



## PLATFORM FOR LABOUR ACTION (PLA)

# BASELINE SURVEY TO PROFILE DOMESTIC WORK AND ITS SOCIO ECONOMIC CONTRIBUTION AT HOUSEHOLD LEVEL AND ECONOMIC DEVELOPMENT OF UGANDA



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# LIST OF ACRONYMS

<b>ANPPCAN</b>	African Network for the prevention and protection against child abuse and Neglect
<b>BCEA</b>	Basic Conditions of Employment Act
<b>CCMA</b>	Commission for Conciliation, Mediation and Arbitration
<b>CFPU</b>	Children and Family protection units
<b>CLO</b>	Community liaison offices
<b>CSO</b>	Civil Society Organisations
<b>DW(s)</b>	Domestic worker(s)
<b>DWRC</b>	Domestic Workers Rights Campaign
<b>EGV</b>	Estimated Gross value
<b>GDP</b>	Gross Domestic Product
<b>GFMD</b>	Global Forum on Migration and Development
<b>ICSS</b>	Integrated Community Services Systems
<b>ILO</b>	International Labour Organisation
<b>KIIs</b>	Key informant interviews
<b>LRA</b>	Labour Relations Act (South Africa)
<b>MoGLSD</b>	Ministry of Gender Labour and Social Development
<b>MP</b>	Member of parliament
<b>NCC</b>	National Council for children
<b>NSSF</b>	National Social Security Fund
<b>PLA</b>	Platform for Labour Action
<b>RABLID</b>	Rights and Better Livelihood for Female Domestic Workers
<b>UBOS</b>	Uganda Bureau of Statistics
<b>UNDEF</b>	United Nations Democracy Fund
<b>UNHS</b>	Uganda National Household Survey 2012/13

The completion of any work is always a collective endeavour, particularly if such work involves different technical aspects and is intended to be used by a wide range of stakeholders across the spectrum. The development of this study has benefited and draws from several existing sources and materials developed by different actors in the area of labour and human rights.

Platform for Labour Action (PLA) is very grateful to the different stakeholders who participated in the study and compilation of this report.

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## **Platform for Labour Action (PLA)**

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# EXECUTIVE SUMMARY

## Platform for Labour Action (PLA)

Platform for Labour Action (PLA) a not for profit organisation based in Uganda which has since 2004 been undertaking various initiatives to promote the human rights of female youth and women domestic workers in Uganda. PLA supported by the United Nations Democracy Fund (UNDEF) is implementing a project to empower female and youth domestic workers in Uganda. The project aims to promote the recognition of domestic work as decent work in Uganda. The project promotes the participation of female and youth domestic workers in claiming their rights, access support services and inclusion in decision making in local and national government processes

## Domestic workers

Domestic workers are socially, economically, statistically and legally invisible due to the hidden, informal and ill-defined nature of their work. In Uganda a DW is referred to as either “house girl” or “house boy” and sometimes house helper or maid. The term ‘domestic worker’ was introduced by International labour Organisation (ILO) in 2008 to give the occupation dignity, status, and respect. Domestic workers are a constantly growing section of workers in the informal sector in urban Uganda. These mainly women and children, are extremely vulnerable to physical, emotional and sexual abuse. It should be noted that most domestic workers originate from rural areas with high levels of poverty without any proper means of survival. They are mainly school dropouts with limited education and skill to enable them engage in meaningful employment and also have limited or no access to property such as land amidst overwhelming demands including care of their dependants (children and elderly).

## The baseline report

This report presents baseline results of the study to profile domestic workers and their economic contribution at both household and national level. This report documents the existing labour laws whose provisions have been collectively used in reference to domestic workers (DWs) governance and valuation of DWs contribution to the household and national economic development. It is intended to inform appropriate legal, policy and social change that can promote decent working conditions in the domestic work sub sector in Uganda. The study profiles the phenomenon of DWs with particular emphasis to their age, education level, nature of work, working hours, working conditions, and model of payment (wage) among others.

## Methodology

The study adopted a highly participatory approach. It employed both qualitative and quantitative research methods and informal (un-arranged discussions). There were consultations with technocrats from the Directorate of Labour at the Ministry of Gender, Labour and Social Development, The executive director Plat form for labour Action, one representative from the Hotel, workers’ Union, and one representative from the domestic recruiters, the police and local council leaders. two Group Discussions, direct personal interviews with 93 domestic workers and 19 employers from Kampala, Lira and Iganga (346 dw and employers in total), consultations with restaurant workers and Laundry or dry cleaners operators and review of various documents, journals, school fliers, reports and internet material. Analysis and triangulation of all collected information provided the main input to the report.

## Study Findings

**International Labour Organization** adopted the, International Labour Conference on decent work for domestic workers in June 2011. Convention No. 189 provides a detailed definition of domestic work and makes provisions to safe guard the rights and responsibilities of both the employer and domestic workers. This convention among others requires ensuring that domestic workers have a minimum weekly rest period of 24 consecutive hours (Article. 10(2)), “setting a minimum age for domestic workers, right to collective bargaining and the freedom of association (Article 3(2)(a)), access to dispute resolution mechanisms (Article 16, 17(1)).

**South Africa** was the first country to ratify the ILO convention 189 in Africa. Today, all workers including domestic workers in South Africa enjoy rights under the Labour Relations Act, 1997 (LRA, 1997), The rights include, rest of upto 36 consecutive hours, minimum wage, work contracts among others.

**The Moroccan government** has not yet ratified the ILO convention 189 on decent work for Domestic workers. However, the Moroccan government has undertaken steps to establish decent working environment to regulate and better working conditions of domestic workers locally. This is contained in the L'kheddama Decree 1.16.121 of August 10, 2016. This decree provides for written contract for DWs monitorable by employment inspection department (Article 3), disclosure of any contagious disease by the employer or any of his family members and DW(Article 5) and the maximum working hours for DWs not exceeding 48 hours per week and 24 hour consecutive rest period among others.

**Uganda** has not yet ratified the ILO convention 189 on decent work for Domestic workers. However, there are several provisions in the 1995 Constitution of Uganda such as the right to work under satisfactory, safe and healthy conditions, the right to equal payment for equal work without discrimination, the right to rest including maternity, reasonable working hours and holidays with pay. However Uganda still has major challenges regarding domestic workers conditions. For instance the Employment Act 2006 under section 38 does not require a recruitment permit for a person operating a recruitment agency for Domestic workers which leaves domestic workers without legal protection. Also the definition of a work place under the Employment Regulation 2011 does not include a home as a work place this limits the powers of the labour officer to inspect and intervene in cases of abuse domestic workers.

There are efforts by government through MoGLSD and civil society organisation such as PLA in ensuring the conditions of work among domestic workers improves.

### Domestic workers' profiles

DWs are mainly women 93% in Uganda and 83% globally. Majority of DW 65% surveyed are aged between 15 to 30 years, 45 % of DW had not attained education beyond primary level, while 43% had reached secondary but mostly dropped out at lower secondary. Over 82% domestic workers and 88% of employers are not aware of DWs rights. DWs are subjected to both physical and psychological abuses including none-payment of their wages 27%, verbal abuses 21%, physical abuses (Burning and beating) 15% long working long hours 14% and sexual assault 8% and other forms of right violation including unfair dismissal



Employers also reported the lack self-initiative to work, carelessness and bad attitude to work as the major reasons for their actions against the DWs.

Domestic workers pointed out a number of reasons that pushed them into Domestic work. Most of these linked to poverty and lack of income generation opportunities. Note that most domestic workers originate from rural areas with high levels of poverty without any proper means of survival. They are mainly school dropouts with limited education and skill to enable them engage in meaningful employment and also have limited or no access to property such as land, hence end up as DWs.

### Contribution to household and national development

Domestic workers promote household savings and national savings. Households are able to save substantial income by employing DWs than seeking private providers, DWs help families save quality time. DWs enable families have more free time to do other things than engaging in household chores, At national level, domestic work provides alternative employment. With rampant unemployment and recession in the economy Domestic work smoothens out as a source of employment especially among women. DW has a strong implication in promoting of women participation in the formal economy and decision making. Note that, the services of domestic workers are a strong foundation for the participation, involvement and engagement of women in both formal and informal economy, and in politics

### Factors affecting domestic workers contribution to development

The survey found a number of pertinent issues that undermine the contribution of DWs to overall development. These include restricted movement which limit their interaction with the rest of the economy and this greatly affects their ability to engage in meaningful productive work and side incomes. Low and untimely payment to domestic workers and unfair dismissal from work that creates uncertainties affects the multiplier effects of consumption expenditure

### Conclusions and recommendations

The study using the Equivalent Valuation Approach estimates the value of the domestic worker's subsector's contribution at 0.6% of the GDP. It should be noted that, much as the value of domestic work has been quantified and deductions made in reference to the contribution of domestic workers, the actual value is far beyond the estimations especially in absence of updates statistics. Attaching a value to the work of a domestic worker raises various objections, including the potential of undervaluing such work and belittling the important of their work. This is due to the overlapping nature of their job. For example, house maids commonly perform several tasks simultaneously (holding a baby, while cooking and washing dishes), cleaning the house, ensuring it safety and looking after the elderly. Quantifying these different tasks separately in terms of monetary value is problematic

There is need to change the valuation of national level output (GDP and others) not include non-quantified output. Focus on utility derived from the services or activity rather than its formality. Policy and decision makers need to appreciate the contribution of domestic workers in particular and non-paid community and homework in general

- Government should make amendment within the labour laws and policies to suit the different categories of workers. Specifically, the amendments should focus on.

- Definition of a domestic worker instead of domestic servant under section 38,
- Explicitly point to DWs due to their peculiar circumstances of work that makes them vulnerable to all sorts of abuses.
- Make provisions for informal sector workers under the NSSF Act 1985, the Pension Act (1994), The Occupation Safety Act (2006) and Workers Compensation Act 2000.
- Fast tracking enactment of the minimum wage that matches the present economic conditions.

**Strengthen and intensify awareness and sensitisation campaigns on labour laws and policies.**

The study noted a gap in regard to awareness of the existence of labour laws among workers. The government should therefore under take the following steps;

- Strengthen the MoLGSD, department of labour to effectively execute its mandate.
- Organise regular refresher trainings with labour inspectors and facilitating them to execute their duties.
- Establish inter-agency collaborations on community sensitisation.
- Engage the media as a means of information and education about workers' rights

**Recognize and make visible the real economic contributions of domestic workers. This should be through;**

- Undertaking periodic surveys of domestic workers in Uganda by the statistical authority under Ministry of Finance.
- Redefine the parameter for computation of national income figures to include remunerated consistent informal sector work /employment

**Government and Civil society** should scale-up vocational education to target all ages and classes of people.

**Organise domestic workers into unions** to enable them voice their concerns and to encourage their participation in the general economy.

# CHAPTER ONE

## 2.0 INTRODUCTION AND BACKGROUND

This section provides a brief background to the survey, the rationale and description of domestic workers' conditions in Uganda. It also highlights the survey objectives and the methodology adopted.

### BACKGROUND TO THE STUDY

This report arises out of the work of Platform for Labour Action (PLA) a not for profit organisation based in Uganda which has since 2004 been undertaking various initiatives to promote the human rights of female youth and women domestic workers in Uganda. This included a study which generated data on the situation of adult domestic workers in Uganda in 2006, convening a one-day national workshop which provided a first platform for DWs to engage with the Minister responsible for Labour in Uganda through their "call for action" in 2010. In partnership with Action on Poverty (UK), between 2012- 2015, PLA reached 7,114 domestic workers (6,122 female and 992 male) with legal aid services including legal advice, counselling, represented them in mediation and arbitration sessions and in courts of law and sensitized on labour and human rights information. 61 small mutual support groups of 753 female DWs were also established. In order to break the cycles of poverty since many domestic workers start working at an early age which makes them miss out on education opportunities, PLA also undertakes prevention and protection interventions of child domestic workers.

