

SILENT NO MORE

MARCH 8
2022

*Domestic Workers
Confront Violence
at Work*

HOSTED BY

International Domestic Workers Federation (IDWF)

LabourStart



International Domestic
Workers Federation

LabourStart

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Intro- duction

Hard hit by the pandemic, domestic workers suffered devastating job loss, displacement from homes, and exposure to serious health risks on the job.

01

Two years after the COVID-19 pandemic first brought the world to a halt, domestic workers are at the frontlines but their contributions often go unseen. Hard hit by the pandemic, these essential workers suffered devastating job loss, displacement from homes, exposure to serious health risks on the job, and a lack of social and legal protections. Many were forced to work more hours, faced

dramatic reductions in pay, were subjected to violence and abuse by employers, and were forced to work through COVID-19 exposure or infection. Through the hardships, domestic workers exhibited incredible resolve and resilience; keeping households running and allowing others to continue working throughout pandemic lockdowns by taking on more responsibilities in employers' homes.

The precarious reality spilled over from workers' places of work to their own families. Often, the primary breadwinners faced reductions in wages, shifts in living accommodations, and, in some cases, changes in their legal work status that had serious implications. The income of domestic workers significantly dropped and affected how they could support their families, how often they were



able to see them, and how to navigate the health and social impacts of COVID-19 within their households.

With this in mind, on International Women's Day, LabourStart and IDWF hosted a joint webinar to highlight the experiences and amplify the voices of four powerful unionists who spotlighted issues of sexual and gender-based

violence and harassment in the workplace, as well as efforts to support and encourage country ratification of [ILO Convention 190](#). The convention was adopted on June 21, 2019, and could not be more relevant to the

lives of domestic workers who often face abuse in the shadows and in silence. This International Women's Day, we heard from women who said, "Silent No More." Their voices were truly inspiring and, most importantly, heard.

*Here are their stories.
We hope they move you to act:*

As women, we stand up and stand strong as we go forward... let us always remember the power of women.

01 MYRTLE WITBOOI

SPEAKER

Lobbying and pushing for international ratifications and national labor law inclusion remains a cornerstone in the domestic worker movement. Yet, Myrtle also asked activists to take heed of the gap between legislation and implementation. Despite South Africa having all the necessary labor law protections for domestic workers and all the relevant ILO convention ratifications, domestic workers continue to face regular abuse all over the country. While SADSAWU has been filling this gap by providing legal assistance, more effort needs to be made to address its root cause.

Myrtle describes the domestic workers' world of work as having "high walls," completely separating and isolating domestic workers from access to networks

and support. Because they are often alone at home with the employer, there are no tangible means to collect evidence. Domestic workers then attempt different pathways for justice. When confronting the employer's spouse, things often backfire. When one worker told her employer's wife that her husband had raped her, the wife's first words were "my husband will never rape a Black woman."

The other approach is to file a case. But because of the lack of evidence and the lack of resources to hire a lawyer, the case becomes unfairly skewed in the employers' favor – even before the trial has started. So, domestic workers' cases often remain in a purgatory state of "pending," when their cases are not outright thrown out.

Aside from that, domestic workers can choose one of two routes: suffer in silence or "run away." And neither of those options serves justice or allows the domestic worker to work with dignity. Myrtle concluded that serious thinking needs to be done to come up with solutions to this widening gap; one solution she suggests is having a constantly available hotline that workers can reach out to in cases of abuse, so as to aggregate evidence to help domestic workers build their case.

BIO

Myrtle Witbooi is a South African labor activist. She currently serves as the General Secretary of the South African Domestic Service and Allied Workers Union (SADSAWU), and as the first president of the International Domestic Workers Federation (IDWF). Born outside of Cape Town, she became a domestic worker in 1962 and has been working to improve domestic workers' rights since 1971. She began her journey in labor activism fifty years ago when she came across an article from a local newspaper that disparaged domestic workers. She is the recipient of the George Meany-Lane Kirkland Human Rights Award and the 2015 Fairness Award.

