mention any legislation for minimum wages and other worker rights” (Moghe 2013: 67).

¹²³ A further attempt at the state level has been the Kerala Domestic Workers (Livelihood Rights, Regulation of Employment, Conditions of Service, Social Security and Welfare) Bill 2009 proposed by the Kerala Law Commission. Roopa Madhav argues that this “is distinctive because it attempts to regulate the entire sector in a more comprehensive manner, not merely in terms of wages, social security or placement agencies” (Madhav 2010). However, this too has not seen the light of day.

¹²⁴ The first such attempt was through a private member's Bill introduced by PN Rajabhoja (from Maharashtra) who introduced The Domestic Workers (Conditions of Service) Bill 1959 in the Rajya Sabha (Palriwala and Neetha 2011). The parliamentary debates on the Bill reveal that there were several loopholes and the member was asked to conduct more research on the subject matter. After this, in the same year, the All India Domestic Servants Bill 1959 was drafted. However, as Palriwala and Neetha (2011: 98) note, “both the Bills included clauses for minimum wages, maximum hours of work, a weekly day of rest, fifteen days paid annual leave, casual leave and a maintenance of a register of domestic workers by the local police. Again, in 1972 and 1977, two private members bill, the Domestic Workers (Conditions of Service) Bill 1972 and 1977 were introduced in the Lok Sabha. The aim of these bills was to bring domestic workers under the purview of the Industrial Disputes Act, but these too were allowed to lapse”.

¹²⁵ See Madhav 2010. Details of the mobilisations are in the following sections. The other legislation that includes domestic workers is the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 which provides the regulation of women and children being procured for employment in cities from rural areas

¹²⁶ Moreover, unlike the abundant literature on anti-rape laws and mobilisations, the literature on claims-making on domestic work in India and its relationship with the processes of policy making is also sparse. In recent years, a small but growing body of work is emerging (Labour File issue 2010; G. Menon 2013; George 2013). Much of the rich literature on domestic work in India instead examines the context of domestic work, the characteristics and conditions of domestic work (including migrant domestic work) the push and pull factors for entry into domestic work, as well as the meanings of servitude and hierarchy in domestic work from a gender lens, and also from a caste lens (see Neetha 2004, 2009, 2010, 2013a, 2013c; Nimushakavi 2011; Ray and Qayyum 2009; Srinivasan 1995; Rao 2011). There is also literature that locates the gendered aspects of domestic work, including the links that are made with reproductive labour and the reasons for its invisible, purportedly unskilled and undervalued character (see Nimushakavi 2011; Palriwala and Neetha 2009; Gothoskar 2013).

Domestic Workers Rights Campaign . Further, in the lead up to the ILO Convention 1989, there have been efforts to coalesce mobilisation efforts around the draft National Policy on Domestic Work and on a couple of key legislative proposals in the form of Bills on Domestic Work.

In this section, we locate the national picture on domestic work by also focusing on the mobilisations on domestic work at the subnational levels for two purposes: to show the growth of mobilisations focusing on domestic work across the country and to indicate the key issues that have animated the claims making of domestic worker groups. This section also locates a timeline of key events, including key policy and law reform moments, but particularly focusing on the processes leading up to these events. It locates key actors (including domestic worker groups, domestic worker unions, broader labour unions, the Task Force on Domestic Work and organisations such as the ILO), claims (including who makes what claims, the contested nature of some of the claims, and how the nature of claims have changed if at all), strategies of mobilisations of groups (whether these have changed), as well as whether and if so to what extent the claims making is reflected in policy and legal change, as well as how these policies and legal changes have been understood by domestic worker groups.

4.2.1 Domestic worker organisations and networks

Mobilising and collectivising domestic workers is no easy task, because of “the fragmented nature of the work, the multiplicity of employers, and the dependence of domestic workers on their employers in times of crisis, as well as the time constraints on domestic workers” (Palriwala and Neetha 2009: 108). Participation in mobilisation activities is also difficult due to hours and nature of domestic work and the domestic workers’ social and political vulnerabilities along with the double burden of work and the almost blanket invisibility of live-in workers.¹²⁷ Only a small fraction of domestic workers in the country are in touch with associations (Neetha 2013c). As John argues, “The lack of unionization is a critical factor in their exclusion from labour laws, the violation of national, legal norms in their wage fixation and the absence of entitlements to various social security benefits “(John 2013:11).

Even so, India has had a history of collectivisation efforts in this area. One of the earliest collective actions was a 26-day hunger strike called by the All India Democratic Worker’s Union in 1959 in Delhi, which received support in a few urban centres. A call for a one-day solidarity strike led to the introduction of two private member’s bills in Parliament¹²⁸ (Neetha 2013c; John 2013).

Emergence of domestic worker groups in the 1980s

Since the 1980s, and more so in recent years, there has been an increase in the mobilisation and collectivisation efforts targeting domestic workers. Some of the early attempts to mobilise domestic workers were through the setting up of domestic worker specific organisations such as the Vidharbha Molarkin Sangha in 1980 in Nagpur, Maharashtra (Kulkarni 2010), Pune District Molarkin Sanghatana (Thatte 2010), and the Karnataka Gruha Karmikara Sangha in Bangalore in 1986 (Anthony 2001). The KGKS was the first domestic worker union in the country (Anthony 2001; and interview with Ruth Manorama, 19 June 2014).

¹²⁷ Moghe 2013; Menon 2010; Palriwala and Neetha 2009.

¹²⁸ A private member’s bill in a parliamentary system of government is a bill (proposed law) introduced into a legislature by a legislator who is not acting on behalf of the executive branch.

Another of the early attempts at organising domestic workers as a separate category of workers came from church-related organisations, which worked mostly with dalit and tribal communities to which a bulk of domestic workers belong. The National Domestic Workers Movement, a non-government organisation with strong links to the Catholics Bishops' Conference of India (CBCI), was formed in 1985 in Mumbai, Maharashtra. This organisation has campaigned for the rights of domestic workers in around 23 states and claims to have reached over 2million domestic workers across the country. Its stated objectives are the empowerment and dignity of domestic workers, including supporting them in the “fight for just wages and human rights conditions”.¹²⁹ The NDWM has played an active role along with other organisations in bringing in minimum wages legislation in Karnataka and a state Welfare Board Act for Domestic Workers in Maharashtra (John 2013).

Apart from the NDWM, which was focused entirely on mobilising domestic workers, other mobilisations of domestic workers in the mid-1980s came from two large women's organisations with a national base: the AIDWA and the SEWA. Interestingly, both of these organisations have an ethos of organising marginalised and unorganised women workers^{130, 131}. However, the mobilisations of both of these organisations in the 1980s were limited to subnational mobilisations: AIDWA's mobilisation was focused on Maharashtra and SEWA's on Kerala (interviews with Archana Prasad, 16 July 2014 and Nalini Nayak, 4 September 2014). The latter started to mobilise in Kerala in 1980s, resulting in the inclusion of domestic workers in the minimum wages legislation of the state and in the Kerala Artisan and Skilled Workers' Welfare Fund, enabling them to avail of social security schemes (Neetha 2009). Over the years, both of these organisations were to become more active in the mobilisations of domestic workers (across more subnational levels as well as at the national level, as we shall see below). Moreover, SEWA registered itself as a Central Trade Union (CTU) of its own in February 2005, becoming the first all women-focused central trade union in the country (personal communication, Nalini Nayak, 20 November 2014).

Box 3: Formation of the National Domestic Workers Movement

The formation of the NDWM was pre-dated by “a survey conducted by the Catholic Bishops Conference in India (CBCI) [which] threw light on the slavery like conditions of domestic workers in India” (interview with Sr. Jeanne Devos, Mumbai, 25th July 2014). The Belgian missionary, Sr. Jeanne Devos (Congregation of the Immaculate Heart of Mary) had been living in India since 1963. Confronted with the plight of the domestic workers, she assisted in the formation of small groups of domestic workers with the objective of helping them in whatever way she could. In 1966, she started the Indian Young Christian Students (YCS) and Young Student Movement (YSM) of India and later the Young Student Movement for Development (YSMD) and action groups. After that, she became the Asian coordinator of YCS/YSM. In 1985, she started the National Domestic Workers Movement.

From 1985 to the mid-2000s, Sr. Jeanne Devos, organised domestic workers into small groups with the collaboration of like-minded people, and the movement took shape in Mumbai and extended its activities to Patna (Bihar), Chennai (Tamil Nadu) and Varanasi (Uttar Pradesh) initially. This was followed branches in Andhra Pradesh, Karnataka, Kerala, Jharkhand Madhya Pradesh, Odisha, Goa and the North East (see NDWM website, <http://www.ndwm.org/>). Over the last 25 years, the NDWM has spread to 17 states. It began its Delhi chapter in mid-2013.

¹²⁹ See NDWM website, <http://www.ndwm.org/>, last accessed 20 March 2016.

¹³⁰ AIDWA is the women's wing of the CPI-M and SEWA is a women focused trade union of poor, self-employed women workers started in Ahmedabad in the 1970s.

¹³¹ Hill 2014; Bhatt 1998; also see interviews with Archana Prasad, 16 July 2014 and Nalini Nayak, 4 September 2014.

Growth of domestic worker organisations and networks in the late 1990s and 2000s

The number of organisations working on domestic work across the country have grown over the last couple of decades. These include organisations such as Parichiti and Durbar Mahila Samanwaya Committee (DMSC) in Kolkata, Mahila Kamgar Union in Jaipur, Astitva in Dehradun, Centre for Women's Development and Rights in Chennai, Domestic Workers' Federation and Youth for Unity and Voluntary Action (YUVA) in Mumbai to name a few (see Labour File 2010; ISST 2013). Not all of the organisations working with domestic workers work solely with domestic workers, though there are a few organisations that do (such as NDWM). Many of the organisations also work with other groups of unorganised workers (such as DMSC) and yet others have a longer history of working in communities than their engagement with domestic workers specifically (for instance, Centre for Women's Development and Research/CWDR and YUVA). There are some organisations that work with domestic workers that have emerged out of working with women (Parichiti), though these are fewer in number.

Apart from SEWA, other national-level trade unions such as the Bharatiya Mazdoor Sangh (BMS), All India Trade Union Congress (AITUC), Indian National Trade Union Congress and the Centre of Indian Trade Unions have also been organising domestic workers in recent years.¹³²

In her analysis of the growth of domestic worker mobilisations, Neetha (2013c) recognises the variety of perspectives and styles of organisation that have sought to mobilise and unionise domestic workers in recent decades. The important argument that she makes is that this phase "is marked by the presence of the women's movement or by unions with a feminist politics" (Neetha 2013c: 37). The question of whether feminist politics informs domestic worker mobilisations is something that is at the heart of this report, and we explore this in some detail in this chapter. Moreover, whether or not groups mobilising domestic workers identify themselves as women's groups is also something that we explore in this chapter. Nevertheless, Neetha's argument that the mobilisations of domestic workers have tended to be regional and sporadic rings true, as not all states have seen the same growth of organisations working with domestic workers. States like Maharashtra, Karnataka, Rajasthan and Tamil Nadu have seen stronger mobilisations.

DOMESTIC WORKER GROUPS IN DELHI

If we look at the nature of organisations mobilising domestic workers in Delhi, the picture of organisations working with a wider group of workers and/or communities and then turning their attention to include domestic workers is also true of groups here. The NGO Nirman started working with construction workers in the late 1980s, and began working with domestic workers from 1999 onwards. It initially focused on live-in domestic workers, who largely consisted of teenage girls from the tribal regions of Chhattisgarh, Jharkhand, Orissa and West Bengal. Subhash Bhatnagar, the head of Nirman and a member of the NPDW, notes that his work on domestic work began with the setting up of a placement agency for girls from Jharkhand which has now taken the shape of a cooperative (interview with Subhash Bhatnagar, 15 May 2014). Similarly the Delhi Shramik Sangathan began working with migrant unorganised workers in 1997 in West

¹³² Gothoskar 2013; Kaur 2010; Shamim 2010; also see interview with Archana Prasad, 16 July 2014. These trade unions are affiliated to political parties. The BMS is affiliated to the right-wing BJP, the AITUC is affiliated to the Communist Party of India (CPI), CITU is affiliated with the Communist Party of India (Marxist) (CPI-M) and INTUC is affiliated with the Indian National Congress (INC). The mobilisations by these unions have not been uniformly strong across the years, as we shall see in this chapter.

Delhi. In 2006, they formally registered the Delhi Gharelu Kaamgaar Sanghatan (DGKS), the first formal domestic workers union in Delhi. Other groups such as Domestic Workers Forum also emerged in the early 2000s out of the work of the social action wing of the Catholic Church in Delhi-Chetanalaya. The SAATHI centre (coordinated by ISST), which had been working with slum communities in East Delhi since 2000, also began working on domestic workers in 2011 after a study on domestic workers in 2008.

In Delhi, there are two organisations, Jagori and AIDWA that are primarily women's organisations that have begun mobilising domestic workers. Jagori is a feminist organisation established in 1984, which began working with domestic workers from 2005-06 after the completion of a study on part-time domestic workers in Delhi (interview with Chaitali Haldar, 12 May 2014). AIDWA, which is the women's wing of the CPI-M began working with home-based workers in 2009. They found that domestic workers constituted the second highest category of workers among their membership in Delhi, and they have begun organising domestic workers in Delhi since 2014 (interview with Archana Prasad 16 July 2014).

The NDWM, which had been organising domestic workers since the 1980s elsewhere, opened its office in Delhi 2013 because of the strategic importance of the city for policy change.

NETWORKS AND FEDERATIONS

Several networks and federations specifically focused on domestic work have also developed over the years. Some of these have been focused on subnational levels alone, such as the Maharashtra Rajya Ghar Kamgar Kriti Samiti, which is a joint platform of domestic workers' unions affiliated to AITUC, BMS, CITU, HMS, INTUC, NTUI and Sarva Shramik Mahasangh formed in 2001 to "raise issues of wages, conditions of work and access to social security" (Gothoskar 2013:74). Recently, a new National-Level Trade Union of Domestic Workers (NTU-DW) was launched as an initiative of the KGKS. The Union is affiliated to the National Centre for Labour (NCL)¹³³ (Deccan Herald, 16 June 2013; also see interview with Ruth Manorama 19 June 2014). The two most prominent networks of domestic workers nationally are the NPDW and the DWRC.

The National Platform for Domestic Workers

After the Domestic Workers Convention, (No 189) was adopted by the ILO in 2011, SEWA organised a workshop in Chennai of domestic workers' organisations with the financial support of what was then the International Domestic Workers Network (IDWN).¹³⁴ The meeting focused on developing strategies to get Convention 189 ratified by the Government of India. The need for a Comprehensive Legislation for domestic workers was also expressed. A temporary Coordination Committee was formed to call a further meeting in Hyderabad in which around 48 domestic worker groups across the country participated. A Campaign Committee for a Comprehensive Legislation for Domestic Workers was also formed at this meeting.¹³⁵

¹³³ The NCL is a national federation of labour organisations from the unorganised/informal sector of India. It was the outcome of a study of informal sector organisations that concluded that the absence of a collective voice for the informal sector workers / labour at the national level resulted in their concerns not being effectively addressed at the national level. NCL was constituted by its founding organisations, namely National Federation of Construction Labour (NFCL), SEWA, National Fish Workers Forum (NFF), Sarva Shramik Sangh, Van Mazdoor Mandal, Kamani Employees Union and other independent trade unions.

¹³⁴ The IDWN was to later become the International Domestic Workers Federation (for details, see the following section). At the meeting organised by SEWA in Chennai, largely domestic worker groups from South India were present.

¹³⁵ Interviews with Nalini Nayak, 4 September 2014; Sr. Celia, 12 August 2014; Subhash Bhatnagar, 15 May 2014; Sr. Jeanne Devos, 25 July 2014.

In July 2013, there was a public meeting in Delhi where signatures for a petition proposing a national law for domestic workers were handed over to the then Ministry of Labour and Employment. At this meeting, it was also decided to create state level platforms (interview with Nalini Nayak, 4 September 2014). In the second half of 2014, state-level consultations were organised to inform a national-level public hearing to persuade the new government about the need to protect domestic workers' rights (interviews with Sr. Celia, 12 August 2014 and Nalini Nayak, 4 September 2014).¹³⁶

Domestic Workers Rights Campaign

Another important network of significant domestic worker groups at the national level is the DWRC. This group emerged during the consultation process for the Domestic Workers Bill proposed by the NCW. This group developed a different proposal for the Bill. The reasons for the emergence for the group were the debates generated during the consultation process around two issues: the functions of the Welfare/Tripartite Board proposed for domestic workers, and the ethics of domestic worker unions working as placement agencies.¹³⁷

Box 4: The International Domestic Workers Federation

The beginnings of the International Domestic Workers Federation lie in an international conference on domestic workers organised in the Netherlands in 2006 by Dutch organisations, IRENE and FNV Trade Union, and other organisations (WIEGO). The conference was attended by many international unions from across the world, such as the International Trade Union Congress. Chris Bonner, Programme Director at WIEGO, recounts that the conference adopted two resolutions: "one was that domestic workers needed to work for an ILO Convention for Domestic Work. The second was that they should set up a group to explore the setting up of a global network of domestic workers organisations" (Interview, 1 September 2014).

Karin Pape, the IDWN representative to the ILO from 2009-2011, recalls that the decision by the ILO to initiate the standard setting process on domestic work in 2008 shaped events after the international conference. WIEGO and other affiliated groups began discussions about training leaders of workers groups around the world in preparation for the ILO process soon thereafter (Interview, 16 October 2014). In 2008, there was a meeting with the representatives of domestic worker organisations from different regions of the world, which was facilitated by the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and WIEGO. One of the decisions of this meeting was to set up a Steering Committee composed of representatives from domestic worker organisations. This led to the formation of the International Domestic Workers Network, which in October 2013 became formalised as the International Domestic Workers Federation (IDWF) (interview with Chris Bonner, 1 September 2014; also interview with Karin Pape, 16 October 2014).

The IDWF is a democratic federation of membership-based organisations representing around 300,000 domestic workers globally. It has 47 affiliates from 43 countries, a majority of whom are trade unions. The purpose of the Federation is to "ensure that the Convention is not forgotten and that the struggle for 'decent work for domestic workers' continues in a coordinated and sustained manner" (see websites of IDWF, <http://idwfed.org/en>, and WIEGO, <http://wiego.org/>).

Currently, there are four groups from India who are affiliated to IDWF: SEWA, NDWM, NDWF and Gharelu Kaamgaar Sanghathan (GSK) in Haryana. Being affiliated to IDWF, these organizations are part of trainings and federation meetings organized by IDWF. It leads to greater collaboration internationally which further helps in lobbying with local governments for policy change for domestic workers' rights.

¹³⁶ Some of the key members of the NPDW are Nalini Nayak of SEWA Kerala, Subhash Bhatnagar of Nirmana (Delhi), Ramender and Anita Juneja of Delhi Shramik Sanghatan and Delhi Domestic Workers Union, Medha Thatte from Pune Sahar Molkarni Sanghatana, Geeta Ramakrishna from Unorganised Workers Federation (Chennai), Sr. Celia from the Karnataka Domestic Workers Union and Father Chetan from National Domestic Workers Movement.

¹³⁷ More on these issues below. The Convener of this group is Meena Patel and the other members of the group are Bharti Sharma (ILO), Sr. Jeanne Devos (NDWM), Surabhi Tandon Mehrotra (Jagori), Geeta Menon (SJS), Sr. Leona (Chetanalaya Domestic Workers Forum) and Sr. P Clara (NDWM-Tamil Nadu) (Interview with Meena Patel, 2 April 2014).

4.2.2 Recognition of domestic work as work: Claims making by domestic worker groups

One of the fundamental issues at stake in domestic worker mobilisations is the lack of recognition of domestic work as work by both the state and society. The perception of domestic work as an extension of women's natural role as carers, its invisibilised and undervalued nature, as well as its history in patronage relationships pose serious problems for the recognition of domestic work as work. As Moghe (2013) has argued, “[It is] partly due to the socially isolated and invisible workplaces (within domestic spheres) and partly due to the social as well as personal perception that paid work is actually an extension of unpaid domestic labour that domestic work does not count as ‘gainful work’” (Moghe 2013: 64).

However, as we shall see below, one of the first interventions made by most domestic worker groups mobilising domestic workers is to instill worker consciousness and a sense of pride in domestic work, involving a transition from perceptions of domestic work as unskilled to valuing domestic work as essential and necessary work.

Domestic worker mobilisations have also focused on promulgation of new laws, and policies, as many of the issues faced by domestic workers have to do with the lack of recognition in the law of domestic workers as workers. While groups work outside the law too, because so much of this sector is unregulated, domestic worker groups have been coalescing around claims for the regulation of this sector. Moreover, these groups have also been making claims for the inclusion of domestic workers in state-provided social security benefits. Both these sets of claims are largely directed at the state (see Madhav 2010; Neetha 2009). However, as we shall see below, the questions of how to regulate domestic work and what kind of laws to bring in, are not straightforward. Questions around how minimum wages should be fixed, whether there should be a central law or a state specific legislation, how to account for the rights of part-time workers who may have a multiplicity of employers, who has responsibility for the social security rights of domestic workers—all of these pose real problems for the regulation of domestic work in India.

A large part of the focus of the claims making by domestic worker groups, which also flows from a call to recognise domestic work as work, has been for better working conditions and wages.¹³⁸ Claims making on domestic work has been focused on improving the conditions of domestic workers, whether this be through minimum wage notifications (directed at the state) or wage and leave negotiation with employers.

What is also interesting about claims making by domestic worker groups is the persistent focus on mobilising domestic workers, whether this be through *sangathans* (organisations) or unions. What comes through clearly in the interviews is that this is what allows change in the working lives of domestic workers: bargaining power and negotiating capacity, with or without the law, is clearly crucial. Therefore, the right to organise and unionise have been central to the claims making of domestic workers.

Recognition of domestic workers' rights in law: Slow, incremental change

As we have seen above, apart from a few scattered provisions that deal with domestic work, domestic workers have largely been left out of the purview of existing labour laws.

¹³⁸ See Labourfile 2010; G. Menon 2013; George 2013.

One of the first successful attempt to regulate domestic work at a national level was through an amendment in 2006 to the Child Labour (Prohibition and Regulation Act) 1986 which extended legal protection to domestic workers by banning children below the age of 14 years from being employed as domestic workers (Madhav 2010).¹³⁹ This amendment was seen as a significant victory by domestic worker groups across the country. Sr. Jeanne Devos, the founder of the National Domestic Workers Movement sees the death of a child domestic worker, Sonu, in Andheri (Mumbai) in 2006 as the key event that propelled the initiation and enactment of the amendment,

Here in Andheri, a little girl of 10 [working as a domestic worker] was killed and she was hanged on the ceiling to make it look as a suicide case. That happened at 5 am. Next door [to] the apartment where the child was killed was one of our leaders. She heard in the morning at 5 o'clock people saying "they have killed that girl and she is hanging on the ceiling". They wanted to show it as a suicide. She heard her employer saying that. She phoned us and told us to come immediately, otherwise the child would be cremated By 6 am [we] had a demonstration of 5,000 women in Andheri. At noon, they were 50,000 women. This spontaneous demonstration so early in the morning got the newspaper, the media [interested]. And NDTV [a national television channel] took it up as an issue of debate on one of its programmes—[A survey asked], is society responsible for the death of a child like Sonu—yes or no? And the answer was in the beginning 70% no and 30% yes. At one point, myself and I think Flavia [Agnes] responded and said, 'look the closed doors can be broken open, but the life of a child cannot return and any child in the world today is somewhere our child, otherwise we have to jump off from the world' Within an hour, the opinion changed to 72% yes and 28% no (Sr. Jeanne Devos, interview, 25 July 2014).

After the media related publicity events, the NDWM also galvanised its membership in the 14 states where it had a presence at the time, asking for state units to mobilise on the amendment to bring domestic work into the purview of child labour legislation. "So, all over India, they went to see politicians to bring it into the assembly and within three days the bill that we had presented, not worked on, was just floated— Ban on child labour in domestic work, in houses, hotels ... that was the bill of 10 October 2006" (interview with Sr. Jeanne Devos, 25 July 2014).