Despite these initiatives it was noted that there existed a dearth of information on the contributions that domestic workers make to the household and national development. In Uganda like other countries, women have taken on new employment roles in addition to the traditionally expected roles, which increase the domestic workload to a level that is not easily accommodated. To help maintain their newly achieved positions, women in formal and informal employment employ domestic workers to perform domestic chores at minimal pay (Aryee, 2005; Atieno, 2010; Muasya, 2014). It is perceived that hiring a female to take over domestic responsibilities from another female is a form of exploitation for economically less-privileged women. Domestic work in Uganda is therefore largely a woman-to-woman phenomenon. Such a system does not challenge the patriarchal nature of society but rather changes the identity of the women involved in this role. Domestic workers also received the lowest wages.<sup>1</sup> DW also carries the low value of women's unpaid housework, not defined as work, neither as producing value<sup>2</sup>. The Uganda's Domestic Violence Act<sup>3</sup> defines domestic workers or house servants as part of the domestic relationships which fuses their working relationship and exposes them to abuses and exploitation including nonpayment of their meager wages, sexual abuse from the male employers, verbal and physical abuses from members of the households

In order to promote recognition of domestic workers valued contributions to household and national level, Platform for Labour Action (PLA) supported by the United Nations Democracy Fund (UNDEF) is implementing a two year project to empower female and youth domestic

1 Uganda Employment Policy 2011

2 Ibid

3 The Domestic Violence Act 2010, [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_172625.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_172625.pdf)

workers in Uganda. The project aims to promote the recognition of domestic work as decent work in Uganda and promotes the participation of female and youth domestic workers in claiming their rights, access support services and inclusion in decision making in local and national government processes. The project is implemented in the four divisions of Kampala including Makindye Division, Nakawa Division, Central Division and Kawempe Division. This study thus aims at contributing to the project outcome of increased recognition of DWs' rights and their contribution to society.

## RATIONALE

The motivation for conducting a study on female domestic workers is to inform policy. The study specifically focuses on measuring the contribution of domestic work to household income and the Gross Domestic Product (GDP). The central concern is measuring and assigning values to domestic work to track their contribution to family incomes and the overall economic contribution at national level (Cahdeau, 1992; EUROSTAT, 2000, 2003). Note that even if the value of DWs is cut in half, it would still represent a sizeable percentage of GDP that can be contributed by DWs. Thus, the policy decisions that ignore the DW activities in this subsector may have serious implications to their potential contribution to national development.

The purpose of the study is to profile, estimate and quantify the value of the work of domestic workers and hence make comparison to national level economic contribution to development. It should be noted that, the conventional computation of GDP does not explicitly recognise the contribution from most informal sector workers including domestic workers. This is mainly due to the lack of sufficient information and the failure to quantify such contribution. This study hence aims to demonstrate a mechanism to estimate the contribution of the domestic workers to socio-economic development of their communities and the country in general. The results of the study are intended to facilitate the change in perception of domestic workers by not only the policymakers but also the employers. This will facilitate and speedup the government efforts towards the betterment of working conditions of the domestic workers in particular and informal workers in general.

## OBJECTIVES OF THE STUDY

The overall objective of the study is to profile domestic workers and their socio-economic contribution at the national and household level. The study specifically documents DWs with particular emphasis to their age, education level, marital status, nature of work, working hours, working conditions, model of payment (wage), degree of resilience, and nature of adversity. It further covers documentation and estimation of DWs contribution to the household and national economic development in order to inform appropriate policy and social change that can promote the domestic work sector in Uganda.

Specifically, the assignment aimed at the following objectives;

- (i) To establish the socio economic push and pull factors that force young women into domestic work.
- (ii) To ascertain the factors that hinder domestic workers from contributing to economic development.
- (iii) To identify the constraints that prevent Domestic workers from benefitting from the social economic development of the country.

- (iv) To examine what factors hinder recognition of domestic workers contributions to households and the national economy.
- (v) To develop a model for measuring domestic worker’s contribution to economic development at national and household level and make recommendations for the purpose of informing policy change.

## METHODOLOGY

The study adopted a highly participatory approach with a blend of methods including qualitative and quantitative research methods and informal (un-arranged discussions). Under the qualitative methods, key informant interviews (KIIs) with the Director of Labour at the Ministry of Gender, Labour and Social Development, The executive director Plat form for labour Actions, A representative from the Hotel, workers’ Union, A representative from the domestic recruiters, The police including Children and Family protection Units and Community liaison office, Local Council officers, Group Discussions and review of various documents, journals, school fliers, reports and websites in addition to informal personal consultations with restaurant workers and Laundry or dry cleaners. Under the quantitative methods, personal interviews using semi-structured questionnaires with a sample domestic workers majorly female from Kampala, Lira and Iganga and employers of domestic workers.

### 2.4.1 Secondary data analysis

The study also relied on re-analysis of secondary data from Domestic workers survey by PLA. Specifically, re-analysis was done using PLA monitoring and evaluation data such as the Rights and Better Livelihood for Female Domestic Workers (RABLID) study data (2013 and 2015). These augmented and enhanced the data collected during the study.

### 2.4.2. Survey sample

Convenient sampling was adopted in selecting respondents on the basis of availability. This is due to the complexity and sensitivity of the domestic workers sub-sector. A sample of 346 domestic workers and employers was used in documentation of DWs profiles and working conditions. The different categories that comprise the study sample is summarised in table 1 below.

Table 1 showing the study sample

Category	Primary data	Secondary data	Total sample
Individual Domestic workers	93	131	<b>224</b>
Employers	19	83	<b>122</b>
Local leaders	16		<b>16</b>
Focus Group Discussion	2		<b>12</b>

**Source:** Author tabulation, DW survey 2017

### 2.4.3. Analysis and generation of results

The study employed a synthesis and distillation approach. Triangulation of quantitative and qualitative data was employed to generate results in profiling the reports. Qualitative analysis using STATA was used to generate tables with descriptive statistics. Thematic analysis was employed on qualitative data. The study also employed economic theory employing models such as GDP estimation models and the equivalent valuation approach. These methods were employed to synthesize and corroborate information from the different sources to bring out the desired results on the situation of domestic workers and to estimate the socio-economic contribution at household and national level.

# CHAPTER TWO

## 2.0 GLOBAL AND NATIONAL PERSPECTIVES ON DOMESTIC WORKERS

This chapter presents the global and national perspectives on the conditions of domestic workers. It highlights some of the key provisions of the ILO convention 189, and a case study of selected countries in Africa that have registered some progress on the improvement of the working conditions of domestic workers.

Domestic work in general dates many decades ago and is one of the most common and traditional forms of work over the world. In Uganda domestic workers have for long been employed to work on farms and as maids in urban areas. This was generally done by relatives and friends attracting in-kind payment and little pay. However with the changing paradigm and demands in the socio-economic life, domestic work has increasingly and steadily become very paramount. This is due to the need to meet the demands of the market economy and the domestic duties especially in urban areas. The expansion of this subsector presents socio, economic and regulatory challenges especially regarding the human right and gender fronts where the domestic workers especially women are exposed to several abuses and suffering during the course of their work.

### 2.1 GLOBAL FRAMEWORK ON DOMESTIC WORKERS REGULATION

In June 2011, the International Labour Conference of the International Labour Organization adopted the Convention concerning decent work for domestic workers<sup>4</sup>. C189 serves to protect the most vulnerable members of a previously unprotected workforce. This is the first international labour standard dedicated to domestic workers. The standards recognize the economic and social value of domestic work, affirm that domestic workers have human rights and fundamental rights at work, like other workers. The ILO Convention No. 189 provides a detailed definition of domestic work and makes provisions to safe guard the rights and responsibilities of both the employer and domestic workers. Recommendation No. 201, also adopted at the June 2011 Conference compliments convention as it provides practical guidance concerning possible legal and other measures to implement the rights and principles stated in the Convention 189. The convention requires that governments prevent child labour in domestic work, and provide assurances that those children over the minimum working age can continue their education or further training while engaging in domestic work.

Box 1 shows some of the thematic areas covered under the minimum standards for domestic workers by ILO convention No. 189.

#### **Box 1: Thematic areas covered under the minimum standards for DWs by ILO Convention No. 189**

<sup>4</sup> The Domestic Workers Convention, 2011 (No. 189).

Basic rights of domestic workers  
 Information on terms and conditions of employment  
 Hours of work  
 Remuneration  
 Social security  
 Standards concerning child domestic Workers  
 Standards concerning live-in workers  
 Standards concerning migrant domestic workers  
 Private employment agencies  
 Dispute settlement, complaints, enforcement

The convention made a number of provisions (Box 2) aimed at ensuring decent work for all labour with particular emphasis on domestic workers. These provision and regulations specify what the member states need to put in place to ensure decent working environment for all domestic workers. Some of these provisions have been highlighted below.

**Box 2: Provisions and articles of the ILO Convention 189 on Decent work for DW**

The Convention requires that an employer pays the employee’s wages at least monthly, (Article 11-12)  
 The Convention requires ensuring that domestic workers have a minimum weekly rest period of 24 consecutive hours (Article. 10(2))  
 The Convention requires “setting a minimum age for domestic workers consistent with the provisions of the Minimum Age Convention” and also requires that work does not deprive workers under 18 of compulsory education (Article 3(c), 4)  
 The Convention requires taking measures to eliminate forced labour (article 3(b))  
 The Convention requires informing domestic workers of certain terms of their employment, preferably in writing, (Article 7)  
 The Convention requires ensuring domestic workers a right to collective bargaining and the freedom of association (Article 3(2)(a)).  
 The ILO Domestic Workers Convention requires that domestic workers have access to dispute resolution mechanisms (Article 16, 17(1))  
 The Convention requires establishing enforcement mechanisms and penalties generally. (Article 17(2)). The ILO Recommendation mentions a series of tools that states should implement for domestic workers, such as a telephone hotline, pre-placement inspections of households.  
 The Domestic Workers Convention (Article 15) regulates employment agencies, establishing numerous requirements. These regulations require, taking measures to “provide adequate protection for and prevent abuses of domestic workers recruited. It also requires ensuring there are sufficient enforcement mechanisms and that agency fees are not deducted from a worker’s remuneration.



## 2.2 PROGRESSIVE COUNTRY PERSPECTIVES ON DOMESTIC WORKERS

This subsection presents a case study of selected countries in Africa that have registered some progress on the improvement of the working conditions of domestic workers so as to draw some lessons for Uganda.

### a) South Africa

South Africa was the first country to ratify the ILO convention 189 in Africa and among the first globally. Prior to the convention, the post-apartheid South African government introduced regulations which brought domestic workers in perspective. The regulations passed included formal registration of contracts for domestic work, as well as provision for minimum wages, voluntary pensions and unemployment benefits. This was a major land mark regulation and provided a foundation for domestic workers regulation globally. The ratification of the convention in June 2013, helped to harness and strengthen the efforts of the department of labour on workers welfare in South Africa. Today, all workers including domestic workers enjoy rights under the Labour Relations Act, 1997 (LRA, 1997), which covers all workers (except for those in the military, intelligence, and secret service) hence covers domestic workers and farm workers, and the Basic Conditions of Employment Act, 1997(BCEA), which fills in the gaps of the LRA by creating a floor of employment rights. The rights of domestic workers in South Africa in line with ILO C189 and Recommendation 201(**Box 3**).

#### **Box 3: Rights of DWs in South Africa in line with ILO C189 & Recommendation 201**

Sectoral Determination 7 (§2, 5) requires that an employer pays the employee's wages at least monthly. This is however based on regional classifications (Area A and Area B)

**Rest** §16(1) (b) ("An employer must grant a domestic worker. A weekly rest period of at least 36 consecutive hours which, unless otherwise agreed, must include a Sunday.")

Sectoral Determination 7, §23(1)–(2) sets a minimum age at 15 years consistent with the Convention and forbids employing children who are "under the minimum school leaving age in terms of any law" or whose education would be placed at risk from the employment

South African law had provisions on elimination of forced both in its domestic (Determination 7§ 23, All forced labour is prohibited and Constitution (article. 13" No one may be subjected to slavery, servitude or forced labour") prior to C189.

Sectoral Determination 7 requires providing all workers, including migrant workers, with a written document.

South Africa Constitution provides for domestic workers a right to collective bargaining and the freedom of association (articles. 18, 23(2)) and under the Labour Relations Act § 4, chapters. 3, 6, as provided for by the convention.

South Africa has dispute resolution mechanisms comprising of the CCMA and the Labour Court. This is under the LRA supra note 197, ch. 7 (establishing and regulating three dispute mechanisms: the Commission for Conciliation, Mediation and Arbitration, the Labour Court, and Labour Appeal Court)

South Africa establishes such mechanisms and penalties in the Basic Conditions for Employment Act and the Labour Relations Act.

In 2006, there were 1,012 inspectors. The Department of Labour called for “strengthening the implementation, enforcement and monitoring mechanisms by 2014 the number of inspectors has increased by almost half, with the number of inspectors at 1,513. The 2012 inspection report showed that 172,300 workplaces were inspected, specifically targeting the vulnerable sectors, and “achieved a 74% compliance rate.

Sectoral Determination 7 states that an employment agency qualifies as an employer when it pays the worker, and, if it is an employer, it and the homeowner are jointly and severally liable for violations of the BCEA (Sectoral Determination 7 Domestic Workers § 29).

Based on the provisions within the South African Constitution and the Sectoral Determination 7 and 13, it can be concluded that, South Africa had made moved a long way in ensuring decent working environment for all workers prior to the 2011 ILO convention 189. The ratification of the Convention strengthen institutions of enforcement and closed the conceptual gaps in the legislative scheme, particularly so with socio-economic rights such as housing and social security. Hence South Africa not only complies with the Convention and in many respects exceeds certain provisions of the Convention.