In her presentation, Myrtle discussed the invisibility of the abuse that domestic workers face due to an imbalance of power and resources. This imbalance ends up causing unfair representation during trials, obstructing domestic workers' pathways to justice.

SPEAKER

02

MIMI JALMASCO



Mimi Jalmasco is a mother of three and a full-time domestic worker from Manila, Philippines. She was trafficked from the United Arab Emirates to the United Kingdom by her employer. There, she was able to free herself from her employers' abuse. In her presentation, she spoke about being a survivor of trafficking and the legal and mental health challenges faced by many domestic workers.

Mimi is an active member and legal trustee of the Voice of Domestic Workers, a self-help group campaigning for the rights, freedom, and justice of migrant domestic workers in the UK. She is also a member of the Research Advisory Board of Survivor Alliance and was a research assistant in the Global Alliance Against Trafficked Women.

Ten months and two weeks after arriving in London, Mimi escaped from the employers who trafficked and abused her. She was relatively new to the city, knew no one, and had no place to go. With the help of The Voice for Domestic Workers, an organization that supports domestic migrant workers, she was referred to the UK's [National Referral Mechanism](#), a framework for identifying and referring potential victims of modern slavery and trafficking. Through this mechanism, she received support, including £5 daily for living expenses. But by receiving these services, she then lost her ability to work in the UK. During her presentation, Mimi rightly said, "but me as a worker, I didn't [leave] my home country to seek support from [another] country and from any other organization...I left as a worker, and I want to be acknowledged as a worker." The mental health challenges she faced from her experience, the trauma, and the PTSD, compounded by the effects of the COVID pandemic, have impacted her ability to secure work and earn an income. She is caught in a legal system that determined her mental health status and her suitability to work for her.

Mimi's story highlighted several important issues for domestic workers. Not only was she trafficked and subjected to harassment and abuse, but stigma



surrounding mental health is prohibiting her from earning a livelihood. She lacks access to social protections, and those services she did receive from the State precluded her from being recognized as a worker. She is left to fight legal challenges on her own.

But Mimi, like so many others, will not let her future be determined for her and has reclaimed her right to decent work. With the support of The Voice of Domestic Workers and the IDWF, she is fighting the legal system to stay and work in the UK. She has access to healthcare, counseling, financial literacy, and job training. Through her organization, she continues to empower other migrant domestic workers to advocate for their rights and fight discrimination and abuse.

Voice of Domestic Workers gathering at the International Domestic Workers Day June 16, 2022.

“When will you [government and employers] acknowledge domestic workers as workers and not as victims of trafficking?”



Dennis Zulu, Director of ILO Caribbean Office held successful consultations with representatives of the Antigua and Barbuda Workers' Union, the Antigua Trades and Labour Union, and the Antigua and Barbuda Public Service Association on 24 March 2022.

NORMA NELSON'S BIOGRAPHY

Norma Nelson is an Executive Committee member of the IDWF from the Caribbean region. She is part of theex (ATLU), a national union of Antigua and Barbuda. It was formed in 1939 and is closely related to the Antigua Labour Party.

In her presentation, Norma spoke about the Antigua and Barbuda Domestic Violence Act and its implications on domestic work. On March 17, Antigua and Barbuda became the first Caribbean Island to ratify, Violence and Harassment Convention, 2019 (ILO C. 190). Norma also spoke about the impact of the COVID-19 pandemic on domestic workers in Antigua.



Photograph of Norma Nelson, ATLU

Because it is a small country, where everybody knows everybody, there is usually silence when women and girls are abused. This is how Norma explained what accounts for the lack of community and a lack of social protections for victims of domestic violence. Domestic workers are also excluded from the Antigua and Barbuda's Domestic Violence Act because they do not meet the criteria of people who have familial relations and live in the same household. The law also does

not specifically address sexual violence and harassment in the workplace. Again, the law fails to protect domestic workers. However, with the ratification of C. 190 just days after her presentation, Norma is hopeful that the laws in Antigua and Barbuda will be amended to protect workplace domestic violence and harassment. This is what Norma and her union have been fighting for. In the lead-up to the ratification of C. 190 in Antigua and Barbuda, Norma's union started a campaign and

used media to create awareness about the challenges domestic workers in Antigua and Barbuda are facing and advocate for better workplace conditions.