The effects of the amendment were to have far reaching effects, including galvanising the efforts of other domestic worker groups. As Subhash Bhatnagar (Nirman) recounts, "In 2006, on 10th October, they amended the Child Labour Act and domestic work was included as a hazardous industry. That was the day we called our first meeting, a public meeting to celebrate it. [However, we also recognised that this ban on child labour in domestic work] will not be sufficient. We will have to regulate the entire sector" (interview Subash Bhatnagar, 15 May 2014).

Apart from the inclusion of domestic work in the Child Labour Act, there have been several mobilisations for regulating domestic workers at both national and subnational levels.¹⁴⁰ Since the mid-2000s, however, the mobilisation efforts of domestic worker groups at the national level have focused on two initiatives seeking to regulate the domestic worker sector:

¹³⁹ The other legislations are the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979 which provides the regulation of women and children being procured for employment in cities from rural areas (Madhav 2010; also see Nimushakavi 2011). More recent inclusions of domestic workers have been through the Unorganised Social Security Act 2008 and the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act 2013. We return to mobilisations on the latter two legislations in later sections.

¹⁴⁰ We examine one of these subnational level mobilisations in the section on Karnataka. Here, we examine the more recent mobilisations for a national level policy/law on domestic workers.

- i. A national Bill on domestic work drawn up by the NCW, which has since coalesced around demands for certain key non-negotiables in any legislation on domestic work, and
- ii. A Draft Policy on Domestic Work drawn up by the Task Force on Domestic Work under the Ministry of Labour and Employment.

Further, the processes leading up to the adoption of the ILO Convention on Domestic Workers, and its subsequent non-ratification by India, have energised the claims making by domestic workers on regulating the sector.

PROPOSALS FOR A NATIONAL LEVEL LEGISLATION ON DOMESTIC WORKERS

Almost a decade ago, press coverage on the vulnerability of tribal domestic workers and prevalence of child labour and trafficking for domestic work led to a broad-based initiative by the National Commission of Women (NCW) in 2008 to draft a Bill for the protection of domestic workers. The draft Domestic Workers (Registration, Social Security and Welfare) Bill was a result of this initiative. This Bill proposed several things to protect domestic workers' rights:

- the regulation of working conditions;
- the establishment of a registration procedure for all domestic workers, including part-time and full-time workers;
- the setting up of a Domestic Workers Welfare Fund to which workers and employers would be required to contribute;
- the compulsory registration of placement agencies; and
- the imposition of fines and imprisonment for violation of the provisions of the bill.¹⁴¹

Although the Bill was proposed at about the same time that the ILO initiated a standard-setting process on decent work for domestic workers, the consultation process on the NCW Bill predated the ILO standard setting by a couple of years. After three stakeholder meetings with domestic worker groups between December 2006 and October 2007, a subcommittee was formed by the NCW which drew up a draft of the Bill.¹⁴² This draft legislation was then circulated among further domestic worker groups, and a national consultation was organised by the NCW in Delhi in March 2008. After this process, the subcommittee met again to consolidate the recommendations received during the consultation, and the Domestic Workers (Registration, Social Security and Welfare) Bill 2008 was drafted.¹⁴³

During the national consultation on 14 March 2008, the Bill was endorsed by many domestic worker organisations. One of the key recommendations that emerged from the conference was to set up a tripartite board for domestic workers, consisting of domestic workers, employers, and the officials of the state. In terms of how the funds for the tripartite board would be raised, and what it would do, Subhash Bhatnagar of Nirmana shares that the Bill proposed the following: "Employers would be required to pay one month's salary of the domestic worker to the tripartite board. [The] tripartite board would provide shelters in different areas, to provide counselling places." (interview, 15 May 2014).

¹⁴¹ See the Bill available on the NCW website, <http://ncw.nic.in/>; Madhav 2010; John 2013.

¹⁴² Malini Bhattacharya, who was a member of the NCW, chaired this committee and Bharti Sharma from ILO, Sister Leona from Domestic Workers Forum, Ramender from Delhi Shramik Sanghatan, Subhash Bhatnagar from Nirmana and others drafted the law in the name of NCW. AIDWA was also a part of the consultations on this Bill.

¹⁴³ See interviews with Subhash Bhatnagar, 15 May 2014; and Archana Prasad, 16 July 2014; and the Nirmana Niketan proposal, available on Nirmana website, <http://www.nirmana.org/>.

The issue of the tripartite board and its purpose in the regulation of domestic work, was to become a bone of contention between various domestic worker organisations (on which more below). Moreover, objections were also raised about some domestic worker groups working as placement agencies (interviews with Meena Patel, 2 April 2014, and Nalini Nayak, 4 September 2014). Owing to these differences, a group of organisations broke away from the wider group to form the Domestic Workers Rights Campaign with their own proposals for a Bill to regulate domestic work. However, Ramendra of DSS maintains, “The structure of a tripartite board to provide short term and long-term social security and design decent working conditions got the unanimous support of about 100 delegates from over 16 states in the national consultation organised by the NCW in March 2008” (interview, 4 June 2014).

Around the same time, the ILO initiated the standard-setting process on decent work for domestic workers, and many domestic worker groups focused their attentions on the process of adopting the ILO Convention and Recommendations. As such, Nirmana and the National Campaign Committee for Unorganised Sector Workers (NCC-USW) pursued the cause and organised several regional meetings to refine some sections of the NCW proposal, which they resubmitted to the NCW. This bill was called the Domestic Workers (Regulation of Employment, Conditions of Work, Social Security and Welfare) Bill, 2008. Apart from regulating domestic work, the Bill seeks to regulate the payment of contributions to a welfare fund by employers and workers, and proposes setting up a social security and welfare board at central and state levels to administer the law and its enforcement through inspections at domestic premises (see Madhav 2010).

However, the problem of drafting a law in the complex context of domestic work proved to be no easy task, and both Bills generated a lot of debate. As John elaborates, “The debates and discussions around these two bills include the definition of domestic worker, an employer, and wages, the mode of delivery of welfare benefits and the criteria for determining minimum wages, which neither bill expressly addresses” (2013: 9).

Nimushakavi (2011) gives us a glimpse into how difficult the exercise of regulating domestic work is. She analyses the draft proposed by the National Campaign Committee for Unorganised Sector Workers—that is, the Domestic Workers (Regulation of Employment, Conditions of Work, Social Security and Welfare) Bill 2008—from the perspective of the definition of domestic workers. She notes that according to this bill, domestic worker means, “A person between the age of 15 and 60 years working in any domestic employment, directly or through any agency or contractor whether exclusively for one employer or in a group or otherwise, one or more employers whether simultaneously or otherwise and includes a casual or temporary domestic worker; migrant worker; but does not include any member of the family of an employer” (Nimushakavi 2011:88).

However, this definition is not pegged to the place of work, or to any classification of domestic work (Nimushakavi 2011).

Since 2008, support for a central law dealing with domestic workers has been getting stronger. However, there have also been criticisms about the focus for a central law and what this would achieve (see Neetha 2013c). Even so, the National Domestic Workers Platform, which represents a large number of domestic worker groups, though by no means all domestic worker groups, has coalesced around a one point agenda—a demand for a comprehensive legislation. Nalini Nayak explains, “any group that is asking for a comprehensive legislation is welcome to be on the Platform”. The comprehensive

legislation itself, according to the Platform has certain non-negotiables. In a petition to the government in April 2013, the platform list their specific demand for a separate central legislation on domestic work that will “regulate employment, the conditions of work and provide social security simultaneously. This includes the includes fixation of wages and other conditions of work, resolution of disputes and protection of employment besides provision of social security, child care facilities, housing, training and skill formation” .¹⁴⁴ Nalini Nayak contrasts these demands from the Unorganised Sector Workers Act, which she says has become a “shabby welfare Act without any rights to workers” (interview, 4 September 2014).

In August 2013, a mass rally was organised by the NP DW in New Delhi to urge the government to adopt a central law on domestic workers guaranteeing their rights.¹⁴⁵ After this, state-level platforms of the NFDW met to prepare for a national-level meeting in November 2014 where they would renew their demands with the new government that came to power in May 2014 (interview with Sr. Celia, 12 August 2014).

Disagreements over a Tripartite Welfare Board

One of the key demands that emerged out of the NCW consultation process was the creation of a tripartite welfare board. However, this is also one of the issues that has also become a bone of contention between the two national level network/campaign groups (the NPDW and the DWRC). The question of the role of the tripartite board, particularly in terms of whether this ought to be the body responsible for the registration of domestic workers and the protection of their rights under a new legislation, continues to fuel discord between these groups, who otherwise agree on the content of domestic worker rights.

Nalini Nayak explains the demand of the NPDW for a multi-functional tripartite board specific to domestic workers that focuses on domestic worker rights, rather than domestic worker welfare, “The tripartite board should regulate work and deliver social security. That is what we are saying but the structure as it exists now in the country, it works like a welfare board. We are saying we do not want welfare because these are our [domestic workers] rights and we are working for our rights” (interview, 4 September 2014).

The NPDW envisages a tripartite board that is constituted of employer, employee and state representatives. The worker representatives would be inclusive of women’s domestic worker unions and women domestic workers. The employer representatives would comprise “people who employ domestic workers and not just industrial institutions” for which the NPDW proposes the possibility of resident welfare associations functioning as employer representatives (interview with Nalini Nayak, 4 September 2014). The duties of the Board would include the following:

- regulation of conditions of work, including monitoring of payment of minimum wages;
- the provision of a help line and a complaints committee at all levels to handle sexual harassment complaints of domestic workers;
- registration of workers and employers and collection of their contributions for social security;

¹⁴⁴ See Nirmana website, <http://www.nirmana.org/>, last accessed 20 March 2016; also interviews with Nalini Nayak, 4 September 2014; and Sr. Celia, 12 August 2014.

¹⁴⁵ See Nirmana website, <http://www.nirmana.org/>, last accessed 20 March 2016; also interviews with Sr. Celia, 12 August 2014; Nalini Nayak, 4 September 2014; and Subhash Bhatnagar, 15 May 2014.

- provision of smart cards that are recognised across the country, enabling domestic workers to collect benefits in case of migration;
- registration of placement agencies who would be responsible for supplying information to the Board on domestic workers in their employment, as well as the services they provide such domestic workers; and
- a mechanism for dispute and grievance redressal (interview with Nalini Nayak, 4 September 2014).

Nalini Nayak expands on how the contributions from both employer and employee can be collected for the board to function. She argues that using the same smart cards that are provided to Rashtriya Swasthya Bima Yojna (RSBY) beneficiaries (which includes domestic workers), both the registration of the domestic workers (and their employers) and the contributions of both can be tracked (interview, 4 September 2014).¹⁴⁶

The other campaign group, DWRC disagrees with this proposal on both the characteristics and functioning of the Board. Meena Patel, the DWRC Coordinator, argues that the proposals shift the responsibility for implementing the core principles of the legislation from the Labour Department to the tripartite board. This, she argues, is bad policy,

We do not want the legislation to be implemented through the Tripartite Board...since the third Five-Year Plan, ever since the labour policy was included in the Plan, the key to implementation has been the Labour Department's responsibility. There is a whole machinery which was set up under the Plan, the labour policy which was adopted by the country to implement labour laws. So, I do not see the need for trade unions or NGOs to implement labour policies through the Board. As a trade union, my work is to negotiate and protest if there is shoddy implementation. It cannot be implementing machinery (interview, 2 April 2014).

This argument that the tripartite board cannot be the arbiter and protector of the rights of domestic workers is also the reason given by other groups such as Stree Jagriti Samithi and FEDINA in Karnataka for their discomfort with a tripartite board playing the role of guarantor of domestic worker rights. Geeta Menon of SJS argues,

What we are saying through our campaign is that registration and regulation of domestic workers legally should be with the Labour Department. Only social security should be taken up by the tripartite body. While this is concerning law and legal framework, why should we exempt the Labour Department from it? If the Labour Department is not doing its job, that is also our responsibility. We [domestic worker groups] also have to fight for it but by leaving them out of this whole responsibility, there is a problem. Because then who is the actual authority? Why should we make [the Labour Department] a weak authority? Then they said that 'no, no, that anyway the tripartite board will be taking up [matters], so there the Labour Department will come into the picture and all that'. We still were not very convinced so actually there has been not much debate on that (interview, 17 June 2014).

Similarly, Usha Ravikumar and others at FEDINA in Bangalore argue that the Labour Department has to be the repository of rights, rather than the tripartite welfare board, because that is what ensures that domestic workers will be identified and treated as workers (interview with 24 July 2014).

¹⁴⁶ Apart from registering of both domestic workers and their employers, through the smart cards, Nayak addresses the issue of the kind of contribution employer/s of domestic workers make. She says that the employer should make a direct contribution for a year; the amount will be pre-determined by the Board, depending on whether the domestic worker is employed on an hourly, daily or full-time basis. The benefits would accrue to the worker directly from the Board: "so if I as a worker then need to get leave because I am sick or need to get a benefit because I am going on maternity leave, it is all paid by the board. I do not need to trouble my employer any more. Employer has paid a one-time payment and should not bother about it. So it is not difficult. Now that everything is online, it is not difficult to handle it is a system that has to be put in place" (interview with Nalini Nayak, 4 September 2014).

Eventually, members of the DWRC redrafted the 2008 NCW Bill as the Domestic Workers Welfare and Social Security Bill, 2010. This Bill asks for all domestic workers, employers or service providers to be registered, within one month of the commencement of the employment of the domestic worker in the household with the “District Domestic Labour Welfare Board” (under the supervision of the Labour Commissioner). It also has provisions for registering part-time and migrant domestic workers. Apart from this, it clearly mandates that no child shall be employed as domestic worker or for any such incidental or ancillary work.

Nalini Nayak counterposes that many domestic worker groups do not understand the concept of the tripartite board that the NPDW is asking for. She says that groups get confused between “the tripartite board and the welfare board”,

They will say things like welfare board should come under Labour Department. They do not understand that the tripartite board will deal with labour issues and so will come under the ambit of the Labour Department. This is reason why the Platform does not get that much of a push because the smaller unions do not deal with these issues and then they want to break away on small differences which of course are not really correct (interview, 4 September, 2014).

The debate between the two national level network/campaign groups on the question of who is responsible for the registration of domestic workers and the protection of their rights under a new legislation continues to fuel discord between domestic workers groups, who otherwise agree on the content of domestic worker rights.

THE TASK FORCE ON DOMESTIC WORK AND THE DRAFT NATIONAL POLICY ON DOMESTIC WORKERS

In June 2011, at the 100th session of the International Labour Conference (ILC) of the International Labour Organisation (ILO), the historic Domestic Workers Convention, 2011 (No. 189) and its supplementing Recommendation (No. 201) were adopted. This was the first time that the ILO formulated international labour standards dedicated to this particular group of workers.

Prior to the formulation of the Convention, in preparation for the 99th session of the ILC in December 2009, the Ministry of Labour and Employment, Government of India, under the office of the Director General of Labour Welfare, set up a Task Force to “evolve a policy framework on domestic workers (regulatory mechanism, providing welfare measures) and generate info for India Paper for consideration during 99th Session of the ILC in Geneva, June 2010” (see Task Force on Domestic Work 2011). The task force was initially set up for three months, and produced its first report on the 8 March 2010. Reiko Tsushima, Senior Gender Specialist at the ILO Delhi office, talks the process through which the Task Force was set up. She says,

[When] the convention work came about, a lot of activists and unions approached me because this issue went on the standard setting agenda ...—it was the unions and also SEWA and National Domestic Workers Movement They wanted to have more information on how the standard setting process was moving and how they could influence it. And what we did first was to try to understand the situation and basically analyse the labour laws and various laws for unorganised sector workers and see where they were applicable to domestic workers. ... The turning point came when we discussed this issue with the Ministry of Labour, Director General Labour Welfare. Also, you know, India needed a position to speak on at the International Labour Conference. And that is why we then started assisting the Labour Ministry in presenting background information on how many domestic workers, how they are covered And this then led to the whole establishment of a taskforce. And one of the taskforce objectives was to evolve India’s position on this issue (interview, 28 August 2014).

When the Task Force was initially set up, invitations were sent out to key stakeholders among domestic worker groups, including SEWA and NDWM. Sr. Jeanne Devos recounts how members were invited to be part of the Task Force,

The first meeting of the Task Force where I was invited—there was the Ministry of Labour, the Ministry of Women and Child Welfare, Ministry of Social Justice, then there were four-five other ministries... So they called me and I said, “look why don’t you call different representatives of the Movement?” And that is how they called someone from Andhra Pradesh, someone from SEWA...it started with calling me because of the large number of members we had in our movement’ (interview, 25 July 2014).

Working groups were set up by members of the Task Force to delve into specific issues. Geeta Menon of the Stree Jagriti Samithi (Bangalore) was a part of one of the working groups: “They had already decided that the working group should be set up, there were certain drafts ... on how the policy would look ... They called us to get inputs about what more can be added and especially in terms of the definitions, like the definition of workers, definition of child, definition of employer” (interview, 17 June 2014).

On the process through which the working groups and the Task Force were set up, Geeta Menon says that although the “consultation and discussion and all that was fine, there were not many mass-based organisations”. This exclusion from the start determined the ultimate fate of the Draft Policy, “This is something that raised a lot of questions and that is why the labour, the central trade unions ... when the policy came about they did not heed much attention or they were little bit reluctant ... because they said we were not included at all, which is true” (interview, 17 June 2014).

Even so, after the initial three months, the Task Force produced its first report on 8 March 2010. The government adopted the report in April 2010 after which it extended the period of the Task Force from April 2010 to August 2011 for further deliberations. Further, based on the recommendations of the report, the government included domestic workers in the RSBY scheme.¹⁴⁷ In September 2011, the members of the Task Force drafted a comprehensive Draft Policy on Domestic Workers, which the Task Force urged the government to adopt. This Draft Policy was further endorsed by the Working Committee on Domestic Workers under the National Advisory Council headed by Sonia Gandhi during the UPA government¹⁴⁸ (see interviews with Sr. Jeanne Devos, 25 July 2014; and Nalini Nayak, 4 September 2014).

On the process through which the Draft Policy was developed Nalini Nayak (SEWA Kerala), who was on the Task Force notes that it involved employee groups, employer groups and government representation, mirroring the tripartite process usually employed by the ILO. Moreover, according to her, the ILO took a leading role in taking down the minutes of the discussion which led to a “fairly good draft national policy” (interview, 4 September 2014). Sr. Jeanne Devos (NDWM) concurs and suggests that the “process was quite positive” (Interview, 25 July 2014). Interestingly, the employers’ group was represented by placement agencies and FICCI [Federation of Indian

¹⁴⁷ In the meantime, the 99th session of the International Labour Conference was held in June 2010, and the Government of India attended. In June 2011, the Indian government voted in favour of the ILO Convention 189 on Domestic Workers and Recommendation 201, which were adopted at the 100th session of the ILC (see Task Force on Domestic Work 2011)

¹⁴⁸ The National Advisory Council (NAC) of India was an advisory body set up in June 2004 by the first United Progressive Alliance (UPA) government to advise the Prime Minister of India. Sonia Gandhi (leader of the All India Congress Party) served as its Chairperson for much of the tenure of the UPA. The NAC was dissolved in May 2014 after a new government was elected at the centre.

Chambers of Commerce and Industry] (interview with Shalini Sinha, WIEGO 27 August 2014).

The Draft Policy itself adopts a labour rights framework for domestic workers, and obliges the central and state governments to take effective measures to protect domestic workers' rights by bringing domestic workers into the ambit of other labour laws and schemes, amending state and central laws where possible, and setting up legislative mechanisms to address those issues that existing legislations do not address. It also obliges the state to set up an institutional mechanism which provides for social security, fair terms of employment, grievance redressal and dispute resolution. It further expects the state to facilitate the process of registering workers, to promote their right to organise and their skill development, and to professionalise domestic work by enhancing employability, as well as by dealing with wages and living conditions—by recognising the right to fair terms of employment, minimum wages, normal hours of work, rest periods, paid leave, access to social security and work in safe environment (see the Task Force Final Report 2011).

Although the Draft Policy itself was considered as providing a good framework for domestic worker rights, its fate languishes in uncertainty. Until the early part of 2014, groups were still calling for the adoption of the Policy (see *The Hindu*, 20 February 2014). Moreover, while the early version of the Draft Policy was circulated among groups, its final contents remain a mystery. As Subhash Bhatnagar puts it, “no one knows what the final Policy looks like and what the fate of the Policy is as such” (interview, 15 May 2014). Reiko Tsushima, Senior Gender Specialist, reiterates, “all I know from my last interaction with the person concerned was that they had done their best. That the final structure of the Policy would be a much watered-down structure of the original, more comprehensive draft form” (interview, 28 August 2014).

The Processes Leading up to the ILO Convention No 189/2011

From the mid-2000s, there has been an increased momentum across groups to mobilise around domestic workers issues in India as well as around the world. Karin Pape of WIEGO argues that although at the ILO itself, conversations on the regulation of domestic work itself date back to the 1960s, it was in the mid-2000s that this issue began to gain traction (Interview, 16 October 2014). In 2006, an international conference on domestic work organised primarily by IRENE, Mondiaal FNV (Netherlands), WEIGO, Asian Domestic Workers Network (ADWN) and supported by International Trade Union Confederation (ITUC) and the IUF was held in Amsterdam. This generated a lot of interest on the topic, and moreover, as Pape suggests, there were also several departments of the ILO as well as workers' groups engaged with the organisation that were pushing for regulation of this sector (Interview, 16 October 2014). Further, the ITUC, together with the Bureau for Workers' Activities (ACTRAV) of the ILO, was at the forefront of promoting the inclusion of Decent Work for Domestic Workers on the ILC's agenda.

In March 2008, the ILO decided to initiate the standard setting process for domestic workers by proposing to the General Body that they “place the item of promoting decent work for domestic workers on the agenda of the International Labour Conference in 2010 with a view to developing ILO instruments, possibly in the form of a

Convention supplemented by a Recommendation, to provide badly-needed protection for this category of workers” (Yovel et al. 2010: 25).¹⁴⁹

In India, the initiation of the standard setting process meant that domestic worker unions and organisations began to approach the ILO to both understand the process as well as to contribute to it (Reiko Tsushima, Interview, 28 August 2014). The ILO office in Delhi set about the standard-setting process by mapping out the context and existing regulation of domestic work in India. There were already organisations and networks carrying out research on domestic work at the time, such as WIEGO and ISST, who the ILO collaborated with (interview with Tsushima, 28 August 2014).

WIEGO had in fact initiated a pilot law project in 2008 on domestic work (among other sectors), coordinated by Shalini Sinha, Home-Based Worker Sector Specialist at WIEGO. She recounts the reasons why domestic work had been chosen for the law project: first, because of WIEGO’s interest in women’s informal employment, and second, because the discussions for the ILO convention were coming up, and they “wanted to strengthen the workers’ movement” (interview, 27 August 2014; also see Sankaran and Madhav 2012). WIEGO organised a series of consultations, of which two smaller consultations were held in 2008-2009 in Delhi and in Bangalore. A third national consultation in 2010 was organised in collaboration with the ILO Delhi office. The purpose of these consultations was to talk to domestic worker groups to identify the issues of domestic workers, and several groups participated¹⁵⁰ (interview with Shalini Sinha, 27 August 2014; also interview with Nalini Nayak, 4 September 2014). Shalini Sinha notes that several important issues came to the fore during these consultations—on how to calculate wages (task-based, hourly rate, size of the house, number of household members); issues around migration and the networking of migrant groups; the notion of servitude and how to break it; occupational health; childcare; and so on. One of the main points of discussion was to understand who could represent the employers in the tripartite meetings to follow. Many participants suggested that the Resident Welfare Association (RWA) groups could play this role. However, the RWA groups themselves, “insisted on police verification of domestic workers and they were generally suspicious of domestic workers which was defeating to the cause at hand” (interview with Shalini Sinha, 27 August 2014).