#### **b) Morocco**

The Moroccan government has not yet ratified the ILO convention 189 on decent work for Domestic workers. However, the Moroccan government has undertaken steps to establish decent working environment to regulate and better working conditions of domestic workers locally. The most recent reforms in the subsector was in the L'kheddama Decree 1.16.121 of August 10, 2016. The King of Morocco issued a decree approving the Law on Fixing the Conditions of Employing and Employment of Female and Male Domestic Workers. This law has been praised as the most important reform for domestic workers by human right advocates (Box 4).

#### Box 4: The most significant features of the new Law

The employment of domestic workers must be evidenced by a written contract, one copy of which must be deposited with the relevant employment inspection department (Article 3).

The employer must inform the worker of any contagious disease the employer or any of his family members has contracted and the worker must similarly inform the employer of any contagious disease the worker has contracted (Article 5).

The minimum age of employment for domestic workers is 18 years. However, during the first five years from the date of implementation of the Law, the employment of workers between 16 and 18 years old is allowed, provided that the worker has an authenticated written permission document signed by his or her guardian to that effect (Article. 6).

The working hours for domestic workers will be 48 hours per week, but only 40 hours per week for those between 16 and 18 years old (Article. 13). Each worker must have a continuous weekly rest period of at least 24 hours (Article. 14).

For a period of one year from the date of resuming work after giving birth to a child, a female domestic worker will be entitled to an additional rest period of one hour per day for breastfeeding (Article. 15).

The Law requires the minimum wage for domestic workers to be not less than 60% of the regular minimum wage set for other industries (*Average of 1542 dirhams (\$158) per month*), and the worker is entitled to severance pay if the employment lasts for one or more years (Articles. 19 & 20, respectively)

The Moroccan reforms present a great lesson to many countries especially to sub-Saharan African states like Uganda that have not yet ratified Convention 189. It provides ground on how states can better the working condition of domestic workers by establishing legal provisions (regulations) and mechanisms to enforce the established provisions such as workers contracts, instituting/strengthening labour inspectorate services among other reforms.

### 2.3 REGULATORY FRAMEWORK ON DOMESTIC WORKERS IN UGANDA

This section of the report illustrates insights in the existing regulatory framework on domestic workers in Uganda. It makes comparison of the provisions of the ILO C189 with those of the legal and regulatory framework in Uganda. It also presents the status towards the regulation of domestic workers and the likely benefits.

#### 2.3.1 Overview of Domestic Work in Uganda

While domestic work is one of the oldest occupations in Uganda, - its definition remains relatively ambiguous. A DW is commonly referred to as either “house girl” or “house boy” and sometimes house helper, ‘housemaid’ depending on the sex and age of the person. In Uganda, the majority of domestic workers are women and children<sup>5</sup>. Like most of the developing economies, domestic work is hardly recognised in the labour statistics of Uganda. The continuous invisibility and hidden nature of domestic work has left DWs isolated, unable to access information on their rights and

<sup>5</sup> Uganda Bureau of statistics, Demographic and Household survey of 2001-2002.

institutions of redress. There is continued exclusion and non-participation, lack of freedom of association, violence and abuse against female DWs as well as non-regulation of this sector in Uganda. Without a minimum wage, Ugandan domestic workers and informal sector workers in general earn meagre wages unable to facilitate any meaningful development. For example, an average of as little as Shs 6,000/- per month is earned by domestic workers, with highest wage at most 20,000 per month (PLA, 2007), there has been trivial changes in DW's wages averaging between UgShs 50,000/= and UgShs 100,000/= for live in DWs as based on baseline findings in 2017. More still the terms like 'maid' and 'servant' are used interchangeably. As a result, one is unable to determine whether this term refers to unpaid or paid workers.

The study further noted that, DWs are referred to as "maid" and "servant" or "housegirl" and these terms are used interchangeably. As a result one is unable to determine whether these terms refer to unpaid or paid workers.

Although much effort has been put to uplift the plight of domestic worker, there are still legal and institutional bottlenecks to the regulation of domestic workers in Uganda. Uganda has also not ratified the ILO Convention on decent work for domestic workers with no equivalent in the labour laws, which leaves domestic work unregulated

### 2.3.2 Overview of the legal and policy prescriptions impinging on domestic workers in Uganda

The 1995 Constitution of the Republic of Uganda provides for affirmative action in employment, the right to work, privacy, maternity leave and equal pay. The Constitution states in Article 21 (1) that all persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law. Under Article 40 (1) (a) of the Constitution, it is the duty of parliament to enact laws and provide for the right of persons to work under satisfactory, safe and healthy conditions. Article 40 (1) (b) and (c) further require parliament to ensure equal payment for equal work without discrimination and to ensure that every worker is accorded rest and reasonable working hours and periods of holidays with pay, as well as remuneration for public holidays. It is also in the language of the Constitution under Article 40 (4) that the employer of every woman worker accords her protection during pregnancy and after pregnancy, in accordance with the law.

Similarly, the Gender Policy 2007, Decent Work Country Programme 2012 and The National Employment Policy for Uganda (April 2011) provide a general framework to promote productive and decent employment compliance with labour standards by employers, investors and workers, social protection and social dialogue. The National Employment Policy for Uganda (April 2011)<sup>6</sup> defines decent work to mean opportunities for safe work that is productive and delivers a meaningful income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom of expression and association, to organize and participate in the decision making and equality of opportunity and treatment for all women and men.

However, while the rights of worker are clearly stated in the Constitution, the regulatory process on domestic work in Uganda is sedated. The Employment Act of 2006 is the major provision within the law that guides all workers in Uganda. Although the Employment Act provides a good basis for advocacy for decent working environment for labourers, it is skewed to formal sector employment and does not explicitly address issues that directly affect domestic workers. Similarly, section 38 of the Employment Act 2006 does not require a recruitment permit for a person operating a recruitment agency for domestic workers which leaves domestic workers without legal protection

6 The National Employment Policy for Uganda, Ministry of Gender, Labour and Social Development, April 2011

and unregulated recruitment agencies for domestic workers.

Further, the definition of a work place under the Employment Regulation 2011 does not include a home as a work place this limits the powers of the labour officer under the Employment Act to enter, inspect and intervene in cases of abuse. The Employment Regulations provide for special categories of workers including persons with disabilities, casual workers, apprentices and expectant mothers and makes provision for their safe guard, domestic workers are not mentioned despite their recognition under the National Employment Policy as being among the vulnerable groups who lack security, susceptible to risk and are exploited. In addition the Domestic Violence Act 2010 defines domestic worker or house servants as part of the domestic relationships leaving the working relationship undefined and fused, thus relegating the domestic workers into exploitation and abuses.

The regulatory process in Uganda overall progresses at snail pace. The Employment Act of 2006 is the major provision within the law that guides all workers in Uganda. This Act although provides a good basis for advocacy for decent working environment for labourers, its skewed to formal sector employment and does not explicitly address issues that directly affect domestic workers. The Employment Act 2006 under section 38 does not require a recruitment permit for a person operating a recruitment agency for domestic workers which leaves domestic workers without legal protection and unregulated recruitment agencies for domestic workers.

#### 2.4 ILO convention 189 in the Ugandan context

In 2011, the International Labour General Conference adopted the Convention concerning decent work for domestic workers which requires states to take measures with a view to making decent work a reality for domestic workers. The Domestic Worker's Convention, 2011 (No. 189) was adopted in recognition of the significant contribution of domestic workers to the global economy including among others increasing paid job opportunities for women and men workers with family responsibilities, greater scope for caring for ageing populations, children and persons with a disability and substantial income transfers within and between countries. According to Article 1 (a) of Convention, domestic work means work performed in or for a household or households. The Convention also defines a domestic worker as any person engaged in domestic within an employment relationship in Article 1 (b). In addition, Articles 3, 4 and 5 of the Convention require member states to ensure the effective protection of the human rights of domestic workers, prescription of minimum age for domestic work, wage and hours of work and occupational safety.

While the Convention indicates the significant contributions made by domestic workers and elaborates the legal basis for regulating domestic work, Uganda has not ratified the Conventions and leaves domestic work highly excluded in its legal framework.

Overall, Uganda legal framework does not comprehensively cover domestic workers despite the fact that they a fundamental role. The **Employment Act 2006, which** endeavours to cover different workers although it does not explicitly mention domestic workers .ii)The Trade Disputes (Arbitration and Settlement) Act 2006 instituted an industrial court to handle disputes relating to workers, iii) Labour Union Act 2006 for establishment of labour Unions and instituted labour officers (Commissioner or District labour officers), iv) Occupational Health and Safety Act (2006) that defines all places of work in Uganda, among other provisions. All these Acts are linked to the provisions of the ILO Domestic Workers Convention (Article 16, 17(1) (2)) that requires that

domestic workers have access to dispute resolution mechanisms and established enforcement mechanisms and penalties. However, there are a number of gaps especially regarding domestic workers within these laws and enforcement mechanism in Uganda. Some of the gaps in the Ugandan labour sector especially regarding domestic workers are highlighted in the Box 5 below.

**Box 5: Gaps in the regulation of workers and domestic workers**

The Employment Act 2006 does not expressly mention domestic workers not even under section 34 (special categories). More still, the Act remains ambiguous on the definition of a work place. Hence a home which is the workplace of the domestic workers is not covered and hence not subject to inspection by a labour officer as under section 11 (1, a, b, c) of this Act. This leaves domestic workers vulnerable and unprotected under the law.

The Act under section 2 (interpretation) defines an employer as “any person who has entered a contract of service or any apprenticeship contract including without limitation any person who is employed by or for the Government of Uganda including Uganda Public Service, local authority or a parastatal organization”. Such a definition does not recognize informal workers working for individuals as the case for domestic workers. Hence this Act mainly focuses on formal employment.

The Act does not define a domestic worker. However According to the International Labour Organisation Convention NO 189 the term *domestic work* means ‘work performed in or for a household or households’. The convention also defines the term *domestic worker as* ‘any person engaged in domestic work within an employment relationship’; The convention further indicate that ‘a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker’

The Act under section 38 provides information regarding recruitment of workers. Subsection (1) lays down procedures to be followed in recruitment by either an agent or individual (employer)<sup>1</sup>. It however does not recognise the recruitment of domestic workers as under subsection 38(3a)<sup>2</sup>. The exclusion of the licencing of domestic worker’s recruitment makes the domestic workers vulnerable as it exonerates their employers from any form of accountability. It also makes follow-up and inspection of their duties difficult.

Uganda still lacks safety nets for most informal sector workers including the domestic workers. There are two major social security schemes Under the NSSF Act 1985 and the Pension Act (1994). The NSSF Act requires 5 workers to be eligible for registration of members under the private sector. This alienates majority of the workers in the informal sector especially domestic workers because households can rarely recruit 5 workers. The Pension scheme covers those in public service that is out of reach of domestic workers. These provisions do not cover domestic workers regardless of the years of work or sector of work.

Although Uganda has not yet ratified ILO Convention NO 189 which under Article 11 provides for each member’ to take measures to ensure that domestic workers enjoy minimum wage coverage, where such coverage exists, and that remuneration is established without discrimination based on sex’, Overall Uganda has not yet established the minimum wage for all workers.

Essentially, there are no regulations explicitly targeting domestic workers in Uganda. The existing labour laws have been used as a blanket law to govern DWs in Uganda. This has a number of limitations in addressing domestic work issues. However, there are several efforts at different levels working towards the betterment of the domestic workers ‘working conditions as noted in this subsection below

### 2.4.1 Central Government level

Currently there are government agencies such as the MoGLSD and the Parliament taking steps towards establishing conducive working environment for all workers. For instance government of Uganda as early as 1995 after the establishment of the constitution, setup a Minimum Wages Advisory Council based on section 3(1) of the Minimum Wages Advisory Boards and Councils Act, This board was tasked to come-up with the minimum wage for the different sectors. The board was reinstated in July 2015. The board in June 2017 came up with recommendation for a minimum wage of Ugshs 130,000/=, a move welcomed by members of the civil society. Much as this has not been approved by cabinet and parliament, it denotes good progress towards better working conditions.

Furthermore, there is general appreciation that the existing laws (Employment Act 2006 and the Employment Regulations 2011) need some amendments. Some aspects such as section 38 of the Act is obsolete and needs to be reviewed and make explicit in reference to the work of domestic workers given that the home is not recognised as a work place.