Domestic workers were also hard hit by the COVID-19 pandemic. Employers used the pandemic as an opportunity to let go of domestic workers, often without pay. Additionally, they changed their hours, limiting their work to two days a week to avoid paying social security, medical, education, and living expenses. Limited

Achal Gurung

FINAL SPEAKER



Achal Gurung is a domestic worker, union member and leader at the National Domestic Workers Federation in Meghalaya, India. Achal has been a domestic worker for 14 years, nine of which she was also involved in labor organizing.

In her presentation, Achal discusses her experience in handling GBV cases and the difficulties they face, and strategies that her union has adopted to cope. She addresses different forms of violence that domestic workers experience that are not often discussed within the framework of gender-based violence. Particularly affecting domestic workers from India, Achal discusses economic violence and digital violence.

Gender-based violence is insidious and manifests in different ways. Achal described that even when there is no physical violence taking place, it doesn't mean that the worker is not being subjected to abuse. For example, domestic workers in India are so often denied their wages. Even with the best treatment, this is economic violence. And withholding a person's right to compensation for labor they've completed is abuse that is protected under ILO Convention 190.

Through her nine years of organizing in the National Domestic Workers Federation, Achal also noticed another trend amongst young domestic workers. Because of improved digital access and literacy across the world, domestic workers have increasingly gained entry into the digital sphere. While this is a stride towards transnational organizing and education, domestic workers also often fall prey to traffickers who abuse their digital novice. A widespread issue in India, Achal noted that this is an aspect that local activists are fighting hard to combat.

After joining the union, now we're strong. We can fight for our rights and dignity.

working hours left domestic workers, often the main income earners in their households, unable to meet the needs of their families. The IDWF has documented the global response to the COVID-19 pandemic and its impact on domestic workers. The issues of domestic workers in Antigua and Barbuda are not unlike those faced by domestic workers around the world. The IDWF developed suggested [policy responses](#) and [recommendations](#)

[tions](#) to address the existing labor conditions of domestic workers and COVID-19 effects on them. Additionally, IDWF and its affiliates, including the ATLU, raised awareness about the symptoms and spread of COVID-19 and advised workers on mitigation practices. Domestic worker organizations and unions also established emergency funds to support domestic workers who lost their jobs and homes because of the pandemic.

International Domestic Workers' Day March in India on June 12, 2022.



Domestic worker campaign in Latin America against gender-based violence.



The ILO Convention against Violence and Harassment in the World of Work 190 is a breakthrough for workers whose labor is invisibilized.

CONCLUSION

The recognition of domestic work as work and the recognition of the household as a workspace go hand in hand. Therefore, the ILO Convention against Violence and Harassment in the World of Work 190 is a breakthrough for workers whose labor is invisibilized. It is a powerful tool to bring local legislation to coherence with international standards.

Amongst the countries represented by workers in the webinar, India is yet to ratify C190, while

South Africa, the United Kingdom, as well as Antigua and Barbuda have ratified the convention. It will go into force in South Africa as we publish this report. As Women's Day of next year, 2023, approaches, the United Kingdom and Antigua and Barbuda will celebrate C190 entering into force on March 7 and March 9, respectively. Thereafter, the implementation of the convention should significantly improve the lived realities described by the workers.



It is #Domesticworknotabuse.

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Informe preparado por Malaika Jeter (LabourStart) y Zeina Shaaban (IDWF).

LabourStart (www.labourstart.org) is the news and campaigning website of the international trade union movement, founded in 1998.

IDWF (www.idwfed.org) is a membership-based global labor organization of domestic and household workers, comprising over 650,000 members worldwide.



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