Further, the thorny issue of the role of placement agencies in domestic work (particularly as representatives of domestic workers) was to rear its head again in these consultations, with fierce debates and divisions between groups on this issue. Shalini Sinha explains,

This whole issue of placement agencies was completely unresolved, and the government was also talking about ... registering them under the Shops and Establishment Act. Nobody knew how it would be done. It was absolutely useless because given the circumstances and the way the Act is, it would not be able to cover or regulate the placement agencies in any way. Yet we had more and

¹⁴⁹ Developing international labour standards at the ILO is a unique legislative process involving representatives of governments, workers and employers from around the world. As a first step, the Governing Body agrees to put an issue on the agenda of a future International Labour Conference. The International Labour Office prepares a report that analyses the laws and practices of member states with regard to the issue at stake. The report is circulated to member states and to workers’ and employers’ organizations for comments and is discussed at the International Labour Conference. A second report is then prepared by the Office with a draft instrument for comments and submitted for discussion at the following conference, where the draft is amended as necessary and proposed for adoption. This “double discussion” gives conference participants sufficient time to examine the draft instrument and make comments on it. A two-thirds majority of votes is required for a standard to be adopted. For more, please see <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/international-labour-standards-creation/lang--en/index.htm>, last accessed 20 March 2016.

¹⁵⁰ In Bangalore for instance, groups such as Stree Jagriti Samithi, ALF and Women’s Voice were represented at the consultation.

more evidence of all these placement agencies, or organisations who were placing domestic workers and also working for their issues... so, some organisations, which had promoted employment for domestic workers, were written off during the consultation by others, [domestic worker unions] saying that you are a placement agency and we cannot come together with you. As such, it isolated a few organisations (interview, 27 August 2014).

These debates were already circulating from the consultations that had been held during the drafting of the NCW Bill on Domestic Workers, which led to the formation of the splinter campaign group, the DWRC. The debates continued during the ILO consultations as well and continues to be a bone of contention among the two groups.

Karin Pape locates the wider mobilisation efforts of international organisations such as WIEGO to ensure domestic workers' participation in the ILO process. She says that at every stage of the standard setting process (reporting, questionnaire, tripartite feedback, and so on), the IUF tried to involve domestic worker groups.¹⁵¹ On the questionnaires, the IUF used its knowledge of the ILO process to facilitate domestic worker engagement through model answers (interview, 16 October 2014). Chris Bonner of WIEGO recounts that “the number of responses from trade unions (and governments) to the questionnaire circulated by the ILO as part of the preparation for the ILC discussion was unprecedented, with the trade unions almost unanimous in their support for the demands of domestic workers and their quest for a binding convention with supporting recommendation (ILO 2010)” (Bonner 2010: 5). Similarly, WIEGO also facilitated the inclusion of domestic worker representatives in the trade union delegation, and Pape reckons that they were “more or less successful in that” (interview, 16 October 2014).

Given that only representatives from central trade unions (CTUs) could participate in the International Labour Conferences, in terms of specifically domestic worker groups from India, only SEWA could participate as it fell under the category of a central trade union. Nalini Nayak from SEWA Kerala was part of the official delegation that participated from India. Representatives of various other Central Trade Unions such as BMS, AITUC, INTUC, CITU, also represented domestic workers groups from India at the conference (Interview with Nalini Nayak, 4 September 2014; also interview with senior functionary, INTUC Karnataka, 19 June 2014).

Nevertheless, having only CTU representatives as part of the Indian government delegation was harmful for the discussions at the conference as “the unions have nothing to say because they are all male-dominated except for SEWA” (interview with Nalini Nayak, 4 September 2014). The domestic workers groups who were not part of trade unions, could only participate as “observers”. Sr. Jeanne Devos could not participate as a delegate because NDWM was not a trade union at the time. However, given her long years of experience in organising domestic workers and owing to the Belgian government's intervention and the IDWN's insistence, she was able to join as part of the delegation of the Confederation of Christian Trade Unions (Belgium) and World Solidarity (Belgium) (Yovel et al. 2010). Sr. Jeanne Devos explains the close connection between the Belgian and Indian domestic workers' movements and their interest in the ILO process, “The Indian movement and the Belgium movement for domestic workers started opening up to the ILO because the President of the Belgium movement [on domestic work] became the Vice-President of the ILO—Luc Cortebeek, and he pushed very strongly at the ILO for a Convention on domestic workers” (Interview, 25 July 2014).

¹⁵¹ Karin Pape was seconded to the IUF as the IDWN representative during the ILO process.

Apart from the ILC, groups from India also got involved in the process of feedback and dialogue on the Convention. As Nalini Nayak recounts,

The ILO had its own process with the central trade unions everywhere. This process of the workers getting aware and intervening on drafts ...was also very important because many things went into making the draft Convention document so substantial. Unusually there was much comment on drafts. ...So the final draft itself...was a fairly good one because it went through so much of a process and people contributed to it. And finally of course Jennifer Fish [Asia Regional Coordinator of the IDWN] who defended the workers at the ILO Convention herself was extremely good and articulate. She carried the day because she was able to defend every single issue in keeping with what the workers were suggesting (interview, 4 September 2014).

Indian government's role in the ILO process

The Task Force report (2011) credits the Indian government for the “leadership role” it played for the adoption of the Convention and Recommendation at Geneva. It suggests that the Indian government's support for the Convention and Recommendation played a key role in garnering the unanimous support of all of the South Asian governments (Task Force Report, 2011). However, this argument belies the prior role played by the Indian government in the long round of negotiations leading up to the adoption of the Convention and Recommendation.

At the 99th session of the ILC, a decision was made to include an item, “Decent Work for Domestic Workers” on the agenda of the next session of the conference with a view to adopting a Convention and a recommendation on domestic work (see Labour File 2010: editorial). However, this decision was made after defeating an amendment moved by the government of India, which sought instead a non-binding Recommendation rather than a Convention on domestic work (see Labour File 2010: editorial).¹⁵² This amendment, unsurprisingly, was seconded by employers' groups. The Labour File editorial (2010) recounts the argument of the Indian government representative,

Since many countries have no laws regulating and safeguarding the working conditions of domestic workers, a Convention might be difficult to ratify and will not have the desired impact. A Recommendation will, however, enable member states to develop feasible and practical standards and policies, and the ILO could assist member states in developing strategies (Provisional Record no. 12, Fourth Item on the Agenda: Decent Work for Domestic Workers, 99th session of the International Labour Conference, as cited in the editorial in Labour File 2010: 2).

Nalini Nayak recalls her shock at the Indian government's position at the 2010 International Labour Conference. Although she was a part of the official delegation as a workers' delegate, she had no idea about the government's stand on the issue,

At the ILO, before the actual official dialogue, the first objections are taken and the only objection [to the adoption of a Convention supplemented by a Recommendation] came from the Indian government, and so it was put on the table. It was a shock to everybody because nobody knew the Indian government was going to come up with this first objection. Then the house was so divided that unusually they had to go in for a vote. See very rarely does ILO go in for a vote on things ... And all of us who were there, we got a shock because the Indian government had not told us that they were going to object When we came back from the first round of the ILC we made a lot of noise and wrote to the newspapers and involved the media and a delegation went and met Sonia

¹⁵² The difference between a Convention and a Recommendation as Coen Kompier (2010) explains is that ratification of a Convention imposes an obligation on states under international law to ensure that its provisions are implemented at a national level. Moreover, a Convention sets in motion certain obligations under the ILO supervisory machinery, which means that ratifying countries have to report on the implementation of the Convention, which other stakeholders such as trade unions and employers' organisations have a right to send comments on through shadow reports. Further, it also provides a mechanism for complaints on non-compliance. These obligations do not flow out of Recommendations, which “are nothing but an advisory international instrument” (Kompier 2010: 19-20).

Gandhi who was then heading the NAC [National Advisory Council]. She promised to look into the matter ... At the Conference the next year [100th session of the ILC], the official Indian delegation did change its stand, and eventually they were voted out. It was shameful for India, which has millions of women as domestic workers, and everyone was totally upset. ...So it is only understandable that they are not going to ratify [the Convention] that easily' (interview, 4 September 2014).

After the Convention was adopted at the ILO, having faced opposition from the Indian government, domestic worker groups renewed their commitment to demand a national legislation on domestic work. The adoption of C189 has had a powerful symbolic effect on the mobilisation efforts of domestic worker groups. Although, domestic worker mobilisation predate C189 by three decades, and the Convention does not always directly inform mobilisation efforts, the fact of its adoption resonates among domestic worker groups. As Ashim Roy, formerly with NTUI, puts it, "the most important part of the ILO Convention is that they actually recognise that domestic work is work. ... The Convention lends dignity to the idea of domestic work" (interview, 28 June 2014).

Mobilisations on conditions of work

Domestic work is structured by informality, and a "culture of servitude" (Ray and Qayum 2009). Its performance in private households makes a domestic worker vulnerable to abuse and exploitation. WIEGO lists a set of conditions that characterise domestic work in India:

- a lack of formal contracts to ensure an employer-employee relationship;
- lack of organisation and poor bargaining power (owing to the nature of the work);
- no legislative protection; and
- inadequate welfare measures with no provision for weekly holidays, maternity leave and health benefits.¹⁵³

Consequently, domestic work is characterised by poor pay, long and unregulated working hours, undefined nature of employment, and precarity and insecurity of employment. Further, domestic workers do not enjoy any of the regular benefits that other workers enjoy. There is no concept of weekly off, annual leave, paid leave or sick leave¹⁵⁴ and as such women domestic workers suffer from poor health and nutrition and long working hours of hazardous tasks. In addition and in spite of such poor working conditions and occupational health hazards, domestic workers do not receive any sickness benefits.¹⁵⁵ Moreover, the place and conditions of work make domestic workers vulnerable to violence, sexual abuse and caste-based discrimination. Often, the ways in which domestic workers themselves cope with some of these issues is by having a multiplicity of employers. However, this comes at the cost of their health and well-being (Gothoskar 2013: 71).

In response to these conditions, domestic worker mobilisations have targeted the state and employers seeking a transformation in the condition of work. These mobilisations have included demands for minimum wages, and fair conditions of work directed at the state at the subnational level, wage and leave negotiations with employers, as well as mobilisations focused on securing social security benefits from the state.

¹⁵³ See WIEGO website, <http://wiego.org/>, last accessed 20 March 2016.

¹⁵⁴ Neetha 2004; Bhattacharya and Sinha 2009; Nimushakavi 2011; Gothoskar 2013.

¹⁵⁵ Gothoskar 2013; Neetha 2010.

MOBILISING FOR WAGES

There are on-going debates over the norms for setting wages. These debates include several tricky issues such as whether the wage ought to be time rated or piece rated, in kind, hourly or weekly, part-time or full time; based on house size or persons per household, over time; adjusted for boarding, include medical care and other necessities and multiplicity of employers (WIEGO website).

Negotiating wages is one of the most acute problems faced by domestic workers, especially in a context where there is a lack of value attached to domestic work, along with a lack of organising and bargaining power, and of legislative stipulations for minimum wages. The low levels of wages and the lack of increment in a context of rising inflation exacerbate workers' condition of poverty (Gothoskar 2013). Arbitrary cuts in wages, deceit in calculation of wages, no pay for extra workload are other issues related to wages that domestic workers face. Moreover, in almost all cases, the employer is often the main source of interest-free credit for the domestic worker weakening even more the bargaining capacity to negotiate a higher wage (Neetha 2004, 2009; Sengupta and Sen 2013). Furthermore, wages vary across employers irrespective of the quantum of work and hours of work, as the minimum wage for domestic workers is not fixed by labour legislation in many states, and where it is, it is grossly inadequate.

However, setting wages for domestic work is no easy task, not just in terms of how little domestic work is valued, but also in terms of determining how it ought to be valued and guaranteed. As Neetha (2004) argues, it is difficult to arrive at a uniform wage rate even for a specified locality wages since wages vary across geographical areas and depending upon the economic and social characteristics of employers and employees.

Moreover, the hierarchies and divisions in wage setting maybe hard to shift. A domestic worker under the category of “cleaner” may only perform house cleaning or can take up other cleaning jobs such as washing clothes, etc. A cleaner cannot take up the task of a cook, for which the wages are higher.¹⁵⁶ Sengupta and Sen (2013:56) explain that the reason for such differential in wages lies in the “perception of skills and the social dynamics of caste”. Although over time, the overall growth in the sector has weakened caste preferences, nonetheless, cooking continues to demand a higher wage as it is still considered more skilled work than other kinds of domestic work such as cleaning (Sengupta and Sen 2013).

A WIEGO paper sums up the complexity of fixing wages—“wages for the domestic workers are determined by factors such as tasks performed, hours of work, their social status, skills (or the lack of it), the need for flexibility and other labour market conditions” (see WIEGO website).

The difficult process of tediously negotiating wages in each locality based on context, and a set of agreed norms was recounted by almost all of our interviewees, made all the more difficult by different categories of workers. Leeza of NDWM encapsulates this when she says, “Even the Labour Commissioner asked me how you would want to calculate the wages because domestic workers work in different neighbourhoods with varied wage structure and not everyone calculates wages on an hourly basis ... part-time domestic workers prefer task-based calculation of wages while full time domestic workers prefer hourly wage system” (interview, 25 March 2014).

¹⁵⁶ Neetha 2004; Palriwala and Neetha 2009; Sengupta and Sen 2013.

Even so, wage negotiations and collective bargaining on wages was a crucial component of the claims making of every domestic worker organisation. While task-based wages, along with the size of the household, seemed to be the preferred norm among many domestic worker groups (with rates varying across location), other difficulties particularly that of domestic workers undercutting the efforts of the collective agreement because of necessity were also highlighted by almost all of our interviewees (also see ISST 2014). Archana Prasad locates the context within which the difficulties of maintaining solidarity on wages arise:

In a situation where one woman can be replaced by five others, you obviously would have depressed wages. This is what we call the reserve army of labour that it is almost being treated like an unskilled casual labour so that is what you are getting. I think our preliminary findings, I mean we are still to write up the report and publish it, are showing that the average hourly wage was something like Rs. 18 in UP [Uttar Pradesh]. So it is not as if the average hourly wage is going up. I think it is coming down. Because there are more and more women who are ready to work. [It is] simple demand and supply logic (interview, 16 July 2014).

This depression of wages leading to difficulties with wage bargaining is particularly acute in the context of newer migrants to cities (on this, see more in Karnataka section below).

In some contexts, however, the negotiations for wages by groups was made easier by the context of the state as well as the nature of mobilisation of the organisation, and the links it makes to other issues such as skill development of its workers. Nalini Nayak recounts the early experience of SEWA Kerala:

Our mobilisation among domestic workers, since we started in Kerala, was slightly different to the way that NDWM started because in Kerala, the idea was to straightaway attack the way women were treated and [negotiate for better] wages because anyway they have always been in union so what we did was to organise the service... We trained women in nursing, post-natal care, child care and elderly care, to meet a particular need and then we set the standards on wages, working time, treatment of workers, what workers would get. So for Kerala initially, because there was a workers consciousness, a working class consciousness, the employers then were obliged...an agreement was entered with the employers and terms of wages, working conditions were discussed beforehand. From the very beginning, the employers were also required to contribute towards their welfare (interview, 4 September 2014).

Minimum wages: To mobilise or not to mobilise

Domestic workers in India are generally excluded from the purview of the Minimum Wages Act 1948 at the national level. The central government has fixed minimum wages for 45 occupations and domestic work is excluded. However, since both the central (national) and state (subnational) governments are allowed to make rules and fix minimum wages for other occupations, domestic worker mobilisations over the last two decades have targeted their mobilisations at the subnational level.

Sustained efforts by domestic worker groups has resulted in minimum wage notifications in the several states including Karnataka (2004), Kerala (2005), Tamil Nadu (2007) (interview with Leeza, 25 March 2014). Currently there are 10 states and one union territory that have included domestic workers in their minimum wage notifications: apart from Karnataka, Kerala and Tamil Nadu, these include Rajasthan (2007), Bihar (2009), Odisha (2009), Assam (2013), Meghalaya (2013), Jharkhand (2014) and the union territory of Dadra and Haveli (2007).

Table 1: Minimum wages (Rs.) for domestic workers as on 31.12.2013

States	Basic	Dearness Allowance	Total
1. Andhra Pradesh	173.88	40.50	214.38
2. Assam	Yet to be notified		
3. Bihar	155.00	11.00	166.00
4. Jharkhand	127.00	40.17	167.17
5. Karnataka	139.20	84.73	223.93
6. Kerala	130.00	104.00	234.00
7. Meghalaya	100.00	-	100.00
8. Odisha	Fixed Separately		
9. Rajasthan	186.00	-	186.00
10. Tamil Nadu		NA*	
11. Union Territory of Dadra and Nagar Haveli		NA*	

Note: *NA- Not available. **Source:** Report on the working of the Minimum Wages Act, 1948 for the year 2013 (6 January 2015). Government of India, Ministry of Labour and Employment, Labour Bureau Chandigarh.

However, although mobilisations on minimum wages have a long history with domestic worker groups (which we explore in detail in the section on Karnataka below), mobilising for minimum wages have been fraught with difficulties. The first issue is in terms of the tasks that are taken into account in defining domestic work for notification purposes. As Gudibande and Jacob (2015) in their assessment of the impact of minimum wage notifications for domestic workers note,

All these states define domestic work in terms of tasks undertaken and the tasks are listed in their respective minimum wage notification. This might be an easy route but this risks the exclusion of many tasks that are carried out by domestic workers from the list and hence will be underpaid when compared to the notified minimum wages. The tasks listed in the notification vary from state to state. None of the tasks thus classified in the minimum wage notification (MWN) in any of the states we are considering in our analysis were termed as skilled. Hence there was no real impact in reversing the deskilling and devaluation of domestic workers by the society at large across the treated states (2015:6).

Moreover, organisations and commentators have been extremely critical of the ways in which minimum wages have been calculated. Chamaraj (2007) argues that “states have brushed aside the five norms for fixing minimum wages which were evolved by the 15th Indian Labour Conference in 1957—that minimum wages should be high enough to meet all basic needs of a worker’s family, including food, clothing, shelter and amenities”. Further, Neetha locates the problems of fixing wages either on an hourly or daily rate. She argues,

Though, on the one hand, wage differentiations across duration do take into account the part-time nature of domestic work, on the other, it allows employers to pay workers on an hourly basis, leading to increased work intensity. Thus, part-time workers who work in multiple houses are at the risk of both self-exploitation and exploitation by their employers. As the payment is on an hourly or daily basis, employers could also conveniently deny weekly rest days. Further, in defining the wage rate in terms of eight hours of work, there is a lack of appreciation of the existence of live-in workers and their work specificities. Over-time wages are either ignored or casually provided for (Neetha 2013b: 79).

The end result is that even where minimum wages have been notified, the wages specified are very low. In Kerala, the minimum wages stipulated for domestic workers is the lowest in the minimum wages schedule for any trade/profession (Neetha 2013b). Consequently, the arguments for using minimum wage notifications vary across

contexts and among organisations. In Karnataka, as we shall see in more detail below, some organisations have been critical of the minimum wages notification claiming for fair wages instead, while others see its utility in mobilising domestic workers, particularly in the smaller towns of Karnataka.¹⁵⁷ Similarly, organisations such as the Mahila Kamgar Union in Rajasthan do not in fact mobilise its workers around the minimum wages notification, as the minimum wages suggested by the state are worse than what the women actually make (ISST 2014). As such, these groups feel that claiming for a minimum wage will cheat domestic workers of their present salaries which are much higher. The domestic workers in the union would rather concentrate on mobilising for social security benefits from the government. However, there are those who continue to concentrate their efforts on transforming what constitutes a minimum wage. As Anita Juneja of Dalit Sangharsh Samithi–Delhi Gharelu Kaamgaar Sanghatan (DSS-DGKS) suggests, efforts have to be concentrated not just to achieve minimum wages but “a decent standard of minimum wages for domestic workers” (translated from original) (interview, 4 June, 2014).

This depression of wages leading to difficulties with wage bargaining is particularly acute in the context of newer migrants to cities (on this, see more in Karnataka section below).

LEAVE FOR DOMESTIC WORKERS

There is a concerted effort by domestic workers’ groups to mobilise around the issue of leave (weekly, medical, on public holidays for festivals). At present, groups in Delhi have managed to get four days a week of leave in the month for their workers, while in Gujarat, domestic workers are able to take two days of leave in a month. Again in Rajasthan, the Mahila Kaamgaar union, through negotiations with employers as a group, has secured for its workers in Jaipur four days of paid leave in a month and a bonus during the festival of Diwali. In Calcutta on the other hand, the groups are mobilising around six days of leave in a month (ISST 2014). However, the claims on the rights of domestic workers to avail of public holidays, sick leave and other forms of leave besides the four days of monthly leave, seem a long way off; even securing the weekly day off is considered an achievement by domestic worker groups. In fact, several domestic workers groups interviewed indicated the difficulty of negotiating with the employers for time off during festivals, as this is the time when the employers felt the need for domestic workers. Due to the employers’ resistance, most domestic worker organisations are negotiating for the payment of a festival bonus instead of leave days.

SOCIAL SECURITY FOR DOMESTIC WORKERS

Given the conditions of work for domestic workers, as well as the socioeconomic context in which domestic wage is undervalued and perceived as unskilled, one the major areas of mobilisation for domestic workers, as with much of the unorganised labour organisations, has been to secure social security/protection for domestic workers. The idea that the state is responsible for measures to ensure that the basic needs of citizens (adequate nutrition, shelter, education, health care, clean water and food supplies) and for their protection from contingencies (such as illness, disability, accidents, death, unemployment, medical care, childbirth, child care, widowhood, and old age) (Darooka 2008) has animated the mobilisation efforts of domestic worker groups. Moreover, domestic worker groups understand social security as a right and not a welfare handout. As Archana Prasad puts it, “We look at social protection not as a benefit. We look at it as an enlargement of the space of resistance. So I do not look at

¹⁵⁷ Interviews with Geeta Menon 17 June 2014; Sr. Nisha Mathew, 17 June 2014; also see Neetha 2013b; G. Menon 2013

social protection as an end in itself but ... as a tool of resistance and organization” (interview, 16 July 2014).

However, debates rage on how to secure these benefits for domestic workers (on which more below). The inclusion of domestic workers in the Unorganised Workers Social Security Act, 2008 was considered a major achievement for domestic worker groups. However, there are those who consider that except for the recognition of domestic workers as “workers”, nothing significant was achieved through the Act. As K John (2013) has argued:

The law does not provide for any enforceable or justiciable social security entitlement for the unorganised worker ... it does not guarantee anything other than the formation of advisory boards at the central and state levels. There are no provisions for penalizing employees or bureaucrats who violate the provisions of the Act. It is a statement of pious hope, rather than intent, which is in keeping with the foot-dragging of earlier governments (2013: 9).

Even so, the very fact of its enactment and inclusion of domestic workers is seen by many groups as a significant tool for mobilising domestic workers. As Archana Prasad puts it:

Today, if we have a law, howsoever bad it is, it is a piece of paper that becomes a tool for organisation. In fact, Verma Committee is also like that, nothing has been implemented. We win something, then we have to fight to protect it. But first you have to win something. ... Now, obviously social protection is important because unorganised sector is growing at an alarming rate but we want the unorganised sector to be organised because the bargaining power of the worker increases. That means that the worker should get a dignified life, but this is not all (interview, 16 July 2014).

Apart from the Act, domestic workers were included in the RSBY (a national health insurance scheme) through the recommendations of the Task Force on Domestic Work (2011). Based on a nominal insurance contribution, participants of the Scheme are provided medical treatment of up to Rs. 30,000 for any member of a family of five, across a list of public and private hospitals. By the extension of the scheme to all domestic workers, they are now considered to be part of the Below the Poverty Line (BPL) category and are able to avail the benefits of the scheme upon payment of the insurance amount. In some states like Jharkhand, the RSBY scheme has been able to take off fairly well. However, domestic worker groups in Delhi and elsewhere have been completely dissatisfied with the way the RSBY programme has been implemented. To begin with, enrolment of domestic workers in this scheme is a difficult proposition. Ramendra of DSS-DGKS explains,

Domestic workers need to have a recommendation letter from either two of the four categories of persons/bodies: (a) the Residential Welfare Associations (b) the employer (c) the unions of which they are a member (which should ideally also be the employer of the domestic worker); and (d) the police. Now in Delhi, the Labour Department refuses to entertain any recommendation letter from the union and it is very difficult for domestic workers to receive recommendation letters from the other three parties. As unions, we have written appeal letters to around 5,000 employers of which around 1,000 employers got in touch with us. However, many of the employers in Delhi are young people who have migrated to Delhi on work and do not have any residential proof and their office address will not suffice. So, the entire process is very problematic and challenging and hence does not really benefit anyone (interview, 4 June 2014; translated from original).