The government through the Ministry of Gender, Labour and Social Development is also making progress regarding the ratification and localisation of the ILO C189 on decent work for domestic workers. Government working with different agencies and workers' unions has made cost benefit analysis of the Convention to ascertain the implication of its ratification and feasibility of its implementation. These efforts are however bogged down by structural and financial bottlenecks. For example, there is limited dissemination of the laws and regulations governing employment in general. The general public has remained oblivious of the laws especially regarding informal sector workers due to limited awareness. This can partly be attributed to the fact that there are no grass root resources in terms of labour officers. The current structure spell out up to district level labour inspectors yet these are also still lacking in many districts. The major impediments faced by the government are summarised in the Box 6.

#### **Box 6: Major impediments faced by the government in regulation of DWs activities**

*“The directorate of labour currently has five personnel and there are about 60 labour officers country wide. This is too low a number to execute their duties and monitor workers’ welfare effectively”*

*MoGLSD*

### 2.4.2 Local level case management;

Local councils are increasingly becoming very paramount regarding cases of domestic workers. Being the first point of contact in any locality many of the cases are first tried at this level before any proceeding are sought.

*“We always try to create an understanding between the boss and the workers through our mediations. We try to settle conflicts between the two parties. However, this is usually held for simple cases, for complicated cases, these are usually referred to police.”* Chairperson Nakiyuguzi zone

It should however be noted that, these local council not only lack the capacity in terms of resources to try employers but also lack knowledge of the laws. They have also been criticised by domestic workers for siding with perpetrators of abuses due to corruption. This affects effective inspection and administration of justice to domestic workers.

### 2.4.3 Efforts by civil society agencies

Over the years, attempts to have a national legislation for domestic workers in Uganda have been made by Civil Society Agencies. Currently, different organisations and campaigns are working towards different draft bills. These are under the agencies of the National Commission of Women, National Campaign Committee for Unorganised Sector Workers, and recently the Domestic Workers Rights Campaign (DWRC). Various draft bills deliberate on the registration of workers, employers and agencies, regulation of work and wages, social security and enforcement mechanisms. The actions by some of the civil society agencies working towards the plight of workers in general and domestic workers in particular are highlighted below.

#### Platform for Labour Action (PLA)

PLA is a national Civil Society Organization that works to promote the human rights of vulnerable and marginalized workers in Uganda. PLA strives to ensure a society where democratic values and social justice are respected and observed in the world of work. PLA has been at the forefront of fighting for the betterment of domestic workers conditions for the last 17 years and has undertaken a number of initiatives.

PLA was established in 2000 and currently works in the entire country. It has enabled domestic workers to get days off, fair wages and wage increments and employers' recognition of the value of their domestic workers. It helps domestic workers to organize into self-help groups and formalize their struggle for wages, dignified livelihood and recognition as workers. Besides advocacy on the rights of domestic workers, PLA maintains a database of workers in selected areas, and handle cases of different forms of violence against domestic workers. Also PLA focus on, among other issues, management of wage-related disputes.



Picture 3: PLA staff conducting training with DWs

Further, PLA provides training and sensitisation to DWs. Currently 119 DW workers have been trained as peer educators regarding the rights and responsibilities of domestic workers. PLA has also organised DWs in mutual support groups where domestic workers can discuss and support each other overcome work related problems. These MSG are also mechanisms through which the domestic workers can report cases of mistreatment to the different authorities with support from PLA. The agency has also helped in skilling DW by providing training in income generating activities (IGAs) such as savings, to help DW setup small business to supplement their wages.



PLA is also working with police and local councils and recruitment agencies to protect domestic workers' rights. The agency has trained over 39 police officers on worker's rights, trained LC chairpersons on their role in protection of domestic workers rights, community volunteers and recruitment agencies on guidelines for recruitment.

PLA is also working with Government (MoGLSD) on according special recognition to domestic workers. The agency is particularly engaging government on the ratification of ILO convention 189 on decent work for domestic workers and the amendment of the employment Act 2006. It has also been at the forefront on the legislation for the minimum wage in Uganda.

#### International Day of the African Youth (IDAY) Uganda

IDAY Uganda is an agency that advocates for the rights of all African youth to access quality basic education by encouraging constructive dialogue between African civil society organisations (CSO) and their governments. IDAY Uganda has championed several efforts on domestic workers mainly children domestic workers. The agency works with several organisations including statutory such as National Council for children (NCC), and civil society organisation like; Uganda Children Centre, and African Network for the prevention and protection against child abuse and Neglect (ANPPCAN) in exonerating the plight of children. It has made several publications including legal and policy reviews such as the "Legal and policy assessment report on child domestic workers in Uganda (2015)" and baselines such as "A survey on young and child domestic workers in Uganda (2015)". These efforts are aimed at exposing the gaps in the existing legal and policy frameworks on labour especially regarding protection of child rights. The agency aims to make visible child and young domestic workers in Uganda, by identifying them, their needs and employers in order to inform appropriate policy and social change.

## 2.5 ENVISAGED BENEFITS FROM DOMESTIC WORKERS REGULATION

The study reveals that regulation of domestic workers is likely to result into reduced cases of domestic violence. This is because the regulation will provide guidelines and standards for the domestic workers. Specifically, defining the required training/orientation training for domestic workers, introduce formal contract, biographic check on the domestic workers, and requiring the agencies to take responsibility for their workers.

The regulation will spell out the penalties on violation of contractual obligations by employers, help reduce cases of defaulting and retrospective reaction from employers and employees that have been the main causes of insecurity.

The regulation of the sector will help reduce internal human trafficking and child labour. With the increasing demand for domestic workers, the non-regulation of the sector means, most transactions are carried out underground, resulting into recruitment of young persons and non-disclosure of information about working conditions.

Regulation of the domestic workers subsector and its consequent recognition as a profession will facilitate law enforcement. Currently, the perpetrators of abuses on domestic workers enjoy relative immunity especially if they operate in secluded places. Most cases of abuses on domestic workers are either treated as assault cases or categorised under domestic violence by law enforcement units and are always referred to Police's Child and Family Protection Units. The unit does not give such cases the required due attention due to limited facilitation and personnel to follow-up cases. The

fact that the existing law is not clear on domestic workers, law enforcement usually takes a shoddy reaction to such cases. The fact that the victims have limited capacity to follow-up cases, many of these cases are shunned and never get attention and justice they require especially in the industrial courts. Most times prosecution does not have the basis upon which to pin the perpetrators in line with the Employment Act. Discussions with law enforcement agencies hinted that the cases of domestic workers cases end up being portrayed as assaulted, GBV or framed as otherwise to have a stronger basis for executing. This leaves many issues unattended to in line with domestic workers.

*“...for cases of child labour, where the maid is under age, everyone will be on high alert and officers will swing in action immediately because such are taken to be very offences due to the law on child labour but for fit maids or adults, their cases are either handled as criminal taken as assault/ mistreatment or aggravated abuse under the Domestic violence act. We do not look them as workers or labour related...”* Law enforcement officer

# CHAPTER THREE

## PROFILE OF DOMESTIC WORKERS

This chapter presents the profiles of domestic workers making references to LIVE-IN and LIVE-OUT domestic workers. It elaborates in details the push and pull factors and factors affecting domestic workers in general.

### 3.1 ATTRIBUTES OF DOMESTIC WORKERS



*Picture 2: A domestic Worker at her work place in Kisenyi in Central Division Kampala*

Domestic workers are socially, economically, statistically and legally invisible due to the hidden, informal and ill-defined nature of their work. They are generally off the radar screens of government programs, including education. They do not constitute a political interest groups, partly because they remain hidden from the public eye and because their situation benefits too many individuals. Domestic workers, in particular female domestic workers are a constantly growing section of workers in the informal sector of urban Uganda. The last three decades have seen a sharp increase in their numbers, especially in contrast to male domestic workers. Most domestic workers in cities are women and children mostly young girls.

What makes the phenomenon of domestic work critical is that these women are extremely vulnerable to physical, emotional and sexual abuse. Thus, it is important to document the profile of the female DWs, in terms of education level, hours of work, marital status, etc to have targeted programs and policy directions that can directly address their challenges.

#### 3.1.1 Work relations

The employer-employee relationship in the domestic work sub-sector is a complex one and is viewed as one of domination, dependency and inequality. Also, this is an area of work where the employer and the employee are mostly females. A home being the site of work, relations between employer and employee are often not limited to work but spill over to other support systems. This ‘confuses and complicates the conceptual clarity between family and work, custom and contract, affection and duty because the hierarchical arrangements and emotional registers of home must co-exist with those of workplace and contract in a capitalist world’ (Ray and Qayum, 2009).

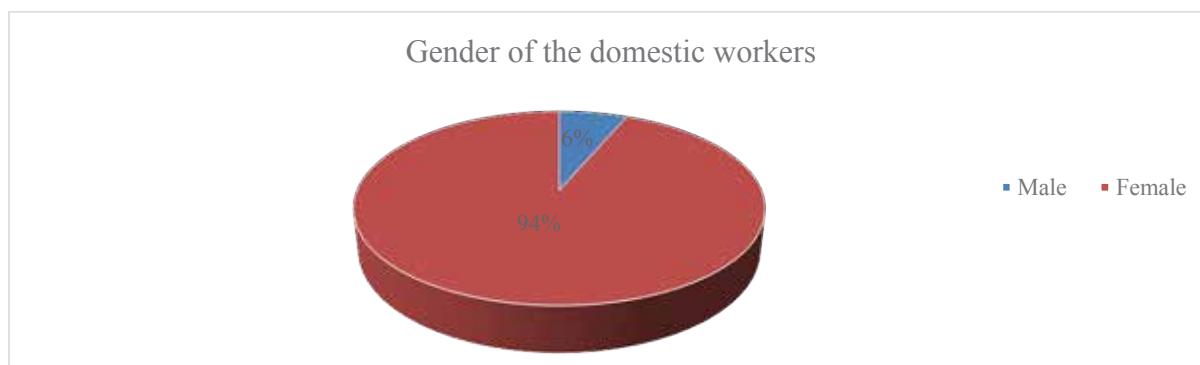
#### 3.1.2 Sex and Social Origin

Globally, women constitute the highest percentage of domestic workers 83%<sup>7</sup>. The study affirmed that women are the majority of domestic workers. The study showed that 93% of DWs were women. Most domestic workers especially the live-in come from the rural areas and it’s usually their first time to the urban centres where they work. These are usually recruited / referred by relatives/ friends and some by informal recruiters. Most live-out domestic workers have stayed in

7 <https://www.equaltimes.org/c189-the-work-that-makes-all-work#>

the areas of their work before or are living near or within the areas where they work. The live-outs usually have mastered not only the geography of the area where they work but also have amassed experiences working as domestic workers.

The figure 1 below shows the gender of domestic workers surveyed.



Source: DW Survey PLA (2017)

### 3.1.3 Age

The study established that domestic work is dominated by women between 15 to 30 years. These constituted over 65% of all the domestic workers surveyed. There is a small percentage (10%) of domestic workers among the older women above 40 years as shown in table 1 below.

Table 1 below shows Age profiles of domestic workers

Age cohort	%
15-20 Years	10.75
21-30 years	54.84
31-40 years	23.66
41-50 years	7.530
51-60 years	1.080
61 and above	2.150

Source: DW Survey by PLA (2017)

From the table 1 above, it is clear that some DWs were below the age of 18 years. It should be noted that, although section 32 of the Employment Act 2006 allows employment for children between 14 and 17 years, this points to simple tasks and supervised by an adult. Hence the section implicitly refers to working within their homesteads. Many of these are working in other households as domestic helpers doing all household duties including strenuous duties and working for long hours which again contravenes regulation no. 20 of Employment Regulations. These results present a challenge for the Ugandan government to increase its efforts in the fight against child labour. Child domestic labour is still prevalent in Uganda. The Child Labour (Prohibition and Regulations) Act 1986 lists domestic work in the schedule of “hazards” whereby the permissible age for work is 18 years. Yet, given the socio-economic conditions in the country, 15 years may appear permissible

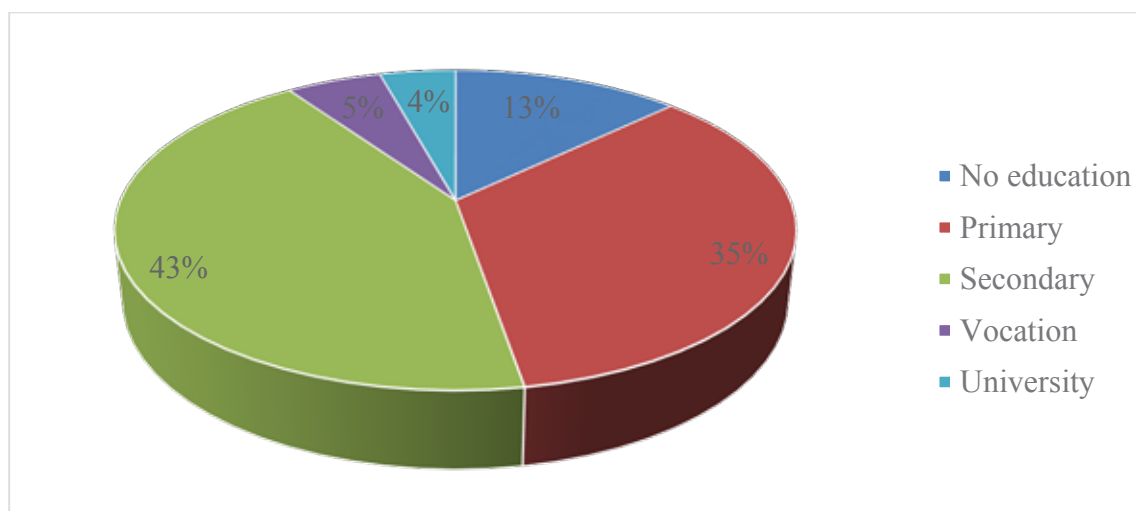
but most organisations working on the issue and child rights advocate the age of admission to domestic work as 18 years. They argue that these children work long hours, are not given nutritious food, are often sexually abused and have no way of raising their voices.