Further, the amount of a maximum of Rs. 30,000 was felt to be completely inadequate as were the number of hospitals registered under RSBY. As Ramendra elaborates:

In 2012, there were 103 hospitals listed in Delhi for the RSBY scheme. In 2013, only 3 hospitals were providing service under RSBY and all three of these were private hospitals where treatment of Rs. 30,000 would entail nothing...in 2011-12, we enrolled around 7,000 construction workers through this office, by setting up camps, etc., However, none of them were able to access the RSBY benefits. Everyone still goes to private nursing homes and pays on their own for their medical treatment (interview, 4 June 2014).

These sentiments were similarly echoed by all other groups of Delhi such as NDWM and ISST-SAATHI Centre. “I have heard that approximately around 7,000 domestic workers have been registered but none of them have got any benefit”, says Leeza of NDWM, Delhi (interview, 25 March 2014).

Apart from seemingly dead-end mobilisations on RSBY, recent domestic worker mobilisations, at the national level, as we have recounted in the section on Domestic Workers’ Rights, have centred on calls for a national legislation that provides for a separate domestic welfare/tripartite board. Other mobilisation efforts of domestic workers on social security have been at the state (subnational) levels (on which more below).

Claims making on violence and sexual harassment

In recent times, the media has reported several cases of abuse against domestic workers by their employers. There have been several instances when women and young girls have been verbally abused, beaten and sexually assaulted and even murdered (Gothoskar 2013). Violence against domestic workers gets invisibilised owing to the devalued nature of their work as well as their work being performed in a “private” sphere (Gothoskar 2013; Santhi 2006).¹⁵⁸ In response to the sexual violence experienced by domestic workers, domestic workers’ groups such as NDWM, Jagori, SEWA, AIDWA and several others in Bangalore that work on women’s issues lobbied intensely for domestic workers to be included in the Sexual Harassment at Workplace Act, 2013. This was no easy process as the question of the “home” as a workplace once again reared its ugly head. Sr. Jeanne Devos of NDWM recollects,

When the first draft of the Sexual Harassment at Workplace Bill came out, it said that this is valid for any worker, full time, part-time even one who works for one hour a week, for exposure groups, for students, for interviews, for anything but not for domestic workers, because the home was not a recognised ‘workplace’. This was proposed by Women and Child Welfare Ministry, unbelievable! It took the movement a year-and-a-half to get domestic workers included because we had to have a long discussion with the government bodies that the home was in fact a workplace for the domestic worker because she worked at the homes, behind closed doors and hence was most vulnerable to being sexually abused (interview, 25 July 2014).

Apart from lobbying for the Sexual Harassment Act at the national level, mobilisations by domestic worker groups on sexual harassment and violence have focused on the subnational level, particularly through direct negotiations with employers during incidents of violence. However, claims making, particularly on sexual violence, has not been given the same primacy as mobilisations on improving the conditions of domestic work and accessing social security benefits, namely, the redistributive aspects of domestic work (see more in section below on Karnataka). However, organisations have insights to offer on conceptualising violence in broader terms, by locating the interconnections between class and gender. As Archana Prasad puts it,

¹⁵⁸ Data released by the Ministry of Women and Child Development in February 2014 track reports of violence against domestic helpers between 2010 and 2012. The data suggest that overall, in India’s 28 states and 7 union territories, there were 3,564 cases of alleged violence against domestic workers reported in 2012, up slightly from 3,517 in 2011 and 3,422 in 2010.

Since we are a class-based organisation, a self-confessed leftist organisation, we are looking at women's issues not only from the feminist perspective but from the perspective of working classes ... So in our perspective, violence is related to the labour issue because working class women face different forms of violence and for them it is not only a question of honour and inheritance and all, it is a question of livelihood also. So though one part of our work was on that, I think very early on we realised that we have to look at the basic necessities that are important for all working class families if you want to meet the needs of these working class women ... (interview, 16 July 2014).

Further Archana Prasad links women's economic conditions with the various forms of violence that they face,

We find that violence is the other side of the labour issue actually. So it is also the new way in which we have started looking at the relationship between neoliberalism and violence that has got us to this ... So we do not look at violence as something that is basically something generic to being a subordinate to a male patriarchal system. The forms of violence differ with the kind of work that you do and therefore you have to take into account the work even if you want to treat the violence (interview, 16 July 2014).

This broader understanding of violence informs the work of other domestic worker groups such as SJS (interviews with Geeta Menon, 17 June 2014) and Women's Voice as well as some organisations which focus on sexual violence such as WSS (interview with Kalyani Menon-Sen, 31 July 2014). Such an understanding allows groups to focus on the underlying reasons for women's vulnerability to sexual violence, for instance as Kalyani Menon-Sen has argued about migrant construction women workers, the fact that there is no housing policy for migrant labourers makes them dependent on and vulnerable to builder contractors and landlords (interview with Kalyani Menon-Sen, 31 July 2014).

Apart from the experience of sexual harassment, an acute form of harassment that domestic workers face is allegations and false complaints of theft (see ISST 2013, also reflected in many interviews). As Hamid puts it, "there is a deep lack of dignity that the women workers associate with themselves and their work. Even today, a sizeable chunk of employers are suspicious of domestic workers and regard them as cheats and thieves" (2006: 1236). Allegations of theft are particularly made against those that seek to secure their rights of payment of wages, leave etc. against their employers. Mobilising against these false complaints is also a part of the work that domestic worker unions and organisations perform for their members (on which see more in Karnataka section below).

Claims on caste-based discrimination

The question of the relationship between caste and domestic work is a complex one. There continues to be caste-based work segregation, although the composition of domestic workers in terms of caste has changed over the years and the boundaries between castes have been broken with domestic workers employed in households outside their community.¹⁵⁹

In an ISST study (2009) on live-out domestic workers in the NCR of Delhi, most women, irrespective of caste said that many of the problems (for example, not being allowed to drink water or use toilets at their employer's home) was perceived to be due to the low status given to domestic workers. However, the fact remains that caste operates in an insidious manner, even if there are not as many direct instances of caste

¹⁵⁹ Neetha 2004, 2013c; Bhattacharya and Sinha 2009; Moghe 2013.

discrimination: “for example, cleaning toilets is largely done by dalit women, while cooking appears to be the preserve of upper-caste women” (Moghe 2013: 66). The vestiges of pollution and purity, which inform caste-based discrimination, continue to operate in the context of domestic work (Srinivas 1995): serving food and drink in separate utensils, seating “servants” on the floor, not allowing them use of toilets, and so on. Even though the social composition of domestic workers has been shifting over the years, what remains is the association of domestic work with dalit women. Domestic work is perceived as an extension of women’s work, but what is even more stark is that it continues to be perceived as an extension of *dalit* women’s work (Chigateri 2007).

Chigateri (2007), in her study of dalit women domestic workers, notes that the dalit women domestic workers she interviewed felt that their association with domestic work was demeaning. The women interviewed sought to dissociate themselves (and their community) from domestic work, as work that was not traditional to their communities, by talking of their links with more “productive” and “valuable” work, such as agricultural labour, prior to migration to the city. This resonates with Vijay Prasad’s study of the social history of the balmiki community in Delhi who work as sweepers for the Delhi Municipality. The community was involved in various other occupations before some of them migrated to Delhi, where they became known a community of sweepers (Chigateri 2007: 7). The argument that Prashad makes is that the ascriptive nature of the work of cleaning, as belonging to certain communities, has to be historicized (2000: 27).

Many of our interviewees reiterated that domestic workers face various forms of caste discrimination. Anita Juneja of DSS-DGKS says, “even now domestic workers are forbidden from using toilets at the homes in which they work. There is no place for them to rest or to eat their food. They do they have any access to proper toilets or safe drinking water. They have to rely on the mercy of their employers for all these facilities” (translated from original) (interview, 4 June 2014). Sr. Jeanne Devos calls it a question of “dignity and rights” to be able to use toilets and have better working conditions (interview, 25 July 2014). Increasingly, groups, like Parichiti in Kolkata, are working with resident welfare associations (RWAs) to provide domestic workers a space to rest, eat food, and also be used to conduct union meetings, for example (ISST 2013). However, as with sexual violence, the question of caste discrimination, while important to domestic workers, seems to have the status of a secondary claim.

Claims making on migrant workers

Jagori’s study (Mehrotra 2008) of migrant domestic workers, while recognising the difficulties that domestic workers face in terms of wages and conditions of work, also argues that these difficulties are compounded for migrant domestic workers who are further disempowered. They are unable to access social security benefits because of the difficulties of procuring identity papers. Moreover, differences in language and the lack of social networks exacerbate their isolation and social exclusion. The Jagori study points out that in the case of Bengali migrant domestic workers, “most of their children do not go to school due to language differences and that the young girls start accompanying their mothers to work from the age of ten” (Mehrotra 2008: 4).

The situation is further amplified in the case of live-in domestic workers, who pose a challenge for domestic worker organisations to mobilise because of their isolation. In terms of the conditions of live-in migrant domestic workers, Rao (2011) notes, “It is a common factor for the agents to collect the monthly wages from the employer and pay

only a small fraction of the same to her. It is next to impossible for these girls to take an annual leave to visit their villages and many girls lose track of the other girls with whom they travelled to the city” (2011:763).

Rao (2011) argues that live-in workers from the tribal belt undergo a series of changes in their lives, attitudes and behaviour owing to their migration from the villages to urban centres. She points out that these women are respected as long as they send back remittances and bring gifts to their families—“there is a fear of marginalisation the moment they are unable to do so” (2011: 769). On the other hand, Rao describes some of the positive changes. She notes that “while marriage is expected as a normal life-course transition within the local context, this often does not occur due to the changing aspirations of the migrant women workers and their desire for equality alongside the structural constraints to marriages faced by somewhat older women” (Rao 2011:769).

Domestic workers groups also work on the issues surrounding migration. Groups like NDWM, DWF-Chetanalaya and Nirmana are known to work both at the source and the destination areas. Most domestic workers are migrant workers and as such do not have any ID proof in the cities to which they migrate. They are also unable to avail any government schemes. Many domestic worker groups in fact begin mobilising domestic workers by addressing their migration-related issues such as housing, water, school admissions and enrolling them in social security benefit schemes. Providing union identity cards is a crucial tool in organising and forming unions. Amita Joshi of ISST-SAATHI Centre explains, “since most of the domestic workers are migrants, it is important to address their issues of identification and problems they face at the community level such as water, unauthorized structures, etc.” (interview, 23 March 2014). Mobilising domestic workers from different regions is also a problem that domestic worker groups face. Leeza of NDWM-Delhi explains, “we would say may be 70 to 80% are migrant workers but they are working here since many years and some of them, among the 75%, may be 40-45% people are those who are staying here since 20-25 years and some are like new, staying here for the last 5-6 years. The problem is that we do not have people from one community and that makes forming groups very difficult” (interview, 25 March 2014).

Migrant domestic workers, for example, may initially seek assistance around their problems as migrant workers, or come together for language, social and solidarity reasons; local domestic workers may form interest groups on the basis of their religious affiliation. Often organising with or through NGOs, CBOs or religious institutions they develop a form of organisation which may be member based, but without a formal membership mechanism and dues collection system, or may be more akin to a community-based, multi- purpose organisation or a non-worker controlled NGO.

Placement agencies and other agents

There has been a sudden spurt in the growth of placement agencies managed by private entrepreneurs and voluntary associations, especially in metropolitan cities. These agencies play an important role of an intermediary between the worker and the employer. “Most discussions on placement agencies are in context of Delhi, partly due to the availability of studies/interventions but largely due to the vast spread of these agencies in the city” (Neetha 2009: 498). Most of these placement agencies are usually not registered and are run purely on profit motives. On the other hand, “a ‘formalised’ agency is generally backed by some legal or social structure/institution, which guides its existence and working in the sphere of placement of domestics”. Neetha describes them

as agencies either “registered under and/or backed by a trade union (e.g. SEWA), a cooperative society (e.g., Nirmala Niketan in Delhi), voluntary organisation (e.g., the Tribal Development Society in Delhi) or a Church (e.g., the Yuvati Seva Sadan in Delhi)” (2009:499). Moreover, these organisations also provide other services to domestic workers such as the provision of hostel facilities, or the provision of soft skills and vocational training or even the facilitation of weekly meetings (Neetha 2009). In India, most women come from the tribal belts of eastern India to cities such as Delhi to work as live-in domestic workers. Rao (2011) speaks of “aunts” from the tribal belts of Jharkhand, usually middle-aged women from ethnic communities, who act as agents and ensure a steady supply of young girls for domestic workers agencies in Delhi, run by local men.

Subhash Bhatnagar of Nirmana locates the broader context of migration for domestic work. He argues that:

[domestic work] has such a demand, so much of money is involved. At present, there is so much of crisis in Jharkhand, Chhattisgarh, Odisha and now it has shifted to the tea gardens of West Bengal and Assam. One needs to understand that you cannot stop migration [for domestic work]. So we must plan something to make it a healthy route and regulate it and control it and safeguard our girls and make domestic work decent work (interview, 15 May 2014).

In order to tackle this issue, Nirmana runs a parallel organisation, Nirmala Niketan where several programmes are being run for rehabilitation of migrant domestic workers from Jharkhand at the source areas. While there are organisations that seek to provide a safe context for migrant domestic workers, overall the unregulated nature of the placement industry has made it ripe for abuse, with no guidelines for the registration of workers, ensuring payment and good conditions of work, or for tackling exploitation.

Box 5 - The Regulation of Placement Agencies

Currently there are no national laws to regulate placement agencies, despite their sharp growth across the country. Discussions have focused on the possibilities of a number of existing laws being expanded or new legislation pertaining to informal workers, including domestic workers, in its ambit (Neetha 2009). At the subnational level, the Delhi government has drafted the Delhi Private Placement Agencies (Regulation) Bill, 2012, which requires compulsory registration of all placement agencies and at least one kin of the domestic worker. No placement agency will be allowed to place domestic workers without a license. An officer will be appointed to monitor the implementation of this regulation. In Delhi, groups have rejected the Bill outright and demanded its revision. As Subhash Bhatnagar puts it,

This bill was drafted from the view of employers and placement agencies owners. It only talked of registration of domestic workers and is silent on the subject of registration of employers. It also talks of inspection by the labour department but does not mention who and how the inspection would take place. It is basically a toothless bill. Hence, we are rejecting this draft completely and asking for a new bill (Interview, 15 May 2014).

Professionalising domestic work: Domestic work and skill development

One of the ways in which domestic worker organisations have sought to improve the conditions of domestic workers since the early days of the mobilisation of domestic workers in the 1980s has been through skill development. SEWA Kerala, as we have seen, saw the advantages of skills training for their workers early on, pegging training with improved wages (interview with Nalini Nayak, 4 September 2014). Similarly, organisations such as YUVA in Mumbai, CWDR in Chennai, ISST-SAATHI Centre in Delhi, and Saath in Ahmedabad have focused on skill provision for domestic workers

either through skill enhancement within the domestic worker sector or through skill development in other sectors of employment (ISST 2014). There is now also a growth of professional organisations focused on skill development of domestic work combined with placement of domestic workers (for instance, BeAble and Domesteq in Delhi).

Although there have been several domestic worker organisations that have focused on skill development as part of their engagement with domestic workers, this issue has not animated the mobilisations of domestic worker groups across the board. This is because of the close links between skills training and placement agencies, which many groups believe dilutes the function of organisations mobilising for the rights of domestic workers (ISST 2014).

However, the draft National Policy on Domestic Work recognises the need for skills training of domestic workers with a view to increasing their employability and wages (Task Force 2011). In 2009, the Ministry of Labour and Employment (MoLE), Government of India, the Delhi government (Department of Training and Technical Education and Higher Education), and the ILO joined hands to kickstart a pilot training programme titled Skill Development Initiative Programme for Domestic Workers to skill and re-skill domestic workers/household assistants across the Delhi and Noida region. As part of this process, ILO conducted a skill-mapping survey in Delhi and the Noida region and “developed the career path and curriculum for training the domestic workers” which set out various levels of skills and the concomitant learning required to achieve those skills. For instance, Level 1 training was on General Household Care and Level 2 trainings included Elderly Care and Child Care and Cooking and Level 3 training was on Banking and Household Management (Task Force on Domestic Work 2011; interview with Reiko Tsushima, ILO, 28 August 2014). A further initiative of the programme was the establishment of the Skill Card System, the objective of which was to promote the employability and marketability of trained domestic workers (Final Report of the Task Force on Domestic Workers 2011: 55; interview with Reiko Tsushima, 28 August 2014).

Talking about the effect of the Skills Development Scheme, Tsushima explained that the scheme was rolled out for implementation by states, and praised its conceptualisation saying that a National Certificate of Vocational Training was issued at the end, and trainees also got a Smart Card at the end with their details.

The hope was that they could then use this [smart card] to continue to load the trainings in their CV and things like that. And the trainings were provided by approved vocational training providers. ... But you know the sourcing became a problem. And another big problem was that ... the payment became an issue because there were a lot of people who then became certified to be a vocational trainee. And then they claimed to have trained. But they had not. You know the whole corruption and leakages things started. And then the Ministry stopped paying, including those who were legitimately [providing training]. So then it went into a bad [situation] and then it stopped (interview, 28 August 2014).

One of the routes through which ILO is trying to promote the scheme is state welfare boards. She says that the Maharashtra Welfare Board is keen to receive the modules (interview with Reiko Tsushima, 28 August 2014).

A recent development on the question of skill training for domestic workers has been the push for a Sector Skills Council for Domestic Workers. Skill development organisations such as BeAble and Saath have been involved in this process for a few years now (ISST 2013). On 20 August 2014, a National Consultation on Domestic

Workers Sector Skills Council was organised by the ILO in Delhi. The consultation was attended by representatives of domestic workers groups, central trade unions, NGOs, CBOs and placement agencies. There was concern about the structure of the Sector Skills Council and how it would contribute towards domestic workers' employability and a rise in their income. Further, issues were raised about whether concentrating on skills training and professionalising the sector would devalue the rights-based movement. At the meeting, Paul Comyn, Vocational Skill Training Specialist, ILO, stressed the importance of groups continuing to fight for legislation, minimum wages and rights of domestic workers. "The idea of skills training would only be secondary to the continuous struggle for the rights of domestic work", he noted.

Reiko Tsushima of the ILO also notes the interest shown by the National Skills Development Corporation (NSDC) to develop a curriculum for skills training for domestic workers. She contextualises the need for skill development for domestic workers but also cautions that this cannot be done without also simultaneously focusing on domestic workers' rights,

In the last five years or something, the profile of demand is changing. There are a lot more sort of specialised skills that are in demand, maybe because more women are out to work and things like that. I also think that a study by KPMG (which has not yet been published) also talks of the change in profile of demand and an increased demand for skilled domestic workers from the second tier cities like Patna where the children have migrated and require elderly care for their parents left behind and on their own. So, there is an increasing demand for domestic workers in elder care and specific tasks. So that should then be, you know a skilled requirement. So I think the Sector Skills Council (by the NSDC) is trying to set up the system. However, our argument is that unless we have like minimum wages for domestic work, skills training will not work, as it would not attract the downtrodden women who do not have a bargaining power (interview, 28 August 2014).

Tsushima argues that the NSDC would be a good conduit for skill development,

If the training is imparted through the Sector Skills Council, it will standardize the work. This would help in regulating placement agencies as well. Employers may demand only certified skilled domestic workers and this would help in curbing the exploitation that the women face at the hands of the placement agencies. It would also mean that the salaries are being paid directly to the domestic workers rather than through the placement agency (interview, 28 August 2014).

Although skill development for domestic workers has not animated the mobilisations of many domestic worker groups, it is not without support among these groups. Anita Juneja of DGKS argues that "skills development for domestic workers is important and necessary. Most domestic workers are migrants and they are unable to operate electrical gadgets or make good food. Skills training will help them in boosting their confidence and in turn they will be able to demand better wages" (translated from original) (Interview, 4 June 2014). Organisations that have focused on women's livelihoods, such as SEWA, have been at the forefront of linking skill development with improvement in wages. SEWA Kerala's engagement with domestic workers is based on specialised skill training and professionalisation of the work. Nalini Nayak also locates the importance of skill development and professionalisation in breaking down the traditional hierarchies associated with domestic work,

Demand for better services has allowed our women to demand better wages ... We in Kerala have been able to break the caste barriers associated with domestic work. We all clean toilets because we are proud of our work and that is what we do. We want our rights for wages and we do not make the distinction. Like for instance, the same woman who cleans the toilet cooks the food in our unit and there is no problem about this. If any employer comes looking for a worker of a

certain caste, we turn them away. However, there is such a demand for our professional workers, the caste distinction falls apart (interview, 4 September 2014).

4.2.3 Processes of mobilisation of domestic workers

As we have seen, domestic workers' groups have been mobilising and building networks and coalitions around key demands at the national level since the 1980s, but particularly since the mid-2000s. These mobilisations have been both at the national with groups such as the NPDW and the DWRC providing platforms for domestic workers, and at the international level with groups such as International Domestic Workers Federation providing international platforms. There have also been subnational specific mobilisations, which, as we shall see, differ from state to state (see sections on Gujarat and Karnataka below). In Delhi for instance, over the last year six domestic workers groups have come together to form the Domestic Workers Coalition: Delhi-NCR. One of the major demands of this coalition has been the notification of minimum wages for domestic workers in Delhi state.

At the national level, much of the mobilisation has centred around the Draft Policy on Domestic Work, a central legislation on domestic work, and the ILO standard-setting processes leading up to C189. Groups have engaged in these processes through consultations, participation in subcommittees, working groups and the Task Force, as well as by responding to the various stages of the standard-setting process including participation at the ILCs. They have also held rallies, conducted signature campaigns and *Jan Sunwais* to have their voices heard in the public forum and by the government.

Moreover, several organisations also contributed to the discourse on domestic workers' rights by conducting several studies on the issues of domestic work. The Jagori study on part-time domestic workers in Delhi in 2008, the WIEGO Law Project in 2009-2010, the ISST-SDTT study on domestic work in Delhi in 2009, the National Labour Commission's Report on Women Workers and Child Labourers (one of the sections was on domestic workers), the SEWA survey in 2007 on domestic workers in Ahmedabad, among others have all created a favourable environment for raising domestic workers' issues.

The modalities of the mobilisation of domestic workers have differed among the groups, with some groups unionising domestic workers, and others eschewing the unionisation route. Domestic worker groups also differ in terms of how they work with domestic workers. Similarly, the depth of organising, the levels at which issues have been taken up, the modalities through which issues are sought to be addressed at the level of the government diverge across states.

We now turn to some of these strategies of mobilisation directed at the state and at domestic workers themselves.

Strategies of mobilisation of domestic worker groups

Worker identity: nomenclature, identity cards and uniforms

Engendering worker identity is a key part of the mobilisation efforts of domestic worker groups. The transition from "servant" to "domestic worker" is seen as key to instilling a sense of worker consciousness. Moghe (2013) locates the reasons for the lack of worker consciousness among domestic worker as "partly due to the socially isolated and invisible workplaces (within domestic spheres) and partly due to the social as well as personal

perception that paid work is actually an extension of unpaid domestic labour because of which domestic work is not perceived to count as ‘gainful work’” (Moghe 2013: 64).

Nomenclature plays a key role in the efforts of mobilisation by groups. The use of nomenclatures such as *gharelu kaamgaar*, *griha karmikara*, *khastakari kaamgaar* (domestic worker) instead of the “servant” and “maidservant” and other local expressions is seen as key in making this transition towards a worker identity. One of the major efforts of the Domestic Workers Rights Union, as Geeta Menon (2013) recounts, was to break the association of domestic workers as *kelasadaru* (servants) rather than *kaarmikaru* (workers), which connotes a more political sense of the worker with rights (G. Menon 2013: 182-183). As Sr. Jeanne Devos argues, “employers view domestic workers as private possessions and so the shift in name is extremely important” (interview, 25 July 2014). AIDWA also supports this strategy of changing the nomenclature from the locally used traditional and derogatory term of *molkarin* (servant) to a relatively modern and empowering term of *ghar-kaamgaar* (domestic worker) in order to strengthen domestic workers. This change in nomenclature to denote worker status was helpful in instilling “a sense of self-consciousness that was in conformity with the character of the organisation then in the making, to further specific demands; minimum wages, paid leave, maternity benefits, and retirement benefits such as gratuity and pension. There was also a conscious attempt to break the gender stereotype associated with the occupation” (Moghe 2013: 64).

Even in a context where class and worker consciousness thrives, instilling pride in domestic work is no easy process. As Sonia George from SEWA Kerala, argues, “in a state where class was already identified as an important political category in the social development of society, it was not that easy to reiterate the importance of gender” (George 2013: 75).

There are other similar efforts with social entrepreneur organisations such as Saath in Ahmedabad who use the term “home manager” to construct a different kind of identity around domestic work. But this language evokes the entrepreneurship of domestic workers, rather than the language of labour rights.

Identity cards are another important strategy for cultivating worker identity. “It gives domestic workers a sense of being one group,” says Sr. Jeanne Devos (Interview, 25 July 2014). Across the organisations interviewed during this research, the use of identity cards is a key strategy to instill a sense of belonging in workers. All organisations, and not just the registered unions, provide identity cards to their members. Identity cards not only instill pride among workers and a sense of shared identity, but they also allow workers to gain access to benefits, as in the case of the Maharashtra Domestic Workers Welfare Board (Moghe 2013; also ISST 2014). The worker identity cards also help in dealing with other issues such as police harassment, according to Mewa Bharati of the Mahila Kaamgaar Union in Rajasthan (ISST 2014; also interview with Chaitali, 12 May 2014). As Subash Bhatnagar notes, “most domestic workers are migrants and they do not have any document proof, owing to which they face more harassment” (interview, 15 May 2014). One of the recommendations of the Task Force is to facilitate the process of issuing identity cards.

The use of aprons is another symbolic means employed to reinforce worker identity and the professionalisation of domestic work (see ISST-SAATHI Centre Report 2013). Domestic workers at SEWA Kerala are expected to wear uniforms at work: “the off-

white saree, (which is regarded respectable in the Malayalee context)”. They are “also fined if they are found not wearing it during ‘duty time’” (George 2013). This, along with the use of identity cards, says George, helps domestic women workers to distinguish themselves from sex workers, and to maintain a semblance of social respectability. Leaving aside the divisions between women workers that such a distinction entails, the use of uniforms and the provision of skill training in performing domestic work are also indicative of the difficult terrains domestic worker groups have to navigate to instill pride and worker consciousness while retaining the dignity of the domestic workers in an occupation that has a long history of social denigration. Professionalisation and dignity in work are first steps to the creation of “good workers”.

COLLECTIVISING DOMESTIC WORKERS FOR THEIR RIGHTS: LEADERSHIP BUILDING, PROTEST MARCHES, JAN SUNWAIS, POSTCARDS...

Instilling a sense of shared exploitative working conditions as well as shared benefits of collectivisation have been key to domestic worker mobilisation strategies. Nevertheless, an obstacle to collectivisation efforts is the lack of solidarity among domestic workers in a context of acute necessity and competition. As Sr. Jeanne Devos of NDWM notes,

One of biggest challenges in mobilising domestic workers is to break the competition between them. The lack of solidarity between the women hinders mobilisation. For example, we have the difficulty with someone who earns Rs. 500 a month not going on a strike or joining an action for the girls who were paid only 200. The person thinks that if I take the risk to go for the demonstration, I might lose my employer. So one of the milestones is the first *morchas* [rallies] that one organises where you get domestic workers of all varieties coming together for the basic rights of one another because there is no uniform form of exploitation (interview, 25 July 2014).

Wage undercutting and job insecurity propel suspicion among domestic workers. Moreover, the problems of collectivisation are further complicated when mobilising the more vulnerable recent migrant domestic workers because of issues of language and difference (see interview with FEDINA, 24 July 2014).

There are several ways in which domestic worker groups seek to collectivise disparate domestic worker groups. Some of these are directed at domestic workers themselves. Others serve the dual purpose of both collectivising domestic workers and bringing public and state attention to the claims making of domestic workers. For instance, many groups such as NDWM, AIDWA, DGKS and FEDINA provide training on leadership and capacity building to workers to supplement the process of unionising. Further, collectivising on workers’ disputes with employers is a key strategy to instill a sense of solidarity among workers (see the section on Karnataka).

Most groups organise rallies and protest marches as a means to both organise domestic workers as well as to get attention from society and the state. Many such protest rallies and marches have been conducted, whether it was the large national rally in Delhi in August 2013 which ended with the leaders of domestic worker groups petitioning the government of the more recent silent protest march of the Domestic Workers Coalition; or the one in Delhi-NCR on 22 August 2014 where around 1,000 women domestic workers from different parts of Delhi and Gurgaon presented a charter of their demands to the Labour Commissioner, the Lieutenant-Governor’s Office and the Prime Minister’s Office (PMO).

Groups also use international commemorative days such as Labour Day, International Women’s Day and now International Domestic Workers Day (November 16, the day

when C189 was adopted) to bring attention to their cause. These are used as a focal point for groups to join forces to petition the government to ratify the convention.

There is also an interesting ongoing campaign by NDWM of sending postcards to the PMO demanding a comprehensive legislation for domestic workers and the ratification of the ILO convention. Sr. Devos explains, “PM Narendra Modi’s mother was a domestic worker herself and so we are sending postcards with the two demands hoping for some positive response. From Mumbai, we have sent out 5,000 postcards and from the rest of Maharashtra, around 25,000 postcards have been sent. All states under NDWM are sending similar postcards to the PMO” (interview, 25 July 2014).

Amita Joshi of the ISST-SAATHI Centre, which organised a jan-sunwai with around 200 domestic workers and other community members, says, “jan-sunwais are a major point of mobilisations for domestic workers and are direct platforms for the group to interact with the bureaucrats and vice versa” (interview, 25 March 2014). Leeza of NDWM, Delhi also mentions that “press conferences are a good strategy to reach out to the media and the government and draw their attention to the issue” (interview, 25 March 2014).

In Delhi, activists including Subhash Bhatnagar from Nirmana and Leeza from NDWM pointed out that they approached different government officials from the Chief Minister to the Labour Commissioner, but although they listened patiently, they do not support the cause because they are employers themselves. However, this attitude is changing. Subhash Bhatnagar explains that there are parliamentarians who join the platform based on their own personal family histories either with domestic work or with poverty. He says, “although they never took the initiative for starting it nor did other MPs who came from poor families; but when the campaign is started, they extended their support and we feel this support will help in the long run” (interview, 15 May 2014).

In locating the effectiveness of these strategies, groups argue that each of the mobilisations have incremental value, and that together they form an effective composite. As Subhash Bhatnagar says, “a mix of strategies, culture of movements, strength and length of the domestic workers movement at the subnational level and sympathetic bureaucrats and government officials help create changes at the state and national level” (interview, 15 May 2014).

Consensus building among domestic worker groups

With regards to the processes through which consensus around claims making among different groups is arrived at, as we have seen, groups have used consultations, subcommittees, working groups and so on to come together on issues of importance. The divisions between groups on the question of placement agencies and the function of tripartite boards, however, remains a sticking point. The proliferation of domestic worker groups also hinders them coming together at a national level. However, as Nalini Nayak puts it,

There is no problem in having more than one group. This is such a huge issue you cannot have one single body anywhere. The more people who agitate for it the better. We do not pretend that in this large country you can have one single platform Since we work in the field, we know how difficult it is to get these things moving. My position is the more the merrier but share material, see what we are proposing, please if you disagree say why you are disagree but let us focus and try to go ahead and let us not end up like how the Unorganised Social Security Act ended up. We learned a bad lesson so let us try to move together (interview, 4 September 2014).

Subhash Bhatnagar argues that problems within the groups or networks are often resolved by “much more experienced people in the national movement such as Nalini Nayak whose voices are heard” (interview, 15 May 2014).

4.2.4 Challenges for the domestic workers movement in India

One of the issues that came to the fore in almost all interviews was the divide between the women’s movement and the labour movement, with domestic worker mobilisations falling through the cracks of this division. According to many of the groups we spoke with, domestic work is largely seen as a labour issue by the women’s movement and is also sidelined by the mainstream labour movement, which is dominated by men who refuse to examine gender in the struggle for class equality. As Nalini Nayak of SEWA argues,

The labour movement does not take domestic work seriously. All the central trade unions because they are dominated by men, do not take women’s work seriously whether it is work outside the home or inside home. In fact, leave alone the labour movement, even the women’s movement did not celebrate the fact that the domestic workers’ got a Convention...I think the women’s movement does not support the cause because women do not want to call themselves the ‘employers of domestic workers’ (interview, 4 September 2014).

Meena Patel of the DWRC echoes the understanding that the women’s movement has not taken seriously the concerns of domestic workers. She argues, “domestic workers movement is for economic rights and if that is not a feminist claim then what is?” (Interview, 2 April 2014). Geeta Menon of SJS also makes the argument that women’s groups have not taken enough ownership of the issues of women workers. She argues that the reasons for this lack of engagement with issues of women workers lie in the early days of the women’s movement, when “working class issues” such as housing and ration cards were not considered women’s issues (Interview, 17 June 2014). Many of the feminist groups working with domestic workers agree that “the women’s movement will eventually have to take up this issue in the future” (interview with Meena Patel, 2 April 2014). Archana Prasad of AIDWA Delhi argues that at the very least, there ought to be more coordination between labour and the women’s movements (Interview, 16 July 2014). The fallout that domestic worker groups see in this lack of ownership of domestic work issues as a feminist concern is in terms of a holistic coming together of various dimensions of women’s lives. As a consequence, many domestic worker groups see their natural allies as other groups of unorganised sector workers, and not necessarily women’s groups, even if they offer solidarity for each other’s campaigns (interviews with FEDINA, 24 July 2014 and Geeta Menon, 17 June 2014).

Apart from the critiques of the labour and women’s movements on the question of domestic workers, there are internal critiques of domestic worker mobilisations as well. Meena Patel targets the *nature* of many of the groups working with domestic workers and argues against the idea of the same organisation working with multiple groups of workers in the unorganised sector: “One cannot be an expert on all sectors of the unorganised sector. If you have been working with construction workers then your expertise lies there. You then cannot also be an expert on the issue of domestic work which is contextually different [from construction workers] and is a women-oriented occupation. This duality is harmful for mobilisation and policy change” (Interview, 2 April 2014).

The differences on how to deal with the twin pulls of solidarity and specialisation are not easy to resolve, especially when there are not many organisations mobilising domestic workers in the country. What is important though, as Archana Prasad argues, is for domestic work mobilisations to be linked to larger movements of transformation,

because “otherwise the domestic worker [issue] will just simply become a material thing. The domestic workers’ union should be an agent of transformation of the women themselves and their families. So we want domestic workers [to] not only to fight with the state but [also] against social structures” (interview, 16 July 2014).

However, the larger political context, she argues, does not augur well for the domestic workers’ movement,

Spaces are getting more and more closed. ... The left has anyway suffered but all the progressive movements have suffered hugely in this election. [in May 2014] You had Task Forces, you had Planning Commissions because the earlier governments were not so ideological in character So you have no option but to organise and mobilise the poor. ... We have a huge challenge in front of us and in that situation to make new unions and all I do not know how easy it is going to be because after all people need to work. Their economic situation is so bad that they cannot afford to even protest anymore. ... Unity among non-obscurantist forces is essential (interview, 16 July 2014).

4.2.5 Conclusion

The mobilisation of domestic workers began in earnest in the mid-1980s. However, these were individual efforts spread across the country, with only the National Domestic Workers Movement having a presence in more than one state. By the late 1990s onwards, several more groups working with domestic workers began to grow across the country. This growth of domestic worker groups has followed the growth in numbers of domestic workers and its increasing feminisation.

By the mid-2000s, especially where domestic worker groups had a presence, there were changes in laws at the subnational level with the enactment of minimum wage legislations and the setting up of welfare boards. This was also the time that groups began to come together for joint action at the national level with proposals for a national level law on domestic work. Globally too, through the work of WIEGO and other international labour organisations, momentum gathered to bring together domestic worker groups. The initiation of the standard-setting process at the ILO for a Convention on domestic work propelled further mobilisations internationally as well as in India. In the run up to the Convention, several groups mobilised to discuss it. The Indian government also set up the Task Force for Domestic Workers and drafted the National Policy on Domestic Workers.

These developments also led to renewed network and coalition building between groups at the national and subnational level for the regulation of domestic work. In 2013, several domestic worker groups got together and formed the National Platform for Domestic Workers with the demand for a comprehensive national-level legislation and the ratification of the ILO Convention by the Indian government. There has been some friction between various groups on the issue of whether only membership-based groups should be allowed to speak on issues of domestic workers. The other contentious issue is the demand by some groups for a Tripartite Board that performs the functions of registration, dispute resolution and social security, while other groups feel that it should be the Labour Department, which as a government functionary should perform these responsibilities.

Claims making among almost all domestic worker groups have been on the recognition of domestic work as work, and the conditions of work (wages, leave and bonus), and social security (pension, housing and health). Issues such as sexual harassment, caste discrimination and migration are now being taken up by more domestic worker groups.

However, these mobilisations remain secondary with many domestic worker groups to mobilisations on wages, leave and other more “traditional” issues of workers. Skill development and training for domestic work is increasingly gaining prominence at both a policy level and among domestic worker groups. The professionalisation of domestic work, and the implications this has for mobilisations on domestic worker rights is still being worked out by domestic worker groups. While some groups have been engaged with skills training for domestic workers from the beginning, there are many organisations for which this, particularly when it is paired with placement services, is not the traditional purpose of domestic worker mobilisation and unionisation. The differences between organisations on this matter is far more pronounced between domestic worker groups at different subnational levels, as we shall see below.

In terms of voice and representation, there is a concern that in coalitions and at the national consultations, smaller grassroots-level domestic groups often do not get invited to or are unable to articulate their demands as much. Moreover, there is a perception that too many diverse groups with no consensus would also slow down the momentum of the movement.

There are several challenges faced by domestic workers groups, one of which is the need for the movement to be critical not just of structures of the economy and work, but also other social structures such as the family. Further, in the last couple of years, there has been no action by the government on either the bills or the National Policy. This is perceived by some groups to only worsen in the coming years with the change in government. Changes at the subnational level have also been sporadic and inconsistent. Mobilising at more subnational levels poses serious challenges for the domestic workers movement. Moreover, domestic worker groups, some of whom come from a feminist ethos, and many of whom have links with the wider labour movement, need more support from both the women’s movement and the labour movement. There is a perception among many groups that the domestic workers movement has been short-changed by both the labour and the women’s movement. Domestic worker groups need to educate both these movements on the importance of organising and mobilising domestic workers because women form the largest chunk of domestic workers in a fast-growing industry.

4.3 Mobilisation of Domestic Workers in Gujarat: A Nascent Beginning

Around the 1970s, Gujarat saw some vibrant movements in the form of the SEWA unorganised women workers movement which began in 1972, the Gujarat Co-operative Milk Marketing Federation Ltd. or Anand Milk Udyog Ltd. (AMUL; a cooperative society for women dairy farmers) in 1973, and the Navnirman movement in 1974. However, mobilisations specifically targeting domestic workers never really took off in Gujarat until recently. Even now, the mobilisation of domestic workers in the state remains limited; of the six organisations that mobilise domestic workers in Gujarat, only two of them directly mobilise women domestic workers. In this section, we map this nascent history, including an account of the early mobilisations on domestic workers, and the perceived difficulties in mobilising women domestic workers. We also locate the data (and lack thereof) on domestic workers in the state, and the context of mobilising domestic workers in the city of Ahmedabad. We also analyse the claims making by the domestic worker groups working with women.

4.3.1. Organisations and groups mobilising domestic workers in Gujarat

In her assessment of domestic worker mobilisations in Gujarat, Meena Patel of the Domestic Workers Rights Campaign argues that “there has never been any movement for domestic workers. The labour movement here has not given much importance to the cause of domestic workers” (interview, 2 April 2014). While there have been some sporadic efforts to mobilise domestic workers, mostly targeting male domestic workers, even these have never really been sufficiently sustained to build into a movement. In the last two decades, various trade unions such as the New Trade Union Initiative under Ashim Roy (of Chemical Mazdoor Panchayat and Vice-President of NTUI), Indian National Trade Union Congress and SEWA have mobilised domestic workers. While the first two central trade unions were more involved in mobilising male domestic workers, SEWA began mobilising women domestic workers in Gujarat from 2007 (interview with Shalini Trivedi, 30 May 2014).

In the early 1990s, NTUI, under Ashim Roy, focused on mobilising male domestic workers in Ahmedabad, largely targeting the issue of police harassment. As Ashim Roy notes, “just [as in the] case of women domestic workers, sexual harassment is a serious issue, we found harassment by police to be a very crucial and repetitive issue [for male domestic workers]” (interview, 28 May 2014). The mobilisations initiated by NTUI continued for five years and then dissipated, mainly due to a lack of motivated individuals. “Our main mobiliser, who was also an influential community leader from where these domestic workers were coming, decided to move back to his village and take up farming. That was a big blow to the mobilisations. And eventually, I also moved out of Gujarat and the movement could not sustain itself and eventually died” (interview with Ashim Roy, 28 May 2014).

Interestingly, INTUC also started organising both construction workers and domestic workers in 2004-2005. However, this remained limited to male workers. INTUC’s mobilisations were also on the issue of police harassment, indicating the resonance that the issue had among male domestic workers. The President Ashok Punjabi notes, “Some of our mobilisers found that domestic workers were regularly harassed by the police on the false complaint of theft. At one point, the situation was so bad that if 15-20 domestic workers were sitting and chatting and if they saw a police van, they would get up and run” (interview, 27 May 2014, translated from the original).

In response, the union decided to call a big *sammelan* (public gathering) with the domestic workers where they “gave an open challenge” to the police and told them that the union would help them if complaints had any truth in them, but they would definitely *gherao* (besiege, surround) the police station and shout slogans if any domestic worker was harassed on the basis of a false complaint (interview with Ashok Punjabi, 27 May 2014). This public gathering proved to be a big success. “The very next day, the Police Commissioner gave orders that, if any theft complaint against a domestic worker comes, then first the Police Sub-Inspector or the Head Constable will make preliminary enquiries to check if there is any truth in it. Only if he is satisfied, further enquiries will be made. Under no circumstance will the domestic worker be arrested and harassed on the basis on a phone call complaint” (interview with Ashok Punjabi, 27 May 2014). This *sammelan* gave confidence to domestic workers and helped in increasing the membership numbers of the Union. More mobilisations are taking place, with INTUC’s recent mobilisations on claims for social security (interview with Ashok Punjabi, 27 May 2014).

Mobilisations on women domestic workers

SEWA is the only organisation mobilising women domestic workers in Gujarat as part of its broader initiative on women in the unorganised sector. However, SEWA only started mobilising on women domestic workers in Gujarat in 2007, unlike in other parts of the country where mobilisations of domestic workers had already been underway, including SEWA's own mobilisation in Kerala.¹⁶⁰

SEWA's mobilisation of women domestic workers in Ahmedabad district, Gujarat, followed a socioeconomic study to look into the possibility of working with them. The study was conducted jointly in 2006 by SEWA and the Institute of Social Studies Trust as part of the WIEGO Law Project (interview with Shalini Sinha, 27 August 2014; ISST 2008). Given the acute lack of data on domestic work, the ISST study (2008), which was conducted in three neighbourhoods in Ahmedabad, proved a useful resource in understanding the socioeconomic profiles and conditions of domestic workers (interviews with Shalini Sinha, 27 August 2014, and Meena Patel, 2 April 2014). Shalini Trivedi of SEWA talks of how the study helped shape their mobilisation efforts. For a start, "the study findings indicated that there was an increase in the demand for domestic workers in Ahmedabad. Many women who were earlier involved in construction work, were now moving into domestic work as an alternative form of employment" (interview, 30 May 2014). The ISST report also located some of the acute socioeconomic conditions of domestic workers in Ahmedabad, including the lack of childcare, inability to save, accompanying occupational health hazards and lack of compensation for injury at workplace, as well as varied calculations of wages based on clusters and tasks performed. The findings of this study were also used by SEWA as a resource for their mobilisations on the ILO Domestic Worker's Convention at the international level.

Previously, domestic work was part of the "small trades and activities" section of the union. However, once the number of domestic workers who were registered members of SEWA increased to 1,000, a separate entity of *dhandra samiti* (employment cooperative) on domestic work was created. Currently, SEWA in Gujarat is involved in the mobilisation of part-time and full-time, live-out domestic workers in Ahmedabad district, and there are now "around 17,200 domestic workers who have registered with SEWA Gujarat as members" (interview with Shalini Trivedi, 30 May 2014). SEWA Gujarat follows a cooperative model and has been involved in forming membership-based domestic workers groups in Ahmedabad district of Gujarat.

The question of the mobilisation of domestic workers in Gujarat is also located in the formation of domestic worker organisations whose primary purpose is not domestic workers' rights, but their entrepreneurship. Saath in Ahmedabad is one such organisation. It works towards the professionalisation of women domestic workers by training "home managers", which is seen as an important path to obtaining better wages and social security benefits for women involved in domestic work. Saath began its work in Ahmedabad in 1989 in urban slum communities, where it worked on issues related to community development. In the course of this work, it formed a group for women (Sakhi Mahila Mandal) and found that many women were either working as domestic workers or wanted to work to augment their family salaries. Chinmayi Shah, who runs the Urmila Home Managers Programme at Saath, says,

¹⁶⁰ Nalini Nayak described the work of SEWA Kerala: "We began providing training and organising domestic workers in 1986. We provided training in nursing, child care, elderly care and neo-natal care." (interview, 4 September 2014; also see sections on the national picture and Karnataka).

One of our trustees, who is an IIM [Indian Institute of Management] graduate, suggested that we should mobilise women, give them training about using electric gadgets, health and hygiene child care, elderly care, life skills and time management... basically to professionalise them. So we put our heads together and came up with a training protocol with inputs from our community leaders. Thus, we began training women from the community for domestic work from 1995 (interview, 3 April 2014).

Since 2008, around 700 women have been trained and placed by Saath as home managers. At one point, due to internal problems and with an aim to scale up, the Urmila Home Managers Programme was floated as a Section 25 company, especially concerning placements. However, this was discontinued owing to the kinds of placements the company was doing (on which more below). Currently, Saath runs the home managers programme under a charitable trust (interview with Chinmayi Shah, 3 April 2014).¹⁶¹ In terms of the profiles of the women that Saath works with, Chinmayi notes that although there is now a recent influx of migrants from Orissa and Bihar, “90 percent of those living in the urban slums of Ahmedabad are intra-state migrants (mostly Gujaratis from villages across Gujarat)”, and therefore, it is largely Gujarati home managers that Saath works with. Moreover, “most of [their] clients want Gujarati home managers as it makes communication easier” (interview with Chinmayi Shah, 3 April 2014).

Apart from these two organisations, a key personality of the domestic workers movement based in Gujarat is Meena Patel, the Coordinator of the Domestic Workers Rights Campaign. An eminent labour activist and trade unionist from Gujarat, she was initially part of the Executive Committee of SEWA and later managed the South Asian activities of IUF (of which SEWA is an affiliate) before becoming an independent activist. She has a lot of experience in unionising women and workers thanks to her previous activism with home-based workers and vendors in the 1990s. As an independent, she collaborates with unions across the country. However, in Gujarat, she has not been involved with any groups mobilising around domestic work because she says that “there has been no mobilisation in Gujarat as far as domestic work is concerned. The fact that Gujarat still does not cover Domestic Work under the Minimum Wages is sufficient proof” (interview, 2 April 2014). Even so, because of her experience, Meena Patel has been instrumental in providing inputs into various labour policies at the national level through the DWRC. “I got involved with domestic workers when the legislation [NCW Bill] was being formulated and then the disillusionment with the Delhi groups led us to form this Domestic Workers Rights Campaign” (interview, 2 April 2014).

4.3.2 Claims making by groups in Gujarat

Although the mobilisations on domestic work in Gujarat are relatively young, some of the issues around which SEWA, Saath and others have mobilised reflect many of the issues and concerns of domestic worker groups around the country, particularly on working conditions. But not every organisation strategises on the issues in a similar manner.

Mobilising on wages and leave

The state of Gujarat has not notified minimum wages for domestic workers. Even so, domestic worker groups target their mobilisations for better wages at employers, rather than at the state.

¹⁶¹ We return to the implications of this, and the training imparted to professionalise domestic workers in the section on skill development below.