Studies have revealed that employers prefer children as they are cheap . They are often paid as little as Shs 20,000 per month for work that lasts at least ten hours each day and seven days a week and are believed to be easy to control. Studies have reported that child domestic workers are subjected to abuses such as beating and sexual abuses. There are also cases of trafficking where children are often brought in from poorer areas of the country and made to work as bonded labourers. Many are not allowed contact with their families. They live in their employers homes without any support system. The fact that homes are not subject to any form of inspection, exposing such cases remains a challenge that government and policy makers need to look at.

### 3.1.4 Education

The 2017 domestic workers survey established that over 45% of DW had not attained education beyond primary level, while 43% had reached secondary but mostly dropped out at lower secondary. The study also established that 4.3% of the domestic workers had reached university. Further probing discovered that those who had completed university after a long search for the jobs, they settled for domestic work mainly in the rich suburbs of Kampala. Most of the DWs surveyed reported the lack of school fees and limited family support as the major reasons for their failure to complete education. Figure 2 below show the education profiles of the domestic workers surveyed during the study.

**Fig 2: Level of education among domestic workers**



**Source:** DW Survey PLA (2017)

The education pattern indicates that most domestic workers lack the requisite skill to look for formal employment or start up personal enterprise hence see working as domestic workers as the only option for survival. More still 13% of the surveyed domestic workers did not attended any formal education, this is a high figure given the existence of Universal primary education since

1996. It may reflect a weakness in the enforcement of the primary education policy especially monitoring, where parents/children may decide whether or not to attend classes and no punitive measure are taken by especially the local authorities.

The quote below depicts the situation of domestic workers' education difficulties

*“I didn't finish my primary school; neither do I have any skills like sewing. I wanted to take hair braiding, but I don't have any time for it, because the housework takes a lot of time, and my Ma'am (employer), she works, and the children (employer's children) needed to be cared for. What could I possibly do with very little education? I can leave the family and find another job working in the restaurant in town, but you need to be 'fluent' in English and the pay is also still bad, a friend told me it's, 40,000 Ush a month yet too demanding. If you don't finish your primary school and you are poor, then being a house girl is the only choice you have or you get married. I feel lucky because the family (employer) treats me well...”-Domestic worker.*

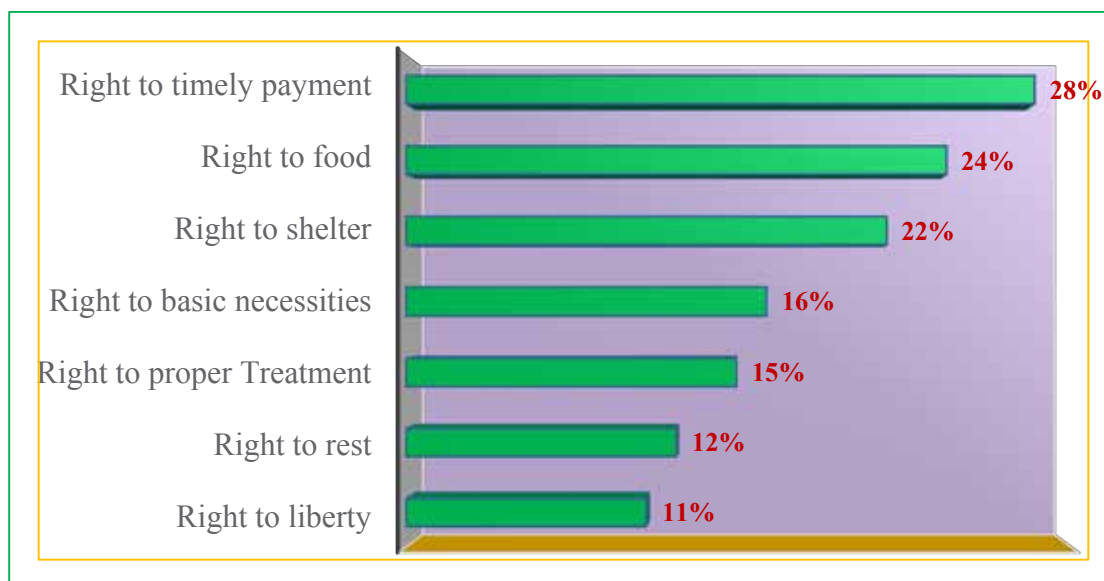
### 3.1.5 Awareness of rights and responsibility

The study noted that most domestic workers and their employers do not know their rights. The 2015 survey of domestic workers in Kampala revealed that, 82% of the DW interviewed were not aware of any rights and 88% of the employers interviewed in the survey did not know if their DW had any rights. More still these domestic workers and their employers were not aware of the existence of any law regarding their welfare. These figures could explain the rampant cases of abuses in homes by both the workers and the employers. The lack of guidance and clear rules of procedures in the operations of domestic workers has made their employers look at them as slaves, making them work for long hours, denying them any form of rest and sometimes going without food. As a result, the domestic workers have retaliated through theft, destruction of property and abusing children of their employers.

It is a result of this that agencies such as Platform for labour Action (PLA) and other players have taken steps in promoting awareness of the domestic workers rights, through various mechanisms. PLA is using a human rights approach working with different local leaders and the police to reach the communities aimed at ensuring the domestic workers' rights are not abused. The agency has sensitised both the employers and the domestic workers through trainings, Television informatics, posters and messages about their rights and also assisting them settle grievances. The agency is training the DW on their rights and responsibilities and assigning them to reference groups where they can collectively advocate for their rights and assisting their colleagues. Much as this is helping increase awareness, the scope is still shallow, limited within Kampala. This leaves the rest of the country in the dark regarding domestic workers. Having country wide campaigns aimed at promoting and sensitizing all domestic workers, employers and recruiters shall increase awareness and hence create a platform for dialogue among the different stake holders.

The figure below shows ranking in terms of importance of the rights known to DW

**Fig 3: Rights as perceived by domestic workers**



**Source:** Re-analysis of RABLID data, 2015

The analysis shows that, domestic workers regards the right to timely payment (28%), the right to food (24%) and the right to shelter (22%) as the key and most important rights. It should be noted that most domestic workers decide to take up such work as the only viable alternative for sustaining their lives. They come from their places of origin to get work that will help them generate some income and improve their welfare. This is especially so for the live-in domestic workers, with usually very poor backgrounds and often new in their work places, they look at food and shelter as key for their stay and payment as a means to support their families back home. The Rights to liberty, rest and proper treatment are not taken with so much regard, standing at 11%, 12% and 15% respectively.

### 3.2 PUSH AND PULL FACTORS FOR DOMESTIC WORK

There are several pull and push factors that drive people mainly women into domestic work. These are in two dimension including the demand and supply side. From the demand side, most factors point to time saving by the employers. The need to create time to engage in the formal sector/markets especially among urban dwellers is the major reason for the demand of domestic helpers. The troubles of the formal sector work involving constant movements to and from work among others make balancing between household duties and work demands difficult especially among women in the formal sector. These households hence seek the services of domestic workers to free sometime for their other duties.

From the supply side; there are a number of reasons mentioned but main reasons given are all linked to poverty and lack of income generation opportunities (Box 7). It should be noted that most domestic workers originate from rural areas with high levels of poverty without any proper means of survival. They are mainly school dropouts with limited education and skill to enable them engage in meaningful employment and also have limited or no access to property such as land. The respondents also mentioned the need to take care of their dependants (children and elderly) as the major reasons for their engagement in domestic work. Without any other economically viable opportunities in their areas of origin, the respondents reiterated that venturing in domestic work is the only viable option. These are in line with earlier studies

**Box 7: The main factors for working as domestic servants**

- Failure to get school fees
- Lack of alternative work/employment
- After death of Parents/guardian
- After divorce/separation of parents

**3.3 WORKING CONDITIONS**

Domestic workers do not have definite tasks they are recruited to do. The domestic workers especially the live-in DW perform any tasks assigned. The live-out DW although at liberty to determine the task they perform, they are also some times requested to perform additional tasks by their employers without additional pay. The tasks performed by either category of domestic workers may include cleaning (sweeping, swabbing and dusting), washing (clothes and dishes) or even putting machine-washed clothes on the clothesline or/and folding them, cooking, or preparation for cooking such as chopping vegetables and making dough, or cooking a part of meal, ironing, housekeeping and extensions of these outside the home such as shopping. Domestic work may also include childcare or care for the elderly and the sick family members.

There are no standard norms that decide working conditions for domestic workers. By and large, employers decide wages although DWs are usually paid according to the wage ‘rate’ of the area. Also, recruiter sometimes bargain on behalf of the DW the wage rate to be paid but mostly for the live-in DWs. Wages also depend on the bargaining power of the domestic workers and workers’ desperation for work. Experienced domestic workers especially the live-out are able to bargain for higher wages while those desperate for work and the live-in DWs may be willing to work at lower rates. Other factors that influence decisions about wages include the type of tasks performed and the neighbourhood. Also, DW’s wages vary according to the nature of tasks whereby tasks such as cooking attracts higher wages than cleaning. In addition, the socio-economic profile of employers also determine the likely wage of the DW. In all, it is important to note that these factors are not cast-in-stone as workers are made to perform extra work with no addition compensation, especially during festivals or when employers have guests. However, there is no guarantee of employment as employers can ask workers to leave with no prior notice or financial compensation.

*Recruiter “When we get these girls, we try to get affair deal for them. we discuss with employers the minimum payment. At our office we have even introduced some form of contract where the employers sign, with their contacts and details of the worker. One copy remains in our office. But in many cases employers have defaulted. Also our girls fear to report to us for fear of losing their job”*

Furthermore, the study established that only a few Domestic workers get a weekly off. Many of them get leave while they are sick and sometimes they deduct their wages to cover treatment expenses. However a few good employers give a day off and when the DW is sick, they provide them with treatment without cutting their wages.



*“.....some bosses are very difficult, they cannot even give one day off to their DWs especially the live-in domestic workers. There some bosses who when their DW falls sick and provide treatment, they cut that money off their wages and others reach extremes of parting with the worker especially if sickness prolongs without any penny. These are the worst bosses. But there are also very good bosses that treat you and even do not cut your wage, but these are very rear to get.....”*Members of the DW Focus group Discussion.

Also it was noted that many live-out DWs commute long distances and over work to accumulate a given amount of money in a day thus have no time to cook and carry food with them, hence usually go without lunch. They are often not provided with any tea or snacks and stay hungry till they go back to their homes where they have to cope with difficult living conditions in urban slums.

Generally, the work of domestic workers is disregarded and no training is provided prior to their deployment. Even the recruiting individuals and agents take this work for granted and do not provided to domestic workers with the orientation training they may need to do their work. This is due to the fact that there is no guideline or procedure followed and the fact that such work is considered common knowledge of any person especially among females. However, this is the biggest challenge and one of the major causes of conflict between domestic workers and employers. The need for domestic workers initial training is described in the union representative’s views as summarised in the quotation below.

*“....every job has its own demands and requirements that a worker needs to know beforehand. Our domestic workers need to be trained to understand what they have to do. Some of them cannot even cook a proper meal, yet in some homes there are specific dishes that the DW may not be familiar with, so they need training. Be it communication skills, our home receive visitors of all kinds and sometimes when we are away, the domestic workers needs to know how to talk to these people, and this comes from the training. But we cannot have training of the domestic workers unless the subsector has been recognised as a profession, that the very reason we need this subsector of labour regulated”. Union representative.*

### 3.4 ABUSES /VIOLENCE AGAINST DOMESTIC WORKERS

The study also established that DWs are subjected to both physical and psychological abuses from their employers due to small mistakes they make that are in most cases not intentional. Some of these mistakes range from failure to complete work, delay to wake up, causing breakages and burning food. Some employers over react and punish the DWs for these mistakes they commit. Usual punishment range from physical beating, verbal abuses, wage deduction, work termination, denial of day offs and denial to eat food among others.

*“As human being we make mistakes such as accidentally breaking household items, delaying to do household work because sometime we are watching TV or feeling weak, but our bosses over react and cut out payment and even sometimes beating. The most disturbing is when the boss decides not to pay for the arrears due to especially broken item like flask, the boss inflates the price.”* Members of the DW Focus group Discussion

Analysis of Kampala DWs monitoring from PLA shows that 27% of DWs have had cases of none-payment of their wages , 21% had ever faced verbal abuses, 15%, physical abuses (Burning and beating), 14% had long working long hours, 8% sexual assault by their male bosses and other relatives, 8% had ever been denied food while 8% had ever faced restricted movement . Other forms of right violation reported include among others unfair dismissal after accusing them falsely of theft, not treated as human beings an example depriving them of the right to seek treatment, and denial of shelter. The implication of these findings is that in order to improve on the work

conditions of DWs, the advocates of domestic workers rights must take into consideration such issues documented in Table 2.

**Table 2: Major forms of Rights violation experienced by domestic worker**

Form of Violence	%
Verbal abuse	21
Denial of good food	8
Physical Abuse	15
Over working beyond normal time	14
Non Payment	27
Sexual Harassment	8
Others abuses (Restricted movement, filthy conditions)	7

**Source:** PLA Survey (2017)

None payment of wages was the worst abuse domestic workers noted. The DWs in the FGD together agreed that employers abused them in some way or another. However most of DWs look at these violations and abuses with less regard and take such conditions as part of their work environment and hence are bound to happen. They urged that each form of work has its own difficulties and such insults are the huddles that constitute the work of Domestic workers.

*“I do not care whether you abuse me, sleep late or make me clean your underpants as long as you pay my money as greed,” One of the DWs during the FGD.*

Some of the employers reached during the study had a different perspective of these abuses. They reported that most of these domestic workers lack self-initiative to work and need to be told over and over again or closely watched to do work they ought to know how it is supposed to be done by virtue of their age. Due to this, they get tired of constant instruction and sometimes react in the way they do.

*“.....you do not know these girls, they do not appreciate, she comes asking for the job, but she acts like you forced her to work for you. The girl is very sluggish and has bad attitude to work, she is always late to complete work. I will make her learn, because it’s my money.....”*DW employers from Mengo.

*“.....i would not have much problem with my girl, but she does not know how to apportion her time. She does not know when to watch TV and when to cook or wash the children. When she sits on the TV she will never leave until you tell her, she also talks a lot to the neighbours, just gossiping nonstop.... This annoys me and I have always warned her about this but she does not learn....”*DW employers from Gayaza.

### 3.5 CATEGORISATION OF DOMESTIC WORKERS

In the Ugandan context, domestic work is generally defined in terms of type of work performed and the time spent at work, i.e., in the employer’s home. DWs can be categorised mainly into Live-out and live-in. The live-in DWs is that category that stay and live within the homestead of her employer, while the live-out DWs are those that do not stay or live within the homestead of their employers. Thus, the live-ins and live-out DWs experience different work conditions.

### 3.5.1 Experiences of Live-in Domestic Workers

The live-in domestic workers stay and sleep within the house or within the compound of their employers. From the survey, it was noted that these DWs are provided with housing and sometimes with food by their employers. However, these benefits come with heavy cost say restricted mobility and limited freedom to interact with the community. Also, the live-in DWs are usually recruited from places distant from their current work places. According to the domestic workers consulted, the live-in domestic workers face awful working conditions ranging from isolation and exclusion. That is, because of the nature of their job, they have limited opportunities to interact and meet other people like other domestic workers hence have limited access to information and redress in case of abuse. This explains why live-in DWs have limited knowledge of the rights of domestic workers. It should be noted that 82% of the domestic workers in Kampala surveyed were not aware of their rights and 84% of the 214 surveyed denied existence of any interventions that address the issues of domestic workers rights. Therefore, such conditions greatly hinder the formation of worker's networks and associations that could promote and defend their rights.

The study documented a number of issues concerning work conditions as raised by the live-in domestic workers including the following. Live –in domestic workers have no specified number of work hours? They usually work as long as eighteen hours a day. That is, they work for long hours especially due to lack of specified tasks but assigned a multitude of tasks continuously. It was noted that a typical day for the DW start as early as 5:00am to prepare children for school and they work through 12:00 midnight after washing the dishes used for supper. Despite these long working hours, it was reported that they rarely have days off.

Interviewer: *Please describe a typical day at your employer's household?*

DW: *"I wake up at 5:30 a.m., and I clean the house, including cleaning the toilets and the bathrooms and wiping the floor every day. Madam and Sir are both working and they leave home at 7:00 a.m., so I make sure the breakfast is ready before that. The children wake up at about 9:00am, I bathe them, give them milk, then maybe around 10:00 a.m. I will take my breakfast. I then rotate between other house chores like washing cloth, dishes and cooking and watching after the children.....I serve dinner by 8:00 pm, and feed Ronnie the younger of the children. After I iron and organize the clothes washed. I have my supper at about 11:00 pm....."*

There are no clear recruitment processes for their recruitment. It was noted that most of the Live-in domestic workers are recruited through relatives and friends and sometimes through agencies. These workers revealed that their recruiters take advantage of their vulnerable situation lead them into exploitation through unfair working conditions. The DWs reported that their recruiters do not provide them with any information regarding the working conditions and do not take any responsibility for any eventualities that may arise during the course of their work. This situation is described in the quotation below.

*"It's very difficult in this kind of work and start as a live-out, because usually the way we get work, there is no way you can start at that level. Even those of us who are live-out workers started as live-in DW. First in getting this work, it's usually those who know you as relative, or friend and sometimes a neighbour to the one who needs a domestic worker, they bring you from the village sometimes far away from your home without any knowledge of the area. The one who got you from the village hands you to your employer and then they go away. When brought as a worker, the recruiters do not give any information about the kind of work, and working condition like working hours and duties, we do any kind of work as and when available."* Members of the DW Focus group Discussion

**Interviewer: Do those who recruit you check on you after sometime to see how you fare at your work place?**

DW; *“No, the relative, or friend or the person who got you this job shows you the boss and that is the end of the story, they never return to check on you.”*

**Interviewer: Do you pay anything to the recruiter?**

DWs *“...its complex, usually, the recruiter has agreed with the boss on how the boss will pay for identifying the worker. For instance the recruiter may ask for an amount to get them a worker; unfortunately, our bosses take this payment to the recruiter as part of our wage. The tell you... ..“You have to first recover the money I used for your recruitment” so at the beginning, you go without any wage may be for a month or two depending”*

Live-in DWs are also hired through both formal and informal recruiting agents who also collect their wages, often withholding a substantial part of it., claiming these wages are used to cover the cost of recruitment of these girls from villages and bring them to urban centres, provide them with accommodation for a couple of days before being deployed to their employers. There is no state mechanism in place to check the work of these agents or their functionality. This is because these agencies are difficult to trace as they operate under different identities. More still these agencies are not legally licenced recruiters of local based domestic workers so operate undercover businesses. . They also charge a large amount from employers for providing them with domestic helpers who in turn mistreat the DWs for the amount paid to get them.

### 3.5.2 Experiences of Live-out Domestic Workers

The Live-out DWs are of two types. First, those who work in one house for the whole day and leave in the evening. Secondly, those who work in different houses, moving from one to another, performing one or more tasks in each household. These may clean in one house, chop vegetables in another and wash clothes in the third, while some others may only perform a task, such as cooking. They often visit these households more than once a day though the requirements in some families may be limited to only once a day. Another form of part-time live-out work is in terms of piece-rate. The survey revealed that payment for part-time DWs is based say on the number of clothes to be washed. The participants noted that shirts that are not very dirty are washed at Shs 200 per shirt and trousers at Shs 400 while those that are dirtier could go at Shs 300 and Shs 500 respectively.

Live-out domestic workers are primarily migrants who moved to the city with their families. Some of them are also landless labourers who are displaced when rural areas are absorbed by cities. On moving to the city, they mainly reside in the difficult conditions of slum clusters. They begin work some as live-in DWs and later start working for one or two homesteads as live-out DWs and gradually take up more depending on their individual capacities, the money needed and their specific stage of the life cycle. Besides learning work, they have to adapt to urban ways of living and a culture different from their own. This group of domestic workers is majorly composed of married and older women aged 25 years and above. It should be noted that that most live-out domestic workers were formerly live-in domestic workers after some time as Live-in DWs decided to live independent lifestyles.

Live –out DWs work for a day, week or monthly pay. Participants noted that they enjoy relative freedom and have higher decision making powers. They are usually experienced within the areas they operate due to prior work as live-in. They are able to negotiate payment terms and wages

and usually enjoy relatively favourable working hours. The amount of time the live-out spend in a home depend on the amount of work negotiated. They have greater access to information hence have some level of awareness of their rights and are able to stand for them than their counterparts. Further, it was revealed that this form of work may be flexible but is also unstable as workers shift out of the sector, change employers, stop working for a few years due to a number of reasons such as marriage or childbirth. Yet, in terms of time spent at work, it may be as much or more than a live-in worker. “The fragmented nature of their work, the multitude of tasks, a multiplicity of employers, and the instability of employment pose challenges in documenting them and therefore hard in attempts to organise them”.

The study established the different wage ranges for which live-out domestic workers execute the tasks in the households where they work. The FGD shows that the wages vary by household, the bargaining power and the kind of rapport the DW has with the customer. The study showed that housekeeping especially where the DW worker is told to spend a whole day to take care of the home in absence of the owners ranging between Ugshs10000-15000 for the 24 hours, laundry is at piece rate from Ugshs 500, baby sitting and care ranges between Ushs 6000-10000 per day among others as shown in table 3 below. This figures cumulatively are far higher than the Live-in DWs based on the monthly compounding. It should be noted that these figures vary considerably depending on the area and also not constant since they live-out DW are occasionally called by their clients as and when such work is available. It also presents a risk of non-assured income to the live-out DWs.

**Table 3: Estimated wage rage for the work done Live-out domestic workers**

Type of work/service provided	Average Wage (UGX)
Laundry services	500-1000
Cooking	3000-5000
Baby sitting	6,000-10,000
Dish washing and mopping	6,000-10,000
Housekeeping	10,000-15,000
Compound care	1,000-2,000
Pet care	1500-2500

**Source:** Survey 2017

Such low and unreliable wages to domestic workers in general are not characteristic of local Ugandan employers, it cuts across all employers including foreigners. This has been clearly documented by earlier studies such as Kaythrine E. Wilson; 2010 study<sup>8</sup>. The paper amplifies the low pay and abuses DWs endure even from foreign employers living in Uganda.

The quote below is an extraction from Kaythrine E. Wilson; 2010 study in Mpigi district of Uganda.

“Interviewer: How much in wages did you receive from the American employer?”

DW3: *“I received UGshs20,000 per month, but I always think working with foreign employers, such as Europeans, Americans, or Japanese, would give you better wages, but it’s not like that. They’re much stingier than the local employers. A few of my friends experienced the same problems. Sometimes they think you’re, stupid because you cannot speak good English. I started to work with a Ugandan family since I stopped working with the American employers, but I’m more happy here and feel like a family compared to the first*

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*employer (American). Madam and Sir are much closer to me compared to the previous employer that I had worked”*

The survey also investigated and documented the factors for the low wages paid to the live-in DWs from the employers. A number of live-in DWs’ employers noted that they pay low wages because their domestic workers enjoy other benefits on top of the wages they receive. The employers pointed to benefits such as accommodation, household utilities and food among others. The employers claim these perks bridge the gap on payments. The quote below summarises the views of one of employers of DWs towards low wages relative to enjoyment of other gifts and benefits.

*“.....but you have to understand, it does not work the same way as from where you come from. We give a roof to these house girls, food, clothing, medical bills, sometimes we even need to worry about them getting into a bad circle of friends and getting pregnant what is the value of all these?.....” –DW Employer*

### 3.6 SOCIAL SECURITY AND WELFARE

A number of respondents reported that some of the women work as domestic workers over long time periods but have little or no savings for their old age and they are not entitled to any old-age pensions, gratuity or bonus. They have no medical insurance and all expenses of illness, hospitalization of self and family are borne by themselves or sometimes their relatives. Also, it was noted that neither do they have any coverage for childbirth, injury at work place or loans to build houses or other social responsibilities. Such loans or grants, as all other benefits depend on their relation with the employer and the employer’s goodwill. No data is available on older domestic workers. Though domestic workers have been included in the proposed Unorganised Workers’ Social Security bill (2017), they have not yet got any benefits.