SEWA Gujarat negotiates wages for workers through their *dhandra samiti* (enterprise cooperative) which links member domestic workers to potential employers. Shalini Trivedi argues that the samiti offers a good platform for both employer and employee to negotiate conditions of work, “Owing to the SEWA stamp, employers have trust on these domestic workers. Domestic workers who are interested to perform childcare, home care, etc. register with the cooperative. Employers usually leave their visiting cards with us and when we find a suitable worker, we call both parties and try and get them fair wages” (interview, 30 May 2014).

Apart from the stamp of credibility that SEWA offers for both employer and employee, she credits unionising processes with the increased bargaining powers of domestic workers, with “domestic workers [now being] able to demand extra pay for extra work as well” (interview with Shalini Trivedi, 30 May 2014).

In order to understand the “scope, need and salary structure of domestic workers”, Saath undertook a field survey in Ahmedabad, based on which it developed a wage structure that would be adequate for its home managers and affordable for the employers (interview with Chinmayi Shah, 3 April 2014). The wage structure of Saath includes a combination of both time and task wages. In arriving at the wage structure, Chinmayi Shah says, “We considered the minimum wages in Gujarat for semi-skilled workers as the baseline for structuring the wages for our domestic worker. Hence, for an 8-hour day work, we arrived at the figure of Rs. 6,800 per month and an extra Rs. 500 for conveyance. So, a total of Rs. 7,300 per month for 8 hours’ work” (interview, 3 April 2014).¹⁶² While there is some support to domestic workers in negotiating wages with employers through both Saath and SEWA, there is barely any mobilisation regarding leave for domestic workers in Gujarat. For the domestic workers that they place with employers, Saath provides two days of leave in a month (on any date of their choice, with prior intimation) and 12 public holidays. This is solidified by being mentioned in the contract (Letter of Agreement) which the employers sign with the organisation. Given the woeful inadequacy of this leave provision, Saath are now deliberating whether to negotiate four days of weekly leave in a month and how to include medical leave.

Social security

Mobilisation on access to social security, and in terms of visibilising and drawing public attention to the issue, has come from the central trade unions in Gujarat. Ashok Punjabi shared INTUC’s plans to demand social security rights like pension, medical insurance as well as demands for a Welfare Board for domestic workers similar to the Board for construction workers (interview, 27 May 2014). However, INTUC does not work with women domestic workers.

Domestic workers in Gujarat, as elsewhere do not benefit from state schemes for unorganised workers (as they are not included in the list of unorganised workers). RSBY is the one medical insurance scheme which has been made available to domestic workers; however, as elsewhere, it “has been a big failure in Gujarat” (interview with Shalini Trivedi, 30 May 2014). Organisations such as Saath and SEWA bridge the gap by providing social security services to their members. SEWA’s domestic workers “have access to health care, insurance, low cost housing, etc. through the SEWA cooperatives and the SEWA Bank” (interview with Shalini Trivedi, 30 May 2014).

¹⁶² As per the Minimum Wage Notification in Gujarat dated 25 February, 2014, rates payable per day for semi-skilled workers vary from Rs. 276 to Rs. 284 (depending on the zones). For more details http://www.labour.gujarat.gov.in/Portal/News/84_1_KHR-2014-LVD-10-MINIMUM-WAGE.pdf

Apart from its efforts to provide social security for domestic workers, Saath also supports domestic workers and other urban poor with other social security and livelihood concerns thrown up by displacement. The growing incidence of internal displacement of the urban poor to the fringes of the city have adversely affected their livelihoods. Chinmayi elaborates, “earlier, many slums used to be near certain residential areas. Now, because of the riverfront project, many of them have been shifted. So now many of the domestic workers have been moved away from their original place of residence, which means that most of them are out of work because now they are five to seven kilometres away from areas where they worked. So now most of them are at home” (interview, 3 April 2014). She argues that this is because of the Sabarmati Riverfront Project, which led to the demolition of almost 14 kilometres of developments on both sides of the river, resulted in more than 50,000 families being displaced. According to her, “very few were shifted according to the rehabilitation policy of within 2-5 kilometres. Most were shifted very far, which makes commuting difficult, time-consuming and expensive. Right now, we are working there just to get them settled first. We cannot talk about livelihood issues right now. We are dealing with something as basic as basic infrastructure, setting up a housing committee in those areas”. Chinmayi Shah also explains how the entire neighbourhood system has been uprooted, owing to which old social networks have collapsed, leading to mistrust.

Rehabilitation was done using the chit-picking system, a lottery system which meant one person got a house in one area whereas his neighbour of many years and whom he could trust was rehabilitated in another area. Now because I am living next to someone I do not know, I do not trust, I have to start building that trust and as a result, 90% children dropped out of school and almost 99% women have stopped coming to work. They had to be the ones who stay back to take care of the children (interview, 3 April 2014).

Neoliberal policies often lead to internal displacement of urban poor, making it even more difficult to organise workers. Spaces of intervention and claim making shrink as neighbourhoods and social networks of urban poor are uprooted, and this affects women more because they rely on each other for childcare and commuting, and to be able to go out and earn their daily wages.

Sexual harassment at the workplace

SEWA was one of the key actors for initiating the process for including domestic workers in the Sexual Harassment at Workplace Act 2013. As Shalini Trivedi recounts,

The government asked for our comments on the draft bill. We gave our suggestions and we were called before the Standing Parliamentary Committee to present our views on the Sexual Harassment Act. Manaliben from here went to that Standing Parliamentary Committee and she suggested two things, that the informal economy should be included and that domestic workers should be included, which were incorporated in the final Act (interview, 30 May 2014).

Interestingly, with regards to intervention in cases of sexual harassment faced by domestic workers at their workplace, Shalini Trivedi observes that, although SEWA provides “training on sexual harassment at workplace, and some of the women share some of these incidences that they may have faced”, what usually happens is that women do not approach them for such cases. Rather, “she will approach us only to get her dues cleared from such a home. ...In a way, then, we only intervene in the labour part of the issue” (translated from original) (Interview, 30 May 2014).

That domestic worker groups are not at the forefront of the struggle to deal with sexual harassment that domestic workers face at the workplace at case level (even if they have

been involved in policy level advocacy) resonates in our interviews with other groups too, at both the national level and in Karnataka. At the level of mobilising workers, domestic worker groups it seems (with the odd exceptions) are primarily organisations dealing with economic injustice and issues of redistribution (class), with gender status issues such as sexual harassment being relegated to a secondary order of claims making.

Skills training, placement services and the professionalisation of domestic work

In Gujarat, both domestic worker organisations (SEWA and Saath) offer skills training and placement services for domestic workers. While Saath focuses almost exclusively on skills training and placements, the major thrust of SEWA's work is the creation of membership-based *dhandra samitis* to work as a link between the employer and the workers. SEWA also provides skills training through its Home Care and Child Care Co-operatives; this training is largely on leadership skills, building capacities, legal knowledge, gender sensitisations etc. They also provide training on upgradation of skills (interview with Shalini Trivedi, 30 May 2014).

On the other hand, through its Urmila Home Manager's Programme, Saath sees itself as primarily as professionalising domestic work. Its work with domestic workers hinges on the belief that such professionalisation brings "dignity to the work and with it the women can demand higher wages and social security benefits" (interview with Chinmayi Shah, 3 April 2014).

The Urmila Programme focuses on skills training for domestic workers, including training on housekeeping, cooking, childcare, elderly care with the objective of placing their home managers with employers. At the heart of Saath's focus on training is the reconceptualisation of domestic work as home management and a resulting shift in the understanding of domestic workers as home managers. This shift, Saath argues, allowed for a conception of the professional and dignified nature of domestic work along with attendant recognition of the requirement of skills in performing domestic work. Chinmayi Shah elaborates:

While developing the training module, we were focusing on the overall home management by the woman in the absence of family members who are out to work. We also wanted the women who came in for the training to understand that what they were doing was dignified and professional work. For example, childcare is not an easy work—it requires some skills. Nowadays, parents want even their nannies to know some English so that the child is able to begin conversing in English. As such, when we interacted with our home managers prior to the training, they would always consider themselves uneducated and unskilled. During training, we inculcated a sense of dignity and professionalism in them with regards to the work. The term 'home manager' also added to that dignity. It was considered far superior than being called a *kaamwali* or maid who is a harassed or a poor woman who works in ten houses for bad wages (translated from original) (interview, 3 April 2014).

The shift in terminology from "maids" to "home managers" that Saath brings to discourses on domestic work differs from the shift in terminology to "workers" that most other domestic worker organisations strive to achieve. The terminology of home manager reflects an ethos of entrepreneurship. While most domestic worker organisations focus on domestic workers' rights, whether this be on minimum wages, the requirement of holidays and other conditions of work as the means of empowering domestic workers, Saath's engagement is premised on an understanding that professionalisation through training (and subsequent placement with contracts) is the means to achieve an improvement in working conditions.

Ashim Roy locates the impetus behind professionalisation by noting that professionalisation commands respect from employers “because then it would entail entering into a professional commitment on both sides” (interview, 28 May 2014). The placement component of professionalisation of domestic work, however, is fraught with difficulties, especially when done with a profit motive. Saath experienced this when it changed the structure of functioning from a non-profit organisation to a company,

Owing to some internal problems, our founder-trustee decided to convert the programme into a private limited company and all the home managers became employees of the company and the company gave them salaries. However, the Company eventually started looking only at bottom line profit and the relationship building between the women and the company was not being focused on. [When] we were a company, we decided to do training and mobilisations for the company and let the company place women. However, we soon had problems with the kind of placements the company was doing and we decided to discontinue placements for some time. Eventually, we shifted the entire programme under the Charitable Trust and discontinued being a company. We have now started placements and some 55 women have been placed as home managers (interview with Chinmayi Shah, 3 April 2014).

Mobilising domestic workers and placing them have been seen as distinct and not necessarily compatible activities by domestic worker groups (ISST 2013). In fact, it has proved a flashpoint among domestic worker groups (as we have seen in the national level mobilisations). Here, Saath makes an interesting distinction between functioning as a placement agency (through a charitable trust) and functioning as a placement agency through a company. However, what is interesting to note that while most domestic worker groups see their primary function as mobilising and collectivising domestic workers, Saath stands apart through its focus on training and placement. Its intervention in advocacy efforts has only been in the realm of the push for the creation of a Sector Skills Council on Domestic Work (see above), rather than on mobilising for workers’ rights. Recently, however, through its interaction with other domestic worker groups, it is slowly turning its attention to workers’ rights (ISST 2014).

4.3.3 Reflections on the (lack of) mobilisations on domestic work in Gujarat

As we can see from the sections above, the claims making by and for women domestic workers in Gujarat is fairly limited. There are barely any women’s groups mobilising domestic workers in Gujarat; the only women’s group mobilising domestic workers is SEWA Gujarat. However, even SEWA Gujarat is not as active in making claims with the state as SEWA at the central level has been, particularly through the work of SEWA Kerala. Shalini Trivedi locates the ways in which SEWA Gujarat engages at the level of the state: “SEWA has been active at the national level and has a long-standing relationship with the government. Government officials often ask us for case studies, policy briefs, etc. and we help the government to develop these However, at the Gujarat state level, we have not engaged much with the government with regards to issues related to domestic workers” (translated from original) (interview, 30 May 2014).

SEWA’s mobilisation efforts seem therefore to be more geared towards the national level than the state level, given that SEWA has been a key member for drafting the National Policy for Domestic Workers, and was the representative union during the ILO Convention. Further, it has been playing a leading role in organising consultations across different domestic worker groups in the country. However, in Gujarat itself, its mobilisations are still at a nascent stage.

Other organisations such as Saath, who do work with domestic workers, come to working with vulnerable communities from the perspective of entrepreneurship,

ownership and skill development. While Saath plays a crucial role in professionalising domestic work in Gujarat, without a rights-based approach to domestic work, the extent of its mobilisations on domestic work remain limited.

Further, there has been negligible mobilisation of women domestic workers in Gujarat by traditional central trade unions such as the *Bhartiya Mazdoor Sangh* or *INTUC*. Meena Patel of *DWRC* points out that “women are lacking in trade unions across Gujarat because there are very few women in industries” (interview, 2 April 2014). Hiranmay Pandya, President of Gujarat *BMS* echoes these arguments, but in the context of domestic work. Speaking of Baroda, he says that they “have not really women mobilised domestic workers mainly because we hardly have any women to mobilise from that community” (interview, 28 May 2014). Ashok Punjabi of *INTUC* reiterates this claim, but in the context of Ahmedabad, “it is mostly the men from Rajasthan who are involved as *Ghar Ghaghatis* or full-time live-in domestic workers ... there are very few women who are involved in domestic work” (interview, 27 May 2014). Almost all representatives of the Central Trade Unions involved mostly mobilised men; they said that they found very few women domestic workers. While this is belied by the general picture of domestic work across India, and even the studies done by *SEWA*, what rings true and echoes across the central trade unions are Ashim Roy’s sentiments that “because of the cultural orientation, it is difficult to bypass men and speak to the women”. His argument that “many women domestic workers come from the Rabadi and Vaghri communities (OBCs) and for an outsider to talk to their women was almost impossible” (interview, 28 May 2014). However, this makes the needs of mobilisation of domestic workers even more acute, and especially for central trade unions to work with a gender-sensitive perspective on domestic work.

4.3.4 Processes of mobilisation

Collectivising workers and advocacy

Domestic worker groups adopt a range of strategies to mobilise domestic workers. Forming membership-based collectives, particularly unions and cooperatives, have been at the heart of *SEWA*’s mobilisation strategies. Shalini Trivedi explains how *SEWA Gujarat* goes about recruiting members through short and long-term campaigns,

In the short-term campaign, a campaign team is created of women who are domestic workers themselves and belong to the same community as the other workers. This campaign team is trained about *SEWA*’s various cooperatives, importance and benefits of becoming a *SEWA* member, etc. This team then goes to the respective areas and speaks to around 10-15 women domestic worker and informs them about the benefits that they can avail of by becoming *SEWA* members This team also often helps domestic workers in distress such as in cases of non-payment of wages, negotiation with employers, etc. (translated from original) (interview, 30 May 2014).

Interested domestic workers become members of the *SEWA Home Care Women’s Cooperatives* which are run by a democratically elected executive committee of workers.¹⁶³ Shalini Trivedi comments that owing to the different tasks of domestic work, *SEWA* has formed separate cooperatives for home care, childcare and catering. From the perspective of working conditions, one of the key advantage of the membership is that it “increase[s] their chances of employability with decent wages” (interview with Shalini Trivedi, 30 May 2014, translated from the original). Moreover, “women who are members of the various unions and cooperatives are also able to take

¹⁶³ This cooperative is part of the larger Gujarat State Women’s Co-Op Federation Ltd.

advantage of other SEWA facilities like credit, housing, health insurance, education, etc.” (interview, Shalini Trivedi, 30 May 2014).

SEWA’s long-term campaign, on the other hand, consists of “negotiating with the government, at the central level, for the rights and welfare of domestic workers”. Shalini Trivedi notes that “SEWA enjoys a long-term standing with the government” and that they believed “in negotiating with the government rather than any form of confrontation” (Interview, 30 May 2014, translated from the original).

Issue of identity cards

As we have seen in the national section, domestic worker groups use identity cards to mobilise domestic workers. SEWA and other central trade unions such as INTUC also provide their workers with identity cards with the understanding that they provide them with a sense of belonging, which in turn gives them a sense of dignity and respect. Moreover, as Shalini Trivedi says, “the SEWA identity card also helps employees to put their trust in these women. It gives recognition to the women and as such they are not harassed by the police and are able to use their IDs as an identity proof to avail different benefits arising from various government schemes and programmes” (interview, 30 May 2014, translated from the original). Identity cards are especially useful for migrant domestic workers and to deal with police harassment (interview, Ashok Punjabi, 27 May 2014, translated from original).

Rallies, dharnas, marches

As with most organisations, rallies, dharnas, and marches are used by domestic worker groups in Gujarat. For instance, every year, the Construction Workers and Domestic Workers Union takes out a 4,000-5,000-person-strong rally, “to talk about the issues surrounding these two groups”, which generates wide media coverage” (interview with Ashok Punjabi, 27 May 2014). Groups have also used fasts for attracting attention to their cause. Ashok Punjabi talks of the *Amaran Andolan* (Fast unto death) against police harassment of domestic workers, which drew the attention of the Police Commissioner, “following [which], letters were written to all police stations informing them to not harass any union member on false charges and without substantial evidence” (interview with Ashok Punjabi, 27 May 2014).

Networking with other groups

Joining forces through networking with other groups is another strategy to strengthen claims and to share experiences and knowledge. Among others, Saath has been one of the partners of the Sir Dorabji Tata Trust (SDTT) project on domestic workers, which ran for approximately three years from 2011 to 2014. Saath was able to meet domestic worker groups from across the country during the annual workshops called by the project. This led to a widening of Saath’s perspectives on domestic work. “Earlier, we were not aware of other domestic worker groups other than SEWA. It was only through the consultations across the country under the SDTT project that we came to know the various issues surrounding domestic work as well as different forms of organising, various policies and laws, advocacy, etc.” (interview with Chinmayi Shah, 3 April 2014, translated from the original).

As a consequence of this, Saath approached the Gujarat State Labour Commissioner with regards to the draft National Policy but were surprised to hear that “the Labour Commissioner had no idea about it”, reflecting both the lack of interest of the state in domestic work, as well as the nascent stages of domestic worker mobilisations. As a

result of the workshops, Saath also found out that in Gujarat, domestic workers are not registered nor recognised by the state as workers. Chinmayi Shah says that Saath now understands that “it is necessary to engage with policy makers as well and that they plan to do so in the future” (interview, 3 April 2014, translated from original).

Research and field surveys

Several research and field surveys have also helped to shape the mobilisation strategies of domestic worker groups in Gujarat. The study by ISST (2008) was conducted with the aim of looking in to the possibility of working with and organising domestic workers in Ahmedabad. Similarly, Saath conducted a survey to develop an effective wage structure for its members (interview with Chinmayi Shah, 3 April 2014, translated from original).

4.3.5 Conclusion

There has been very limited mobilisation of domestic workers, especially of women domestic workers in Gujarat. In spite of the presence of SEWA, there has been negligible activity concerning claims making at the subnational level. Mobilisation of women domestic workers has been membership-based and an extension of the larger ideology of SEWA to develop cooperatives for sustainable livelihood, capacity building and self-sustenance of women in the informal sector. Women domestic workers who are members of SEWA have definitely benefited from SEWA’s other activities such as credit, health care and housing, but there has been limited movement around their rights as workers.

On the other end of the spectrum is Saath, which works on professionalising domestic work. They call their workers ‘home managers’ and the training provided is based on management principles where the home managers provide skilled services to their clients. Saath believes that by developing their skills, the women grow in confidence and there is a more professional approach to work which leads to their dignity and empowerment. It has been only recently that Saath, having networked with other domestic worker groups through the SDTT project, that it feels it should also begin advocacy for the National Policy on Domestic Workers.

What seems to unite groups in Gujarat is the focus on skill development and increased employability of domestic workers. Though SEWA Gujarat and Saath are ideologically different, their claims making has been focused on increased employability of domestic workers. Even if the two organisations differ in their forms, functions, levels of advocacy (SEWA is key a player in mobilisations for policy change at the national level), in Gujarat, there seems to be a sharper focus on livelihoods issues rather than mobilisations for policy change targeting the rights of domestic workers.

The central trade unions and federations of trade unions in Gujarat have only focused on men domestic workers and have no gender perspective in mobilising domestic workers. Most claim that there are very few women domestic workers and that mobilisation of these women is not possible due to cultural barriers. However, there is a vibrant *anganwadi*¹⁶⁴ women workers union in Gujarat, which belies the understanding that it is cultural barriers that prevent the mobilisation of domestic workers. The traditional trade unions have always been male-centric, and it seems that this infects the nature of mobilisations of domestic workers in Gujarat.

¹⁶⁴ Childcare centres.

Neoliberal policies, such as the Sabarmati riverside project leading to displacement of the urban poor to the fringes of the city, further highlight the newer challenges in organising vulnerable sections such as domestic workers.

Engagement with policy makers is sporadic and restricted to the very specific issues. INTUC's engagement with the police because of police harassment of male domestic workers has been a rallying point for the trade union. However, there has been almost negligible claims making on issues such as wages, leave and legislation, which are crucial for worker recognition and rights. Advocacy, networking with other domestic groups and coalition have been limited and more often than not, non-existent. In conclusion, the domestic workers movement in Gujarat is very much still in its infancy.

4.4 Mobilisations of Domestic Workers in Karnataka: Many Voices, Many Claims

Karnataka has had a comparatively long history of mobilisations on domestic workers, with the first union in India specifically meant for them, the Karnataka Gruha Karmikara Sangha, established in 1987 in Bangalore (see John 2013; interview with Ruth Manorama, 19 June 2014). After this initial collectivisation, from the 2000s onwards, Karnataka has seen the emergence of many organisations mobilising domestic workers resulting in a spate of sector-specific domestic worker unions. Currently, Karnataka has six sector-specific unions (the Karnataka Gruha Karmikara Sangha, the Karnataka Domestic Workers Union, The Akila Karnataka Domestic Workers Union, the Domestic Workers Rights Union, Mane Kelasa Karmikara Union and the Bruhat Bangalore Domestic Workers Union), all of them based in Bangalore, with some having a wider reach in the state. There are also two other unions affiliated with central trade unions—Karnataka Domestic Workers Congress (affiliated with INTUC) and the Bangalore Zilla Domestic Workers Union (affiliated with CITU) (see interviews with domestic worker groups in Karnataka, Appendix II).

Interestingly, of the six sector-specific domestic worker unions in Karnataka, four of them (apart from the KGKS and the Karnataka Domestic Workers Movement) started life as part of the Karnataka Domestic Workers Union, which itself was registered in 2003, after a protracted battle with the Labour Department in Karnataka. The split in the Karnataka Domestic Workers Union occurred over a gradual period of five to six years, with the Domestic Workers Rights Union being registered in 2009, and the rest following suit more recently from 2012 onwards. Interestingly, after the first union was registered in 1987, it was to take a further 17 years for the next domestic workers union to be registered in Karnataka. In the next section, we track the processes through which unionisation of groups occurred over the last three decades in Karnataka.

4.4.1 Unionisation of domestic workers in Karnataka

The Women's Voice experience

One of the first organisations to mobilise women domestic workers in Karnataka was Women's Voice, which was established in 1982 to work with women in the unorganised sectors of labour such as rolling *beedis*, making *agarbattis* and working as street vendors.¹⁶⁵ The founder, Ruth Manorama, says that they recognised early on that a large number of women were working as domestic workers, and that their working conditions were very poor—"I really felt that domestic workers were one group of

¹⁶⁵ A beedi is a thin cigarette; an agarbati is an incense stick.

people that needed to be grouped together”. After scoping other organisations to see how they were collectivising domestic workers, she realised that there no other *unions* of domestic workers, although there were groups such as the Pune Molkari Sanghatana that were mobilising domestic workers through sanghatans. She says,

So there was no model [for unionisation]. So how do we do it? Around that time we drafted the demands of the people ..., the problems that we must address and all that. First of all, I thought that they should be considered workers. So I found out what are the means of considering them as workers. That means they must be scheduled, the workers must be scheduled in order to get any benefits [scheduled employment refers to an employment specified in the schedule to the Minimum Wages Act, either centrally or through a notification by the state government]. So first of all, the consciousness that I must raise is that they must come from serf hood or slave hood and organise [as] workers. So that is the time we have [decided to] organise the domestic workers union. In 1987 we had it registered (interview, 19 June 2014).

However, registering a domestic workers trade union was by no means an easy process. The idea of a women’s trade union was still a novelty at the time and a trade union of informal workers such as domestic workers even more so. Moreover, as Ruth Manorama recounts, “the women themselves were suspicious because of the association of unions with strikes and policy brutality”. The process of organising domestic workers into a union started in 1985, and it took a further two years to register the union.

It took a lot of time because first of all the government itself said, ‘how can women form a union’? and then, ‘you must have some experienced trade union workers along with you, or you become a part of a larger trade union’. By then, I had organised 2,000-3,000 workers everywhere. So we very boldly launched that, and we put our demands in the newspaper There was a lot of resistance in Bangalore to this organisation. To tell you at the government level also, [they said], ‘why should we recognise you as workers’ and I said, ‘we have 2,000 workers’. They have also seen that the newspapers have written about it. So, yes in the early stages it was difficult. There was not even a trade union model that I could copy the memorandum of association (interview, 19 June 2014).