Domestic workers seldom have an organized mechanism for collective bargaining. Last three decades have seen the emergence of organisations and social activists working with domestic workers to organize them into groups and unions by empowering them and advocating for their rights. For example the PLA focus on the dignity of domestic work, empowerment of workers through justice, abolition of child domestic labour, crisis intervention and prevention of human trafficking.

# CHAPTER FOUR

## ECONOMIC CONTRIBUTION OF DOMESTIC WORKERS

This chapter presents a detailed framework for the estimation of the socio-economic contribution of domestic workers to GDP. There are various approaches that can be used in the estimation of the DWs' contribution to GDP such as the opportunity cost approach and the equivalent valuation approach. However, due to data limitations this study employs the equivalent valuation approach in estimation the DWs' contribution to GDP.

### 4.1 ECONOMIC VALUATION OF DOMESTIC WORK

Policy makers and the formal sector players tend to underestimate the value of informal workers in general and domestic workers in particular thereby excluding most of their work from GDP and other measures of national wealth. As a result, domestic workers are seen as an extra cost by their employers and insignificant to the economy by most policy makers. It should be noted that although the domestic worker has remained invisible, the sector makes immense contribution to the development of economies. This section provides a detailed analysis of the socio-economic contribution of the domestic workers' sector to Uganda's economy.

### 4.2 SIGNIFICANCE OF DOMESTIC WORKERS' LABOUR

#### 4.2.1 Contribution to Household development



**Picture 3:** Domestic worker doing laundry for one of the households

Doing laundry in Uganda is costly if done by a private company

**Domestic workers promote household savings and national savings.** They help to subside household costs and expenditures by doing a multiplicity of tasks in a given household. This is due to the fact that they enable families make savings as they do the same job at lower wages compared to the cost that would have been incurred if such services were provided by private provider.

Households take up domestic workers and assign them tasks that would otherwise be expensive but are executed at very low costs. The study found that some domestic helpers receive as low as 3,000 Uganda shilling a day yet the duties they perform would be worthy tens of thousands. Therefore, services provided by DWs have helped many households maintain their other ventures outside homes at a low costs. This helps such households to smooth-out their expenditures and be able to make some savings for other needs including investments. Hence domestic helpers (maids etc) do contribute to households' savings by subsidizing household expenses throughout their workforce, which subsequently drive national saving in an economy.

Many families, especially the upscale dual-income couples where both spouses are able to work full-time job yet with children, having a full-time maid is seen as the best alternative to the increasingly expensive day-care in urban centres. Also, in the case of families with elderly parents or sick household members, DWs do provide care servicing at lower costs than what the household would have paid in known official care centres and hence household do save on such costs.

**Secondly, DWs help families save quality time.** Having a domestic worker helps families have more free time to do other things. Household chores are time consuming and never-ending. Domestic workers handle duties such as doing the laundry, house cleaning, buying groceries, and cooking. They free up time to couples/families to take care of their children, take them out for a fun day, knowing that the house is in good hands. After a long day at work, spouses can enjoy meals or each other company without the stress of having to cook or clean. Thus increasing bondage among couples a catalyst to household development. More still, presence of a domestic worker at home increases concentration and confidence at work among working mothers. This is due to the fact that mothers do not have to worry so much about their homes even in cases of sickness of children, the mother does not have to frantically as for leave or call around for a babysitter to care for the kids. Additionally, maids when well-trained become a mentor and friend to your children, and assist in their learning and development.

*“After a long day at work, coming home having to begin on a locus of household chores is dreading. With my maid, I can sit and relax without much worry because I know everything is in order. I have time to relax with my son. But it also takes time and patient to make her do what pleases you, they are sometimes naughty and just cause anger”-* DW employers in Najjanakumbi –Makindye Kampala

*“I work in a forex bureau and my husband works abroad. We have one child, and I have no one to leave her with, as my family is far apart. My house girl cooks, cleans, does the ironing, does the laundry and also takes care of by boy”-* DW employer, Kyengera town council

#### 4.2.2 National level contribution

First, domestic work provides alternative employment to women in the domestic work sector. The Uganda National Census Report (2014) shows that Uganda’s population between the productive age of 14 and 64 (labour force) is over 18 million. Out of which, 58% of this population is unemployed. The report further indicates that majority of those unemployed are women constituting about 65.2% (over 11 million). Given the high unemployment burden, domestic work provides a viable alternative for most of the originally redundant folk. This coupled with high illiteracy rates<sup>9</sup>. Most women are absorbed in the informal sector including working as domestic workers. Hence domestic work provides employment and hope to the disadvantaged group of society, especially uneducated poor and landless women. These domestic workers use their wages to support their households and dependants to attain education, and get health care among others.

*“The effects of the economic slump in Uganda especially in the hotel sector resulted into retrenchment of many hotel workers who resorted to domestic work as the source of livelihood. Many employers prefer such domestic workers due to their prior training and experiences from hotels”* Union representative.

<sup>9</sup> The UNHS 2010 reported that 17% of the labour force (2.4 million persons mostly women) has no formal education/training



**Secondly, DW has a strong implication in promoting of women participation in the formal economy and decision making.** Note that, the services of domestic workers are a strong foundation for the participation, involvement and engagement of women in both formal and informal economy, and in politics. DWs help formal and informal sectors workers especially women to create time to participate in the productive labour market, while at the same time balancing work and family responsibilities. They help in freeing time for their employers to engage in formal work. The domestic worker acts as shock absorbers by filling the gaps left by the working class in undertaking duties such as child care, cooking and household chores that would otherwise prevent participation of women in mainstream economic sectors hence affecting overall national productivity.

*“I don’t know what I’ll do without the house girl, we have a family shop in town where I move to every morning apart from Sunday. Maria (the house maid), cooks, cleans, does the ironing, does the laundry, and she’s also responsible for waking the children up in the morning, making breakfast for the children, I sometimes help her in the evening when I return, usually tired due to traffic and sometimes dreadful days at the shop. ....Without my Maria, I do not know how I would manage to run the shop and to keep the house running. She really helps me out bambi (sympathy), she is good girl I have no much worries sofar...”* DW Employer:

**The domestic work sector also provides a source of income to mostly disadvantaged and vulnerable female community.** As earlier noted, domestic workers especially the live-in DWs receive very meagre pay from the observer point of view. These meagre funds have helped the DWs transform their lives. Many of the domestic workers have been able to maintain their households, pay school fees and care for their loved ones. Although many of these DWs are outraged by the poor working condition, they reported having immense benefits. These earnings help them earn and contribute to self-sustainability. The DWs wages hence contribute to national development by driving local economies in their areas of origin or residence.

#### 4.2.3 Value of Domestic workers’ sector in relation to GDP

Generally, Gross Domestic Product (GDP) is the most widely-used measure of value of the country’s production and national well-being. It takes into consideration formal and paid activities for a given time period of one year, although it leave out a number of important activities such as the work done by women and domestic work (Waring, 1998). Like many other invisible activities, domestic worker’s contribution is excluded from national level economic calculations. The major reason for this is that GDP involves valuation of work based on financial remuneration and the formality of work rather than basing on the utility (benefits) derived from such work by the recipient. It should however be noted that the valuation of work should not only be based on the formality or remuneration received since these parameters do not tell about its social usefulness (net social benefit). Also many informal activities usually unpaid work performed at home by women or domestic workers such as cooking, cleaning, washing, child care, and caring for the sick and elderly are vital to human existence and serve as the foundation of the entire economy. It’s on this basis that the valuation of domestic workers is of utmost importance and this study provides possible options on how DWs contribution should be valued for policy reasons.

To estimate DWs value, there are several approaches suggested including; the opportunity cost approach, that assigns market rates to the various tasks domestic workers do. That is, how much would have cost an employer to hire someone else to do that work in the formal sector. The equivalence valuation of time spent at the formal market place, which looks at what domestic workers’ would have earned if the time they spent on household work was spent doing paid

employment. Thus, for this study, the equivalent valuation approach has been used to demonstrate the economic value of domestic workers in relation to Uganda's GDP. In order to provide a clear picture of the value of DWs' contribution to GDP in Uganda, we focus on four main services activities that are dominated by female DWs (Box 7).

**Box 7: Main service activities provided by DWs in Uganda**

**a) Cooking**

Generally, preparation of meals is one of the key tasks performed by domestic workers in Uganda. Using equivalent valuation approach, and basing on the rates for cooks in the local restaurants of UGX 5,000 per day for down town restaurants and UGX 20,000 per day for medium restaurants. The choice of these low to medium scale restaurant is cognisant of basic level of education and basic training of the many cooks employed in comparison to that of DWs. It's meant to value the domestic workers' comprehensive value in the activity engaged in.

Taking an average of UGX 12,500/= per day. The total earnings for the cook is given by;

Total cost of service;  $UGX\ 12,500 \times 6\ \text{days a week} = 75000\ \text{per week} \times 52\ \text{weeks} = UGX\ 3,900,000/=$  per year.

Thus, the estimated DWs annual total contribution to GDP is of an equivalence of UGX 3,900,000/=

**b) Housekeeping/House Cleaner**

Also, domestic workers mainly the live-in category have housekeeping/cleaning as their core duty as they are required to maintain the home clean and tidy. This is a multifacet activity as DWs perform a number of duties including, dish washing, house window cleaning and equipment, sweeping, slashing and sweeping the compound, mopping and making beds. Using the rates of house cleaning service providers.

The survey revealed that on average, most low cost comprehensive house cleaning services charge about UGX 40,000 per day when an average household employs two workers. This translates into UGX 20,000 per day per worker. Thus, the annual household cleaning costs given by  $UGX\ 120,000\ \text{week} \times 52\ \text{Weeks} = UGX\ 6,240,000$  per year.

**c) Babysitting /Child Care**

Generally live-in domestic workers provide full-time child care that enable the household members participate in other income generating activities. Babysitting involves cleaning, feeding and walking the children. Using the day care pay services for low cost schools. Official commercial child care services for a day range between UGX 15,000 and UGX 30000, and the weekly cost is SGX 55,000. For low cost end childcare services, the average cost is UGX 11,000. The annual total cost for child care for is given by:

Total cost for services:  $UGX\ 55,000/\text{weekly pay} \times 52\ \text{Weeks} = UGX\ 2,860,000$  per year.

**d) Laundry Service**

Finally, cloth washing is charged per piece more specifically with the live-out domestic workers.

### 4.3 ESTIMATION OF DOMESTIC WORKERS' VALUE

The mechanical estimation using the equivalent valuation method is due to the fact that, there are no clear data on domestic workers in Uganda. For instance there is no data available on the wages of different informal sector and semi-skilled workers and actual figures in terms of their number. The estimation of value has been devised to demonstrate /pilot a model on how domestic workers' value can be computed and how it compares to national level. The model is demonstrated as below.

Uganda has total working population of 19,687,561 persons between 15 and 64 years old (9,919,340 males and 9,767,812 females) (UBOS, 2017). Out of this, 4.6 million is engaged in informal sector work of which 3.1million are in the non-agricultural related informal sector activities such as casual workers at construction sites, domestic workers among others. The share of informal employment <sup>10</sup> as a percentage of non-agricultural employment amounts to 84<sup>11</sup>%. Women and Men in the Informal Economy, estimated the number of domestic workers in Uganda at 4.7% and 1.2 % of informal sector non-agricultural workers respectively (ILO, 2017). This would translate into an estimated population of 129,800 person domestic workers in Uganda.

The estimated domestic workers' subsector contribution to GDP at current market prices based on the equivalent valuation method is presented in Table 3.

**Table 4: Estimated DWs' subsector contribution to GDP at current market prices**

Category	Estimated Population size <sup>3</sup>
Estimated informal sector work force	3,500,000
Informal sector employment (non-agricultural)	2,200,000
Estimated size of domestic workforce	129,800

**Source:** Authors' own tabulation from DWs Survey data, May 2017

Computing the average Annual value for a live in domestic worker (based on Equivalent valuation approach and income approach for GDP)

Essentially a live-in DW stays with the employer and does all tasks at home including, cooking, laundry, babysitting/ care, housekeeping. Thus, the Equivalent Average Annual Value (EGV) for a live-in DW can be computed as per the following expression:

$$\text{EGV} = \text{UGX } 3,700,000$$

<sup>10</sup> Informal employment refers to those not paid social security contribution, no paid annual leave or sick leave.

<sup>11</sup> ULFS 2015-Urban Labour force survey

**Table 5: Estimation of Gross domestic workers value in relation to National GDP**

National work force (est; 000)	Estimated DW popn (est; 000)	Estimated Task value (4 tasks) per year (Ush.s million)	Estimated Total contribution to (Ush.s million)	GDP at Current Market Prices (Ush.s million)
13,900	129.8	3.7	480,260	87,891,000 <sup>4</sup>

**Source:** Authors’ own tabulation from the Survey May 2017

From the above estimated value of the domestic workers, the subsector’s contribution is estimated at 0.6% of the GDP. On the basis of the estimation, the domestic workers’ subsector possess great potential to contribute to the national development. Like immigrant labour that remits revenue, the domestic workers’ subsector makes huge contribution to transformation of societies of their origin by remitting financial resources.

#### 4.4 FACTORS THAT HINDER DWS’ CONTRIBUTION TO DEVELOPMENT

The survey found a number of pertinent issues that undermine the contribution of DWs to overall development. First, it was revealed that DW are usually restricted in terms of movement which limit their potential as they are restricted around their workplace and hence limited interaction with the rest of the economy. This greatly affects their ability to engage in meaningful productive work and other businesses beside the assigned tasks by their employers. These restrictions also make it impossible for them to supplement their incomes.

In addition, the study revealed that low and untimely payment to domestic workers is another factor that affects their contribution to development. Note that Uganda has not yet gazetted the minimum wage, and because of this, most informal sector and some formal semi-skilled and unskilled labour force face the challenge of low wages and exploitation. The condition of domestic workers is twofold due to non-inspection of their unique work stations (homes). Also it was noted that some domestic workers due to a number of reasons go months without pay and yet the wages are far below the real value of the work they do. This affects development. This was reiterated by the local leaders as indicated in the quote below;

*“Most female employers mistreat DWs and yet they are so important in a home. Most of them employ DWs but do not want to pay for their services”, Chairman Kirundu zone, Luzwafu parish*

$$GDP=C+I+G+X-M, \quad (1)$$

At a micro-level, the low and sometimes irregular payments makes the domestic worker unable to meet their basic necessities such as supporting their dependants in schools, medical care communication among others. The inability to support these dependants means propagation of the vicious cycle of poverty, where the dependants fail to attain a basic education, hence unable to attain gainful employment or lack the skill to start-up their meaningful jobs.

Generally, lack of minimum wage and the excessively low labour remuneration result into a small multiplier effect that may affect the entire economy. The possible implications regarding the multiplier effects can be demonstrated by the expenditure/consumption function given in Equation 1;

From the Equation 1,  $C$  denotes household expenditures in the economy. Hence aggregate consumption  $C$  is written as,  $C = \alpha + (\beta \times Y)$ , where  $\alpha$  represents consumption that occurs regardless of the income level,  $\beta$  denotes the marginal propensity to consume and  $Y$  is the household's income.

From the theoretical model (Equation 1), it can be noted that household consumption expenditure in form of domestic workers' spending of their wages will have an increasing effect on GDP and hence a multiplier effect in the economy that can affect other sectors of the economy.

Given that domestic workers tend to spend most of their income on buying clothes, airtime for communication and household needs like cooking oil, soap for their relatives in the villages or paying fees for their children, (consumption expenditure) then an increase in wages is likely to induce additional consumption and the resulting in a bigger multiplier effects that drive economic growth. The increase in consumption expenditure means additional demand for these essential items such as cooking oil, soap etc leading to increase in general demand for these household commodities. Thus, an increase in market (aggregate demand) due to an increase in DWs wages. This means more investment in production of such commodities and hence more jobs will be created, expanded industrial sector which leads to expanded government tax base and more revenues that can be used by government to finance more development expenditures. This provides the main channel through which DWs contribute to overall economic development.

From the above demonstration, it can be deduced that due to inherently low pay to domestic workers, it means a smaller marginal propensity to consume (small amount to be spent) and this consequently affects aggregate demand in the economy and private domestic investment due to limited markets. That is, low private investment means low job creation and hence limited government tax revenue (low tax base) which also affects both government investment expenditure and consumption, and the entire economy in terms of GDP growth. This may have further implication when government resorts to internal borrowing in terms of crowding out private investments or external borrowing to finance its expenditures that may worsen the country's debt burden.

Another factor that may affect contribution of DWs to GDP is the lack of job security, that is most domestic workers lack the job security and assurance to enable them generate enough resources for their own investment. They are subjected to unfair termination of work without notice. Although the Employment Act 2006 requires a written notice period/verbal in case of illiterate workers under section 58 (1-3), this may not apply to domestic workers given that a home is not recognised as a work place, even where such have been entered into, the vulnerable position of DWs makes its enforcement futile. The uncertainty makes saving and planning for growth among domestic workers especially live-in DWs difficult. This affects their ability to effectively participate and contribute in the economy.

**High overhead expenditures by DWs due many dependants.** As mentioned earlier, most domestic workers are driven by poverty and lack of opportunities in their areas of origin. Most DWs are usually the sole breadwinners having to take on a huge burden of looking after their dependants. This coupled with low pay makes accumulation of monies for development futile.

More still, DWs are usually school dropouts or uneducated without any skills. This condition limits their ability to engage in other activities to supplement their incomes. It's of recent due to results of constant engagement and sensitisation by PLA on saving and life skilling that some DWs especially the live-out domestic workers have started engaging in small side business and savings to supplement their incomes.

*"I am the mother, father and everything in my home, if I do not work, the land lord will chase us out of the house, the children will not eat and the will not study. I am not studied nor privileged, I have to hustle to make sure my family lives a better life"* **Domestic worker from Makindye.**

# CHAPTER FIVE

## CONCLUSION AND RECOMMENDATIONS

This chapter presents the emerging concluding remarks and suggested recommendation that can be undertaken to realise the rights and good work conditions of domestic workers in Uganda and other developing countries.

### 5.1 CONCLUDING REMARKS

The study acknowledges that there are several efforts from both the government and the civil society to streamline and better working conditions of all workers. This has been through dialogues, enacting regulations (Workers Regulation 2011) establishing the minimum wages Advisory Board among others. The study noted that, there is rooming laxity among policy makers to come-up with a comprehensive law to regulate and manage domestic workers due to its invisibility especially in regard to their contribution of the domestic work force to national development. Policy makers often find it hard to develop regulation for the subsector whose actual contribution is undetermined hence making it difficult to defend.

The domestic workers survey sought to establish the contribution of domestic work to household income and GDP, by quantifying the values to the work of domestic workers in Uganda. The study estimates the value of the domestic worker's subsector's contribution at 0.6% of the GDP. It should be noted that, much as the value of domestic work has been quantified and deductions made in reference to the contribution of domestic workers, the actual value is far beyond the estimations. Attaching a value to the work of a domestic worker raises various objections, including the potential of under-valuing such work and belittling the important of their work. This is due to the overlapping nature of their job. For example, house maids commonly perform several tasks simultaneously (holding a baby, while cooking and washing dishes), cleaning the house, ensuring it safety and looking after the elderly. Quantifying these different tasks separately in terms of monetary value is problematic. Thus, policy makers have continued to regard domestic workers as economically unproductive because of the unquantifiable nature of their outputs and the limitations in the conventional system of valuing national level economic indicators. Hence;

There is need to change the valuation of output at national level to include the sociological valuation of non-quantified output. This will help in enhancing the understanding and appreciation among policymakers and the general public the economic contribution of domestic workers in particular and non-paid community and homework in general to household and national development.

Steps should be undertaken to better the prevailing conditions of domestic workers. This should involve measures aimed at breaking down their invisible work and recognition of the contribution they make to the family in particular and the country at large. In addition, formal opportunities should be made available to domestic workers to enable them to develop their skills and potential within the social, economic, and personal spheres by improving their working conditions and recognising their work as legitimate and beneficial to society.

## 5.2 RECOMMENDATIONS

The study findings suggest a number of policy recommendations.

**First, government should make amendment within the labour laws and policies to suit the different categories of workers.** The study noted that the government of Uganda is taking effort to better the working environment of all workers. This is however impossible without clear legal and regulatory framework. The current legal provisions under the Workers Compensation Act (2000), The Minimum Wages Act (2000), The Employment Act (2006), The Labour Union Arbitration and Settlement Act (2006), and The Occupation Safety Act (2006) should make specific reference to all informal sector workers especially domestic workers either in definition or interpretation to break the prevailing ambiguities. Special attention required in the following areas.

Definition of a domestic worker instead of domestic servant under section 38, that may literally be misinterpreted for an unpaid house helper, definition of a work place, especially in regard to a home and licensing of the recruitment process for domestic workers under the employment act.

There is need to specify and define domestic workers explicitly due to their peculiar circumstances of work that makes them vulnerable to all sorts of abuses. The law should clearly recognise by mentioning, defining, and guiding the recruitment, and working terms of the domestic workers as a special category of workers. This is in line with section 34 of the employment act (special categories of employees).

Make provisions for informal sector workers under the NSSF Act 1985, the Pension Act (1994), The Occupation Safety Act (2006) and Workers Compensation Act 2000. This shall provide safety nets especially for domestic workers who may not be able to save for old age or any form of injury that may result into incapacitation during the course of work.

Fast track the enactment of the minimum wage that matches the present economic conditions to facilitate the forward and backward linkages. A national minimum wage would improve working conditions and general welfare of all workers in Uganda. This will trickle down to domestic workers. Study recommends zoning and sectoral differentiation of the minimum wage in recognition of areas, regional and sectoral difference. Uganda should adopt the South African approach to domestic workers regulation on wages.

**Second, strengthen and intensify awareness and sensitisation campaigns on labour laws and policies.** The study noted a gap in regard to awareness of the existence of labour laws among workers. Much as the study focused on domestic workers, many employers working in the formal sector exhibited ignorance about the labour laws and legal provisions especially on the rights of workers in general and the domestic workers in particular. Ignorance of the laws could be linked to the abuses against workers not only in informal sector work but also formal work places. There is need for concerted efforts by both government and civil society and the media to sensitise the public about the different legal provision about their work. Workers' sensitisation campaign should target all sectors aimed at changing the employers and employees, perception of work. This shall help in creating a conducive working environment for all.



The government should therefore under take the following steps;

Strengthen the MoLGSD, department of labour to effectively execute its mandate. This by allocating funds relating to labour welfare and fully recruiting the required human resource.

Organise regular refresher trainings with labour inspectors and facilitating them to execute their duties. Government should work with civil society and development partners in ensuring all district local government have operational labour offices.

Establish interagency collaborations on community sensitisation. There is need to adopt integrated community services systems (ICSS) approaches. These approaches point to joint programming and execution of community programs. They require the government, civil society and development partners design comprehensive programs that tackle different aspects at once. For instance joint operations between the police under the Community liaison offices (CLO) and Children and Family protection units (CFPU), community development officers and local councils. These joint operations if facilitated can facilitate community sensitisation on development, security and labour issues.

The media should be engaged as a means of information and education about workers' rights especially domestic workers for a more positive picture of domestic workers in homes and the country at large. Awareness campaigns can be initiated in the media and extended to schools and training institutions especially higher institutions of learning. These will create space for potential association of domestic workers.

**Third, recognize and make visible the real economic contributions of domestic workers.** Much as the domestic workers play a big role as the back bone of the formal economy, their contribution to development has remained invisible. The national accounting systems currently does not accommodate their inclusion in computation of national aggregates such as GDP figures. This not only undermines domestic workers but also women's contribution to development in general. There is therefore need to incorporate the domestic sector data into the national system. The study noted a gap regarding the actual population and earnings of domestic workers in Uganda.

There is need to undertake periodic surveys of domestic workers in Uganda. Availability of such data would facilitate proper planning and aid advocacy efforts for the plight of domestic workers.

The Uganda Bureau of Statistics (UBOS) should make proper disaggregation of labour statistics under the Labour force surveys to reflect the different figures from the different sector compositions. The current figures about the informal sector is so broad and general.

Ministry of finance and affiliate agencies such as National Planning Authority, Uganda Revenue Authority need to redefine the parameter for computation of national income figures. This needs to include remunerated consistent informal sector work /employment, especially with regular collection of statistics. This will help recognise the sectoral contribution of domestic work's sub sector and also compliment efforts to plan for tax base widening and improvement of household level development.

**Fourth, Government of Uganda through the BTVET** should scale-up vocational education under the skilling Uganda program to target all ages and classes of people. This will help vulnerable people including the domestic workers to learn skills which may help them start-up decent income generating activities.

**Efforts on the formation of domestic workers unions needs to be accelerated.** Although the domestic workers have affiliation to the hotel workers union, their engagement and participation has not been seen especially in voicing their concern and making their contribution and participation in decision making visible. PLA and other civil society agencies have carried out sensitisation and creation of reference groups as a way to strengthen DWs. These efforts should be strengthened and scaled up to cover national level domestic workers. The union should also have legal registration with and representation at the national trade unions.

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## (Footnotes)

1 A person or his agent or messenger shall not engage in any business of operating a recruitment agency, unless he/she is in possession of a valid recruitment permit”.

2 “This section shall not apply to recruitment of employment for domestic servant”.

3 Estimates and assumptions based on Uganda, Labour Market Profile; 2014. (see page 13, Distribution of Employees engaged in the informal sector by Industry and Gender)

4 **Background to the Budget Fiscal Year 2016/17**

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