Currently 4,000-5,000 women are members of the KGKS. Apart from some parts of Bangalore, the union also works in Mysore, Mandya and Shimoga districts of Karnataka, albeit at a much smaller scale.

The Karnataka Domestic Workers Union

The National Domestic Workers Movement began mobilising domestic workers in Karnataka in the mid-1990s when Sr. Celia moved to Bangalore as the State Coordinator.¹⁶⁶ From the early years of mobilisation Sr. Celia supported the idea of organising women domestic workers into a union, which in her opinion was the best method of securing the rights of workers. At the time, however, the NDWM as a group did not see unionisation as an appropriate mode of organising domestic workers. Sr. Celia remembers that she informed Jeanne Devos (National Coordinator of NDWM) early on of her interest in registering a union. Not receiving a response, she continued with her efforts, but in 2002, when she began the process of registering the union, she was asked to leave the NDWM (interview, 12 August 2014). Sr. Nisha Mathew, the current state coordinator of the Karnataka Domestic Workers Movement (KDWM) recalls that at the time, “NDWM were dead against unionisation, [but two-three state chapters] went against that and registered” (interview, 17 July 2014). According to Sr.

¹⁶⁶ As with the National Domestic Workers Movement and Sr. Jeanne Devos (from the Congregation of the Immaculate Heart of Mary), the Karnataka Domestic Workers Movement (KDWM) too has had a history of recruiting members of various congregations to support the work of the movement. Sr. Celia is affiliated to the Ursulines of Mary Immaculate congregation, and Sr. Nisha Mathew who took her place in 2002 is from the Franciscan Servants of Mary congregation.

Celia, the reasons why the NDWM did not support the unionisation route was because a “union cannot receive foreign money”. She locates the change in heart of the NDWM position (many states in which the NDWM is now active have unionised, including Karnataka) in the ILO’s position on the unions representing worker interests in their tripartite process.

Under the then leadership of Sr. Celia, the KDWM began organising women domestic workers in the slums of East Bangalore (see Chigateri 2007). However, the process of registering the workers into a union was to begin in earnest only in 2002 due to Sr. Celia’s health problems. Although she fulfilled the other requirements for registering the union, the first obstacle that she ran into was that she did not have a physical address from which to register the union, which was required for the application. This was resolved when an old trade union comrade allowed the use of his office address. Although the Alternate Law Forum (which also played an integral role in the registration of the many unions to follow) provided legal support in the process of registration, this was by no means easy. Long waits in bureaucratic offices followed. Sr. Celia suggests that the he arduousness of the process was not because of any issues with their submission, legally or otherwise, it was “because we did not give money”. During one of the days she was being given the runabout, she refused to leave the office. She recalls, “I was so angry and upset. I said to all of the office people, please go and lock the door. I will not get up from here unless you give me the certificate”. This obstinacy is what she says finally got the union registered (interview, 12 August 2014).

After the process of registration in 2003, the union was to grow from strength to strength. It started to mobilise workers not just in Bangalore, but also in other districts of Karnataka: Kolar, Ramnagar, Tumkur, Gulbarga and Chitradurga. Other groups also joined to register their workers with the union. FEDINA, which began working with domestic workers in 2004, joined hands with the Karnataka Domestic Workers Union by registering women into the union early on¹⁶⁷ (interview with FEDINA, 24 July 2014).

Similarly, Stree Jagriti Samithi , which had begun working with domestic workers in 2005 through a United Nations Children’s Fund (UNICEF) project on child domestic workers, also registered their members with KDWU¹⁶⁸ (interview with Geeta Menon, 17 June 2014). Similarly, the Association for Promoting Social Action , which is another long-standing NGO working in Bangalore since 1976, joined KDWU in 2011 when it began mobilising domestic workers. Chitravarthy, Coordinator at APSA, recounts that KDWU was able to provide APSA with mentorship on the context and processes of mobilising domestic workers (interview, 13 August 2014).

Although several groups came together to form the KDWU, this was not to last long. Even before APSA had joined the KDWU, fissures began to appear (interview with Sr. Celia, 12 August 2014).

¹⁶⁷ FEDINA started work in Karnataka (as well as other southern states) in 1983 as an organisation working on the empowerment of the marginalised.

¹⁶⁸ SJS started working with domestic work well after it had begun its work with unorganized women in the slum communities of South Bangalore in the 1980s. Geeta Menon, the founder of SJS, recalls that this UNICEF project allowed them to focus their energies from working with a wider group of unorganized workers in the slums to domestic work in particular, including adult women domestic workers.

The fissures within KDWU and the growth of other unions

In 2009, in the first of several fissures to come, SJS decided to form its own union, the Domestic Workers Rights Union (DWRU), mainly due to disagreements on the role of NGOs such as SJS in providing the union with mentorship and funding support.

See when you first start I do not think we can completely eradicate our role. I agree that we should not be too much in forefront, we should not take too much responsibility I agree with that completely but I also feel that at that time and even today, there are certain aspects of the Union for which you have to give leadership. You may not take over the leadership but you have to give that leadership and you cannot stay away from that because it is like [that in] this sector. ... They [the union members] have become leaders, they are strong enough to move but still funding is a problem. We cannot function with membership funds like other unions ...—we are not the big unions. So it is important that at the level of finances, at the level of leadership support, at the level of policy, at the level of all these things, we [support NGOs] need to be there. But there was a thinking in the other group that everything they [union members] should do, you do not interfere, you do not take any planning ... But there are certain things that we had to plan. First of all, they are burdened with so many things- lack of time (interview with Geeta Menon, 17 June 2014).

Moreover, rather than widening the union, they also wanted to deepen the work they were doing with domestic workers. While rights talk and awareness was very important, SJS felt the need to have a “concentrated group” to work on other issues of the community such as ration cards, as well as to concentrate on local level concerns that may arise on a case by case basis. This would build up the groups, as well as allow the union to highlight issues to generate sufficient publicity (interview with Geeta Menon, 17 June 2014).¹⁶⁹

FEDINA, which was the first group to join the KDWU, also stayed the longest. Usha of FEDINA recounts the benefits that gained through its association with KDWU. FEDINA members underwent a lot of training on unionisation and working with domestic workers as well as in collaboration with others such as ALF and the Human Rights Law Network (HRLN) on issues such as women’s rights, sexual harassment and legal literacy. This helped the group at FEDINA to engage with domestic workers. Further, they were involved in many campaigns and demonstrations as part of the KDWU (interview with FEDINA, 24 July 2014). However, a recurring point of contention was that the KDWU directed all its demands at the state and policy making, with barely any demands directed at employers and collective bargaining. This led to a difference of opinion because the response of just [going] somewhere and protesting did not sit right with the workers at FEDINA, especially “when there are burning issues with the employer” (interview with FEDINA, 24 July 2014). Moreover, there was no “collective functioning” in terms of decision making. While FEDINA was able to agree with KDWU to expand its work to include collective bargaining with the employers, it was “always a difficult negotiation with the executive committee”. Eventually, the members associated with FEDINA decided to form their own union for purposes of having a distinct identity but also to focus on working with their members. In 2013, the Mane Kelasa Karmikara Union (Makaayu) (Domestic Workers Union) was registered. The process of registration was not difficult. Usha puts this down to having a few sensitive persons in the Labour Department. She says that the union had the prescribed requirements, and when the labour inspector came to visit, “the workers challenged him and spoke very freely”.¹⁷⁰ Similarly, in order to retain their identity, in 2013, APSA too

¹⁶⁹ Currently, the strength of the DWRU is about 3,000 members in Bangalore. It has also initiated work in other districts of Karnataka in 2013, increasing its membership to about 4,000.

¹⁷⁰ This replicates the experience they had in registering two other unions on construction work and garment work. At the time of the interview, Makaayu had mobilised 200 active domestic workers to join the unions (interview with FEDINA, 24 July 2015).

followed suit in forming its own union, the Bruhat Bangalore Domestic Workers Union (interview with Chitravathy, 13 August 2014)¹⁷¹.

Sr. Celia reflects on the fissures in the union by suggesting that the problem lay with NGOs mobilising domestic workers, as they were not fully tuned into the difficulties of union work. She illustrates this by pointing to payment of bus fares and the costs of attending the meetings to the union members by the NGOs. As she puts it, “NGOs character will not change. NGOs registering a union is a mistake ... because they are not able to overcome their character of NGO” (interview, 12 August 2014). She also suggests that the differences between the unions are so reflective of the broader differences between the National Platform and the Domestic Workers Rights Union on the role of the tripartite board and the Labour Department in regulating the rights of domestic workers (interview with Sr. Cecilia, 12 August 2014).

After Sr Celia left the Karnataka Domestic Workers Movement in 2002 to form the KDWU, the group was led by Sr. Nisha Mathew. She had to start the mobilisation of workers from scratch as the previous members were now with the KDWU. Sr. Nisha Mathew, as with the rest of the NDWM at the time, was suspicious of unionising domestic workers: there were already so many unions that she did not see the benefit to unionising (interview with Sr. Nisha Mathew, 17 June 2014). However, in time, she and the NDWM more broadly changed this perspective: “Earlier, I did not want to [unionise either] but then I thought ... now people are prepared and there is also a need. [Moreover] we did not know that there were some extra benefits for the union [if] we want to get some benefits means we have to be registered” (interview, 17 June 2014).

Consequently, the Akila Karnataka Domestic Workers Union was registered in 2012 after a long process of preparing the domestic workers for unionisation for 2-3 years (interview with Sr. Nisha Mathew, 17 June 2014).¹⁷² The KDWM also formed a trust, the Karuna Domestic Workers Welfare Trust (formed in 2005/6), which allows it to route the benefits offered by the Karnataka government. The KDWM also provides a shelter home for children who have been “traumatized in domestic work”, and for domestic workers’ children. Currently, this shelter home houses 40 children, although its capacity is for 20-25 children (interview with Sr. Nisha Mathew, 17 June 2014).

Central Trade Union–affiliated unions of domestic workers

In this milieu of several independent domestic workers unions, two more unions affiliated to central trade unions also mobilise domestic workers: the Bangalore Zilla Domestic Workers Union (BZDWU) (affiliated to the CITU) and the Karnataka Domestic Workers Congress (affiliated to INTUC).

In 2009, staff at AIDWA Karnataka came to the realisation that many of the disadvantaged women they worked with were domestic workers. Although AIDWA supported these women when it came to their “social issues”, whether this was in terms of the violence they faced or social security concerns such as rent or ration cards, they

¹⁷¹ Currently, there are about 500 members registered with the union since its registration in December 2013. The aim was to mobilise 500 more domestic workers to join the union by the end of the first year.

¹⁷² Apart from Bangalore, the KDWM mobilises domestic workers in Kolar, Mysore, Mandya, Shimoga and Chikmagalur with varying strengths in the districts. Overall in Karnataka, the KDWM claims to have mobilized 15,000 domestic workers, of which about 8,000-10,000 domestic workers are from Bangalore. However, when it comes to those who have joined the union, in Bangalore, this number is about 2,700-2,800 members.

felt that many of the issues domestic workers raised had “trade union characteristics”. So, in the same year, AIDWA Karnataka passed a resolution at the state-level conference that domestic workers needed to be organised through a trade union. After the conference, in 2011, AIDWA came together with the CITU, the CPI (M) affiliated central trade union, to form the BZDWU. In spite of the proliferation of domestic worker unions, the registration of this union was not easy, and AIDWA had to organise a couple of protests before being registered (interview with KS Lakshmi, 18 June 2014; also see interview with Selvi, CITU, 11 August 2014).

In 2009, in the context of the initiation of the standard-setting process by ILO, INTUC in collaboration with ILO-ACTRAV undertook a pilot project, Decent work for domestic workers: Organising, skills upgrading and advocacy (Phase1). This pilot project was carried out by the INTUC leadership in Bangalore from 2009-2010 with the aim of unionising domestic workers, upgrading their work-related skills, and educating them about labour laws and trade union functioning (Eluri, S. and A. Singh 2013; interview with senior functionary, INTUC, 19 June 2014). As a part of this pilot project, KDWC was set up with provisional affiliation to INTUC. Through a process of mapping of localities, identification and education of trainees, and reaching out to domestic workers, several domestic workers were mobilised to join the union.¹⁷³

The landscape of unionisation in Karnataka, particularly in Bangalore, is reflective of the growth of several unions, especially in the last four to five years. Each of the older unions and central trade affiliated unions has a strength of about 2,500-7,000 members each, constituting a sizeable number of domestic workers registered with a union in Bangalore. However, whether this has always translated into depth of mobilisation is a question. As Geeta Menon suggests, “registering members is easy, maintaining them is difficult” (interview, 17 June 2014). Moreover, whether this growth has been at the cost of solidarity is difficult to gauge at this early stage. However, as Nisha Mathew observes, “there is ... high competition between the unions, between the NGOs in Bangalore” (interview, 17 June 2014).

On the other hand, Ruth Manorama is more sanguine about this spurt in unions: “It is good See once you have benefits coming then always a lot of unions will come up. Even construction workers, when we started, when we demanded that a tripartite board be set up ... it is always a practice, once minimum wages comes, some benefits are extended, a lot of people will organise” (interview, 19 June 2014).

What is interesting to note about the separate domestic worker unions is their close connection with the NGOs with which they are affiliated. The support offered by NGOs, financially and in terms of mentorship, is recognised as important for the unions to function, with many of the NGO leaders functioning as advisors to the unions (interviews with Geeta Menon, 17 June 2014; Usha Ravikumar, 24 July 2014; Sr. Nisha Mathew, 17 June 2014; and Chitravathy, 13 August 2014). Although there is only one union that is not affiliated to an NGO, the support offered by Sr. Celia continues to fuel the mobilisations of both the union as well as the networks at the national and state level.

¹⁷³ By the end of the pilot period, 2,500 members had joined KDWC. The pilot was extended, and the union were given permanent affiliation with INTUC. By 2013, the union had recruited 7,000 members (Eluri and Singh 2013).

Networks at the national and state level

Domestic worker organisations in Karnataka are affiliated to the national-level National Platform for Domestic Workers and the Domestic Workers Rights Campaign, some more actively so than others. Geeta Menon of SJS was integral to the formation of the DWRC. Most of the other unions are affiliated to the National Platform for Domestic Workers, though some of their views are closer to the views of the DWRC, as we shall see below. The organisations affiliated with the NPDW are also part of the state-level platforms that have been set up by the NPDW to devolve processes of claims making and mobilisation.¹⁷⁴ Apart from these two national-level networks, another network is of the All India Federation of Domestic Workers, which was formed in 2013. This network is comprised of unions of domestic workers from 14 states, with the KGKS (affiliated to Women’s Voice) as a founder member (interview with Ruth Manorama 19 June 2014).

Efforts to bring together the unions under one umbrella at the state/subnational level have been underway over the last five years or so. The first such initiative was through the Joint Action Committee set up in the context of the Task Force’s discussions on a draft policy in Delhi. The purpose of the committee was to debate the contours of the Draft Policy on Domestic Work (interview with Usha Ravikumar, 24 July 2014). However, this Joint Action Committee has not provided the space expected for building solidarity among the groups, and it has been difficult to keep this joint action going with organisations such as the KDWU not fully engaged in the process.

Further, while there is an interest to bring groups together, the recent splintering of the unions makes this difficult. As Usha Ravikumar of FEDINA puts it, “it would be better if all the unions were together because it gives strength, but when there are differences, better to separate and come together for certain issues” (interview, 24 July 2014). Nevertheless, the unions coordinate activities on international commemorative days such as Labour Day, International Women’s Day and Domestic Workers’ Day. But even these provide only sporadic occasions for joint action. As Nisha Mathew says, “last year we networked on the 16th of June for Domestic Workers’ Day ... one will call one, another will call another—to collaborate together is not possible” (interview, 17 June 2014). Moreover, in the last year, FEDINA did a separate action altogether for Domestic Workers Day as did SJS.

4.4.2 Claims making on domestic work in Karnataka: Issues at stake

The claims making on domestic work in Karnataka replicates the national picture, with the devalued nature of work and the abysmal conditions of domestic work framing the discourses of domestic worker organisations, even as they fuel domestic worker mobilisations. Moreover, domestic worker groups are largely attuned to the issues facing migrant domestic workers, although mobilising migrant domestic workers is challenging. Further, while some organisations are more attuned to questions of sexual harassment and caste discrimination, these do not always translate to, as Archana Prasad puts it, “a critique and transformation of social structures” (interview, 16 July 2014). Further, as with national level organisations mobilising domestic workers, several unions in Karnataka mainly work with live-out domestic workers, although some of them have also rescued and rehabilitated live-in child domestic workers (APSA, KDWM and DWRC). In this section we give a brief overview of these mobilisations,

¹⁷⁴ In the run up to the national-level meeting that had been called by the NPDW in November 2014 to press the recently inaugurated government for a new law, the state-level platform in Karnataka met at the end of August 2014 to clarify and share its demands with the NPDW.

particularly focusing on what has been unique to domestic worker mobilisations in Karnataka, namely, the introduction of a minimum wages notification, and the effect this has had on mobilisations in the state.

Conditions of work

WAGES

Wage negotiations form a key component of the mobilisation work of all domestic worker unions, although the strategies, the amounts charged, and whether or not they mobilise around the minimum wages vary from context and group.

Each organisation has its own prescription for what is an acceptable wage. In Bangalore, KDWM has set the amount as 7,000 minimum (per month) for a workday of eight hours (for a full-time live-out worker). Alternatively, workers negotiate for about Rs. 2,000 a month for an hour's work a day. Since they usually work in about five houses a day, their monthly salary works out to Rs. 10,000. Similarly, the Domestic Workers Rights has now brought out a rate card that categorises wages based on tasks performed (cooking, cleaning, washing clothes, and so on). These rates are set for an hour's work in Bangalore for tasks performed and are based on the cost of living in Bangalore for one person.

Despite these calculations, Geeta Menon (SJS) also locates how notoriously difficult it is to set wages for domestic workers as they are based on so many contextual factors, such as the size of the house, the number of people, the average time taken for tasks performed, or even the culture of the house.¹⁷⁵ Therefore, the SJS recommend the rate card as a minimum standard, but suggest that their workers finalise their wages “depending on your area, depending on your voice, depending on how much you can negotiate” (interview, 17 June 2014).

The struggle for minimum wages in Karnataka

In January 1992, in a historic move, the Government of Karnataka included domestic work in the list of scheduled employments under the Minimum Wages Act (Labour File 2005; Chamaraj 2007). This notification came on the back of campaigns by Women's Voice and the KGKS. Ruth Manorama (Women's Voice) argues that her involvement with the construction workers' mobilisation helped her understand the process through which minimum wages were notified (interview, 19 June 2014). In order to have a say on whether or not domestic work could be included in the schedule, she successfully lobbied to be nominated as a member of the Minimum Wages Board.¹⁷⁶ The Board however, was surprised at the idea of seeking minimum wages for domestic workers. She argued that “wages have to be fixed. Look at the way they work, and they do not even get Rs. 30-40 a month”. The other central trade unions did not support her either. She recounts that “at that time, the BJP union [Bharatiya Mazdoor Sangh] were [the only ones] keen to support us”. Eventually, after the union pushed for the notification, it was finally issued (interview with Ruth Manorama, 19 June 2014).

However, the notification was not to stay on the statute books for long. Domestic work was arbitrarily removed in 1993, and it was to take a further eight years for it to get back on the statute books and another three years for the board to actually set minimum wages

¹⁷⁵ For instance, whether different utensils are used for different things, for example, in a Brahmin house where fresh utensils have to be used each time (interview with Geeta Menon, 17 June 2014).

¹⁷⁶ The Labour Commissioner nominates the members and receives the approval of the Labour Department.

for domestic workers (see Labour File 2005; also Chamaraj 2007). Ruth Manorama recalls, “That was a very sad process. I asked them what is the reason for descheduling, and they said that since no women came and registered case with us, we felt that ... no problems exist, so we descheduled. We protested. I told them just because there is no case, how can you deschedule? Scheduling or descheduling is a process [through which] women are going to get the benefit or not” (interview, 19 June 2014).

Domestic worker groups were to renew their efforts to get the minimum wage notification back on the statute books in the early 2000s. Sr. Celia recalls, “of course [it was a huge struggle]. Every woman’s day, every worker’s day, we were on the streets”. Apart from the efforts of groups such as hers, the Labour Commissioner of the time, a dalit commissioner, was sympathetic to the demands of domestic workers. He called a meeting of all domestic worker organisations, and established a committee to study and report on minimum wages for domestic workers.¹⁷⁷ This committee had other trade union members who were not as supportive, replicating the experience that Ruth Manorama had earlier. The question they repeatedly asked Sr. Celia was, “who is the employer of domestic workers: wife, mother, grandmother, grandfather”?, bringing up once again the faulty reasoning that if there is no fixed employer, there is nobody to make accountable, and therefore, no requirement of fixing minimum wages. But the Labour Commissioner, she says, was instrumental in passing the notification in 2001 (interview with Sr. Celia, 12 August 2014).

Since then, the wages have been set for domestic workers in Karnataka. The most recent notification came into effect from April 2010 (see table below).

¹⁷⁷ Sr. Celia was made part of this committee.

22. Domestic Workers

Notification No. KAE 17 LMW 2010, dated 25-1-2011

Published in Gazette dated 3-3-2011

Minimum Wages with effect from 01-04-2010

Cost of Living Allowance to be paid over and above 3944 point

Cost of Living Index: 5780 – 3944 = 1836 points

Minimum wages and variable dearness allowance (VDA) from 01-04-2014 to 31-03-2015.

SCHEDULE

Sl. No.	Class of employment	Minimum rates of wages payable per day (Rs.)		
		Basic	VDA	Total
1	2	4	5	6
1	Washing the utensils:	139-20	84-73	223-93
	Washing the clothes/ House keeping and looking after children			
2	Washing the clothes/ Washing the utensils/ House keeping and cleaning of house	134-20	84-73	218-93

VDA: In addition to the basic wages, all Category of Employees in the state shall be paid V.D.A. at the rate of 4 Paise per point over and above 3944 points.

Instructions:

Employers are exempted from maintenance of registers and records and Inspectors are prohibited from entry to any residential location; But the Commissioner of Labour can direct any Inspector to inspect any domestic premises under any of the Labour Enactments and Rules thereunder;

If the wages already paid are higher, the same should be continued;

Prohibits the employment of children below the age of 14 years;

A day's work can be construed as 8 hours work and wages to be calculated accordingly; if appointed for fewer hours in a day, wages should be in proportion and be calculated either daily or monthly basis for that category of work;

Daily wages should be calculated by dividing the monthly rate by 26 and rounding off to the nearest 10 paise;

Double the ordinary wages should be paid for over-time work.

Paise to be rounded off to nearest 50 paise or to a rupee.

As cited on Karnataka Labour Department website, available at <http://labour.kar.nic.in/labour/cur%20mw%202011-12.pdf>, last accessed 20 March 2016.

The notification provides for minimum wages, calculated on an 8-hour daily rate, based on tasks performed. As is evident, the tasks listed are minimal, and the wages listed do not reflect the actual wage negotiation process of domestic workers. Moreover, as Neetha has argued, minimum wage notifications include task-based classification of work, but they do not also list whether domestic work is skilled, semi-skilled or unskilled.¹⁷⁸ The wages reflect the social understanding of domestic work as unskilled labour across the notifications. Further, unlike most other employments, the rate is not fixed on a monthly calculation but an hourly or daily one (Neetha 2013b).

¹⁷⁸ This is true of most states except for Bihar, where it is listed as unskilled.

In her analysis of the various minimum wage notifications across states, Neetha also argues,

Though, on the one hand, wage differentiations across duration do take into account the part-time nature of domestic work, on the other, it allows employers to pay workers on an hourly basis, leading to increased work intensity. Thus, part-time workers who work in multiple houses are at the risk of both self-exploitation and exploitation by their employers. As the payment is on an hourly or daily basis, employers could also conveniently deny weekly rest days. Further, in defining the wage rate in terms of eight hours of work, there is a lack of appreciation of the existence of live-in workers and their work specificities. Over-time wages are either ignored or casually provided for (Neetha 2013b: 79).

Other criticisms of minimum wage notifications have come from groups such as SJS which did a study in 2005 where it clearly demonstrated that the minimum wages stipulated in Karnataka do not amount to a “living wage”. In 2004, the minimum wage notification had been set out for 45 minutes of work (rather than an hour or daily wages). Moreover, the wages set were also abysmally low (interview with Geeta Menon, 17 June 2014). Working on the understanding that the Consumer Price Index upon which the minimum wages are based does not accurately reflect what ought to be the “living wages” of domestic workers, the DWRU developed a rate card (see above).

Unlike in Rajasthan, where groups such as the Mahila Kamgar Union do not use the minimum wages notification to mobilise domestic workers, the picture in Karnataka is more complex. Sr. Nisha Mathew says that while in some parts of Bangalore, women are able to negotiate their wages to above minimum wage scales, this is not always the case, especially in the rest of the state: “In other districts, domestic workers are in a very very poor condition. They do not have proper money. They do not have proper house. They also do not have good quality educational facilities for their children” (interview, 17 June 2014).

She argues that the workers in these districts barely make “Rs. 400, 500, 1000 as monthly wages” (interview, 17 June 2014). This argument is also replicated by Selvi (CITU) who locates the extremely low wages in the context of Bangalore itself. The argument that organisations make is that the purpose of the minimum wage notification is to deal with these abysmally poor and exploitative conditions. As a senior functionary of INTUC puts it,

What is the benchmark? ...The benchmark is minimum wages. Now [when you are fixing] minimum wages ...let us say about 5000 Indian rupees per month making whatever calculation, if that lady is getting 6,500 where does the question of minimum wages come? If it comes less than that only the minimum wages [come into play]. Now many of the people are well above. But yes there is problem with the rural area (interview, 19 June 2014).

LEAVE DAYS

Integrally linked to the issue of wages is the issue of leave days that domestic worker groups mobilise their workers on. Ruth Manorama talks of this in terms of impressing upon their workers that wages to be negotiated are for 26 days of work per month, with 4 days to either be paid extra or taken off as leave (interview, 19 June 2014). Notoriously, it is normal practice for domestic workers to not be given a single day of weekly leave by their employers. In Karnataka too, stories abound among domestic worker groups that leave is not provided even for illness. As with wages, leave is usually negotiated between employer and employee, and this is one area where all domestic worker groups have sought to intervene.

For its workers, KDWM negotiates one day's weekly leave, and then 21 days a year over and above that (interview with Sr. Nisha Mathew, 17 June 2014). On the other hand, the Bruhat Bangalore Domestic Workers Union negotiate a day's weekly leave at the minimum for their workers. However, as with wages, it is also felt by groups that the worker needs to have flexibility to negotiate with the employer when these days of leave are taken. The Domestic Workers Rights Campaign mobilise their workers to negotiate with their employers for four days off in a month. Having started with campaigning for a weekly day off, they have since changed this to four days a month. "We are saying four days a month at least because it is a flexible thing. What happens is our workers go off to the village and they also say they do not want the Sunday off. They do not want the Saturday off because they want to accumulate the leave" (interview with Geeta Menon, 17 June 2014).

Longer periods of leave such as maternity and sick leave are far harder to negotiate, and on the issue of longer leave, domestic worker groups seem to shift their focus from direct negotiations with the employer to making claims from the state, particularly through laws regulating domestic work and social security provision.

Social security

As with the national-level mobilisations, social security forms a firm plank of mobilisation for domestic worker groups. The understanding that the state has to set up a mechanism to deal with the particular vulnerabilities of domestic workers, given the multiplicity of employers (which makes it difficult to claim many rights against them) as well as the socioeconomic context of the workers, has animated the mobilisations of domestic worker groups. Almost all domestic worker groups in Bangalore have mobilised over the last several years on pension, health, education for their children.

Organisations such as Bruhat Bangalore Domestic Workers Union (affiliated to APSA), BZDWU and the KDWM have registered their workers for social security schemes at the state level. The Aam Aadmi Bima Yojana is an insurance scheme based on contributions from the participants that covers cases of death and accidents. It also provides a small scholarship of Rs. 100 per month for a maximum of two children of the beneficiary studying between the Standard 9-12. Apart from this, domestic worker organisations have also applied for pension schemes provided by the PRAN (Permanent Retirement Account Number) card through Canara Bank (see interviews with Chitravathy, 13 August 2014; Selvi (CITU), 11 August 2014; and Sr. Nisha Mathews, 17 June 2014). However, the process of accessing social security schemes is by no means easy. As Selvi (CITU) recounts, the government would prefer to receive the applications "in bulk" rather than as and when CITU mobilises the workers, slowing the process of accessing the schemes (interview, 11 August 2014).

Also, as has been the case with the experience of RSBY across several states nationally, in spite of organisations managing to enrol several thousands of domestic workers, the benefits have not reached workers. Geeta Menon recounts the failed experiment with RSBY. In spite of having worked with the government on the details of the scheme at the state level, it did not work in favour of domestic workers.

We framed the design, everything and so close we were with this. We submitted 7,000 forms, and then they changed the whole thing again. They brought a new thing—they said tenders have been given, insurance companies [will provide] from 2011. So now our workers are fed up, we are fed up and the areas where it was given because of BPL, they did not know which hospital to go to. They had heart attacks, but they could not get admitted, all this nonsense I mean. That is why I am

arguing today and I am trying to make these unions also understand that let us forget RSBY, let us not even talk about it (interview, 17 June 2014).

The argument that governments do not conceive of social security as a right for workers/citizens, but as a benevolent welfare measure is also critiqued by groups. As Geeta Menon says, “What we are saying is that RSBY is not social security, RSBY is one government scheme. If a government changes, that scheme will change but social security is a whole package [of rights]” (interview, 17 June 2014).

Similarly, Usha Ravikumar (FEDINA) observes that although FEDINA supports its workers in registering for RSBY, this does not offer a right to health, unlike the Employees’ State Insurance Scheme which provides a right-based framework for health.

In order to access these rights, the SJS has set up a “worker facilitation centre” which functions as a database, an information centre and a single window redressal mechanism. This centre is in its early stages.

Migrant domestic workers

Many of the unions working with domestic workers in Karnataka recognise the particular problem that migrant domestic workers face. Many of the organisations also link the influx of migrants to agrarian distress, large construction projects such as the Bangalore metro rail project and displacement due to natural disasters (such as the tsunami). According to Usha Ravikumar, migrant workers were brought to Bangalore from Orissa, Jharkhand and Andhra Pradesh for the metro construction work, with no provision for repatriation of workers once the work was done. Moreover, in some cases, the workers were not paid for the last few months of work. Because migrants could not always go back to their home states, they worked on other construction sites, and some of the women from these families also turned to domestic work. Selvi, the President of Makaayu, says that there are migrants from other regions of the country including Bihar, Tamil Nadu and Gujarat, as well as tsunami-affected workers from Tamil Nadu. The more long-standing migrant communities have historically been from Tamil Nadu and Andhra Pradesh. Another category of migrant worker, according to Usha, are migrants from the northeast, who tend to work mainly as live-in domestic workers. There are also internal state migrants from the poorer regions of the state such as Gulbarga, but also from regions close to Bangalore such as Nelamangala and Maddur fleeing agricultural distress.¹⁷⁹

Especially for newer migrants to the city, the conditions of work are far worse than for the more-established migrants, and those of other domestic workers. The one issue that was consistently brought up was that newer migrant women work for much lower wages. Sometimes, they work for as little as Rs. 300 per month for an hour’s work every day, or an hourly wage of Rs. 10 (interview with Selvi, Makaayu, 24 July 2014). This undercutting of wages is a primary reason that makes mobilising migrant domestic workers very difficult. As Geeta Menon puts it,

In some areas, there are new migrants who have come in but they do not come into the union. What happens is unfortunately is that the older members are very cheased off with the new migrants because they work for less. So the members will always refer to the fact that these migrants have come in and taken away our jobs. There is this constant undercurrent but we address them [migrants] but not many are part of the union as such (interview, 17 June 2014).

¹⁷⁹ See interviews with Usha Ravikumar, 24 July 2014; Selvi, Makaayu, 24 July 2014; Geeta Menon, 17 June 2014; and Selvi, CITU, 11 August 2014.

Even so, through consistent efforts, some migrant women do join unions, which leads to a recognition of the economic distress that migrants face because of which they work for such low wages (See interview with Selvi, Makaayu, 24 July 2014).

Another reason given for the difficulty of mobilising domestic workers is the difference in language and the lack of knowledge of migrant workers of the locality and the community. However, efforts to reach out to migrant domestic workers have been made by organisations such as Makaayu, which have sought to include migrant workers in their monthly meetings by speaking to them informally and asking them to join with the assurance that the union will support them. They urge them to “ask for better wages, which is better for you and better for us” (interview with FEDINA, 24 July 2014).

Sexual harassment

Sexual harassment and violence against women, as indicated in the national-level section above, has remained on the margins of traditional trade union mobilisations. However, given that several domestic worker groups in Karnataka come from an ethos of feminist mobilisation (Women’s Voice, SJS and AIDWA), the issue of sexual harassment against domestic workers is taken up by some of the groups. Moreover, Women’s Voice, AIDWA, SJS, FEDINA and KDWM have been involved in the mobilisations to include domestic workers in the Sexual Harassment Act 2013. These organisations were engaged at various levels of mobilisation, with as FEDINA and KDWM engaged more in the state-level mobilisations through representations to the Labour Department asking for the government to form sexual harassment committees and to send inspectors to inspect homes (interview with Usha Ravikumar, 24 July 2014). Similarly, some organisations were involved in sending representatives to the central government to seek the enactment of the Sexual Harassment Bill at the national level through a postcard campaign (interview with Sr. Nisha Mathew, 17 July 2014). Others such as Ruth Manorama of Women’s Voice were involved in the national committee that recommended the inclusion of domestic workers in the Sexual Harassment Act 2013 (interview, 19 June 2014).

However, although domestic worker groups do take up cases of sexual harassment against employers, many women do not come forward to report sexual violence because of the discourses of shame and honour associated with such violence. Moreover, even when cases are reported, especially for the newer unions, the action seems to be limited to the level of negotiation with the employer through warnings rather than through the legal mechanism.¹⁸⁰

Theft and other forms of harassment

There are several other forms of harassment that domestic workers face. A couple of the interviewees indicated that some of the cases of theft against their members have also been in response to allegations of sexual harassment or for demand for payment of wages, or other rights (interviews with Nirmala, 24 July 2014; and Selvi CITU, 11 August 2014). The ways in which domestic worker groups handle these cases is to mobilise as a group and confront the employers to withdraw the cases of theft. However, in some instances, domestic worker groups have also had to file counter cases of, for example, non-payment of wages.

Nirmala (Makaayu) recounts an interesting method with which the union countered an allegation of theft. Nirmala had taken leave of two days because of her daughter’s

¹⁸⁰ See interviews with Geeta Menon 17 June 2014; FEDINA, 24 July 2014; CITU, 11 August 2014.

operation. Upon her return, her employer accused her of stealing a pair of sandals, cut her pay based on the cost of the sandals and dismissed her from employment. Makaayu and FEDINA mobilised a group of women who donated old sandals to the employer. She was paid the balance but not the severance pay of three months as demanded. The union applied to the labour court and won the case. But as Nirmala says, this was “after agitating for so long. This is everywhere. Theft, theft, theft” (interview, 24 July 2014).

Caste and domestic work

The question of caste, as with the question of gender, has not always sat easily with labour-based mobilisations. While an intersectional approach informed the ethos of work of some unions, particularly organisations such as Stree Jagriti Samithi and Women’s Voice,

[Such] identities are subdued. Unions have a habit of saying that they are all workers, so [their attention is not on the] problems of workers coming from the margins. ... I know that many of the women cooks [are] not dalit women. A division of labour, a hierarchy of labour is [maintained]. So [dalit women perform] cleaning, bathroom washing ... they maintain a different tumbler for dalit women. So even in the cities [things] have not changed much. Untouchability practices have not been really highlighted. If you really see the domestic worker constituency, you see a lot of tribal, dalit, Muslim women are working as domestic labour (interview with Ruth Manorama, 19 June 2014).

Her organisation, Women’s Voice, is one that has always focused on issues wider than labour issues, including caste and gender:

When we started the National Centre for Labour, we said that as an unorganised sector, we could not just look at only economic issues. We have to look at what are social issues. That is why the dalit perspectives [comes in], that is why we look at questions related to untouchability and atrocities ... similarly, gender, we look at women workers not as workers alone, we have also looked at them from the gender point of view. So, it is a class, caste, gender [perspective] (interview, Ruth Manorama, 19 June 2014).

Members of other unions also recognise the various forms of caste-based discrimination that domestic workers face. Nirmala (Makaayu) recounts, “it happened to me too, someone asked me to come to work. But she said that she won’t let me into the kitchen. When I asked for the pay, she asked me what is my caste?” Similarly, Selvi argues that “they don’t let us enter through the entrance, won’t let us come in when there are guests. They sprinkle water over cleaned vessels” (interview with FEDINA, 24 July 2014).

However, unlike the mobilisations on wage negotiations, leave and social security, caste discrimination does not animate the mobilisations of many domestic worker groups. As Usha Ravikumar of FEDINA puts it, “we do not take up dalit issues and agitate. But we support them for their cause” (interview, 24 July 2014).

Skill development and placement agencies

Although some of the older groups have experimented with skill development and sought to function as placement agencies (interviews with Ruth Manorama, 19 June 2014 and Geeta Menon, 17 June 2014), organisations in Karnataka overall have not worked consistently on these issues as a means of improving the conditions of work (unlike in Gujarat). Training for domestic worker groups have been more on issues such as consciousness raising, legal literacy, gender awareness rather than on skill development.

Geeta Menon reflects on the difficulties of providing skill development in the particular context of domestic work. A few years ago, she collaborated with Taj Hotels, a five star hotel group in India, for training on cooking and housekeeping. The first difficulty the workers faced was staying on. Of 15 women taken for the training, only 5 managed to stay to the end of the course. However, the question of where to place the women then became the issue which was not easily resolved, because these were not skills that would be required in a middle-class home. So efforts were made to place the women in hospitality. Geeta Menon recounts that she also managed to strike a deal with Apollo Hospital, but in spite of the training, the women were intimidated by the atmosphere of the five-star hospital. “So I was under this great illusion that it will work because these facilities are much more than what is there in domestic work. But then when [the domestic workers] came out of [visiting the hospital], there was only one lady who was promptly eager, the rest said ‘we will go home, we will decide later, we have to ask’” (interview, 17 June 2014).

Talking about her experiences with placement services, Geeta Menon locates the difficulty of performing such as function with the role of her organisation as a social organisation.

I realised that after doing it for a year and after trying to do this matching between the employer through a contract—the main thing was to establish legally something for the domestic worker. It is all part of the process of finding out what works best Then, I realised that one cannot do it as a social work organisation. If you have to do a placement service, you have to set it up as an economic unit. It has to be properly run like a business unit (interview with Geeta Menon, 17 June 2014).

Regulation of domestic work

As we have already seen in the national level section, mobilisations on the regulation of domestic work has moved apace over the last seven to eight years with the various Bills floated at the centre on domestic work, the Draft Policy on Domestic Work, the ILO Convention on Domestic Work, the Sexual Harassment Act and the Unorganised Sector Workers Act (of which the last two included domestic work in the scope of their legislation).

Groups from Karnataka, particularly the KDWU, SJS and Women’s Voice, have taken part in some of the negotiations at the national level. Groups such as the KDWM also managed to take part in the ILC in 2010 (interview with Sr. Nisha Mathew, 17 July 2014). Of course, central trade unions such as INTUC were at the front table of negotiations at the ILC with the President of INTUC Karnataka (also Vice-President for INTUC) representing the worker delegation (interview with Senior Functionary, INTUC Karnataka, 19 June 2014).

Mobilisations at the state level also contributed to the processes at the national and international levels with organisations such as the KDWM being part of a signature campaign in Karnataka, which collected 60,000 signatures urging the Indian government to support the Convention at the International Labour Conference (interview with Sr. Nisha Mathew, 17 July 2014).

While most groups echo the need for a central legislation, the divisions at the national level on the role of the tripartite/welfare board have also percolated to the state-level mobilisations. Most groups are aligned with the NPDW, but even among them,

organisations such as FEDINA argue that the Labour Department should be the repository of the rights of domestic workers.

In terms of accessing and contributing to negotiations at the central level, although organisations such as Women’s Voice have been on the national coordinating committee on the Sexual Assault Bill, they have not been able to take part in either the Task Force or the subcommittee meetings on the NCW Bills. Ruth Manorama mentioned the strategies to counter the Delhi bias of the policy process, such as getting people to come to Bangalore to discuss the Bills, or seeking to influence people going to the ILC and thus engaging with wider policy making.

Further, at the state level, organisations also seek to influence policy-making processes by being a part of the state-level unorganised sector welfare board (interviews with Geeta Menon, 17 June 2014; and Sr. Nisha Mathew, 17 June 2014) though with limited success. As Sr. Nisha Mathew notes, the Board does not function well and it has not been able to meet the minister concerned. The Board’s participation in the minimum wages board and committees set up under the Act, however, has proved to be more successful.

Groups in Karnataka have also used the International Domestic Workers Day to mobilise public opinion and to pressurise the state to adopt C189. However, as Geeta Menon reflects, governments at the state level feel one step removed from this, because the power to ratify the Convention rests with the central government. Even so, groups use the occasion to spread awareness of the conditions of domestic workers and also to locate the historicity of the adoption of the Convention (for example, an event organised by SJS on 16 June 2014).

4.4.3 Processes of mobilisation

In this section, we briefly locate the processes through which groups mobilise with communities, with each other and with the state in pushing for their claims. As we have already seen, the splintering of groups over the last few years has meant that coming together to agitate against the state has not been an easy process. However, all of the groups suggest that at moments of crisis, in relation to interventions of egregious violence against domestic workers, they do come together to claim justice for victims.

In relation to mobilisation of domestic workers, groups engage them through skits, folk songs, films and short documentaries that reflect the women’s own experiences. Moreover, they foster a participatory approach as much as possible through the creation of smaller units at the local level.¹⁸¹

As we have already seen, groups engage with the state, and policy-making processes at different levels and with varying degrees of engagement. However, one of the difficulties with engaging government is the change in government and personnel. As Sr. Nisha Mathew says, “I do not know how many labour commissioners come and go. There is no stable department that we can rely on” (interview, 17 July 2014). She also reflects on the fact that policy change is slow to come to the sector because “[there are] a lot of privacy issues, because every minister, every high [class] person will have hundreds of domestic workers at their disposal. If any policy comes in, inspection

¹⁸¹ See interviews with Sr. Nisha Mathew, 17 June 2014; Chitravathy, 13 August 2014; and Selvi, Makaayu, 24 July 2014.

comes in; they do not like [that]. They do not want inspection in their private premises” (interview with Sr. Nisha Mathew, 17 June 2014).

Allies in mobilisation

Apart from other domestic worker groups, many of the organisations (FEDINA, SJS and KDWM) see other unorganised sector worker groups as their natural allies in offering support to mobilisations. FEDINA suggests that most of their campaigns are supported by groups of unorganized workers such as construction workers, agarbatti workers and beedi workers. They also collaborate with these groups on broader campaigns, including fixing of wages, and improving conditions of work. Moreover, FEDINA works with its own sister unions of garment and construction workers. This view of unorganised sector worker groups as primary allies also resonated with groups such as SJS and KDWM.

Groups also ally with dalit and women’s organisations, especially when there are instances of violence. In co-organised campaigns (for instance, the campaign on safety and fares on Bangalore’s BMTC buses), domestic worker groups have allied with a wide range of organisations including human rights groups, dalit groups, women’s groups, as well as groups seeking communal harmony. They also work with women’s groups on other labour issues such as sex work (interview with FEDINA 24 July 2014).

For groups such as SJS which have also been involved in mobilisations on the rights to food, and the right to health, unorganised sector worker groups and others working on class issues seem to be the ones they turn to for mutual support. On the collaboration with women’s groups, Geeta Menon says,

Although [women’s groups] talk about gendered housework, whenever I have called them as part of the unorganised workers struggle, there has been very little response. I mean I am not seeing any allies also. I do not know what their perspective is but practically speaking I do not see involvement as women’s organisations when it is very important to be involved as women’s organisations in the work with women workers. Unless this twain can meet, we will not be strong and why I am saying this is also because as a domestic workers’ organisation, dealing with women as majority members, we also take up women’s issues. We do not leave that out. We are handling rape, we are handling domestic violence, we are handling sexual harassment so how does it become a class issue, how does it not become a women’s issue? (interview, 17 June 2014).

Ruth Manorama talks of it in broader terms to suggest that “unions do not have a gender perspective and women’s organisations do not have union experience”, reflecting the broader debates on the relationship between the labour and the women’s movement.

4.4.4 Conclusion

It is clear that having had a long history of mobilising domestic workers in Karnataka, there have been several gains that domestic workers have achieved at the subnational level, particularly on minimum wages. Moreover, there is a sense of dynamism about domestic worker mobilisations in the state because of the number of organisations seeking to engage and mobilise domestic workers. The issue of domestic work, its recognition and regulation is definitely on the map in Karnataka.

Having said this, the current strength of domestic worker mobilisations at the subnational level lies in the issues that they are able to tackle on conditions of work, which largely involve supporting domestic workers in their employment relationship. This has meant a robust mobilisation by several groups on issues of wage negotiations, leave, social security, cases of theft at work, and so on. The development of worker

facilitation centres for collating information and securing social protection for domestic workers by the SJS, as well as the broader mobilisation on social security by other domestic worker groups, are also indicative of the focus of groups in Karnataka on securing a broad set of labour rights for domestic workers.

On non-traditional labour issues such as sexual harassment at the workplace, while many groups have been involved in mobilisations at the national level for the inclusion of domestic workers in the Sexual Harassment Act 2013, these have not easily translated into ground-level mobilisations in cases of sexual harassment. On caste discrimination, some groups such as Women's Voice in Bangalore have emerged from an intersectional perspective of the links between caste, class and gender, so their mobilisations with domestic workers have encompassed this understanding. With the broader set of domestic groups however, while there is a recognition and articulation of the links between caste-based discrimination and domestic work, these have not necessarily translated into claims making on caste and domestic work, beyond providing solidarity to dalit groups in their campaigns and moments of crisis.

On the question of mobilising and engaging the state in Karnataka after the minimum wage mobilisations in the early 2000s, recent efforts seem to be targeted more at national- and international-level mobilisations calling for the regulation of domestic work. The engagement at the subnational level with the state have been based on individual and sporadic efforts, largely through interventions on the unorganised sector workers welfare board. The instances of solidarity and alliance building between domestic worker groups currently seem to be at a fragile juncture with groups coming together occasionally during crisis interventions or during International Domestic Workers' Day. However, it is early days yet to determine how domestic worker mobilisations will pan out at the subnational level, given that the growth in the number of domestic worker groups has been fairly recent.

The strength of engagement with the subnational-level government machinery in Karnataka will depend on how well domestic worker groups are able to come together in spite of their recent differences. This will also determine the strength of their inputs into national level mobilisations on the regulation of domestic work.

Overall, the mobilisations in Karnataka provide a stark contrast with the mobilisations of domestic workers in Gujarat. In Karnataka, the growth of domestic worker groups, including the mobilisation of groups into unions, can be traced back to the 1980s, when domestic worker mobilisations began with a clear intent of claiming their rights as workers. In Gujarat however, mobilisations of women domestic workers is very much still in its infancy, with mobilisations beginning only in the late 2000s.

Further, there is a clear divide between groups in Karnataka and Gujarat on the question of skill development for domestic workers. While some domestic worker groups such as the DWRU have not been averse to the provision of training for domestic workers in Karnataka, they see the difficulties and contradictions of a domestic workers' union performing the functions of a labour rights organisation as well as a training and placement facility; the function of a placement agency in particular poses difficulties for their efforts to secure domestic workers' rights as workers. In Gujarat, where groups such as SAATH in particular promote an entrepreneurship model of securing rights, skill development, training and placement, which take precedence over discourses on workers' rights. While organisations such as SEWA Kerala, YUVA in Mumbai and

CWDR in Chennai provide instances of organisations that manage to hold onto the difficult task of performing the function of unions securing workers' rights, along with the provision of skill development and placement services (interview with Nalini Nayak, 4 September 2014; ISST 2013), there is some way to go yet before the professionalisation of domestic work through skill development becomes part of the mobilisation work of unions in Karnataka.