

**International Domestic Workers Day 2023**

**Parliamentary drop in session hosted by Bell Ribeiro-Addy MP** - **14 June 2023**

Thank you for coming to speak with migrant domestic workers today to hear about their experiences at work and why they are calling for the UK Government to ratify the Domestic Workers Convention.

**Domestic workers as a global workforce**

Estimates from the International Labour Organisation (ILO) in 2019 put the number of domestic workers globally at 75.6 million, with 76.2% of these women workers. Domestic workers typically work long hours for low wages and are often excluded from labour and social protections that other workers enjoy. This workforce is regularly subject to abuse, ranging from labour law infringements such as failure to pay the national minimum wage, to offences including forced labour and domestic servitude. The risk of abuse is higher for migrant domestic workers who are subject to restrictive immigration regimes that often prohibit them from changing employers and seeking redress.

**What is the Domestic Workers Convention?**

In 2011, the International Labour Organisation (ILO) adopted the seminal Domestic Workers Convention (C189) to promote decent work for domestic workers and recognise their invaluable contribution to the global economy.

The Convention was founded on the fundamental premise that domestic workers are neither servants, members of the family, or second-class workers. The standards provided the basis for improving the working and living conditions of millions of domestic workers by guaranteeing minimum labour protections and brought domestic workers into the fold of the international labour standards system, a crucial development in recognising that all workers are entitled to decent work.

Key provisions of the Convention include:

* Setting a minimum wage for domestic workers that is not lower than the established minimum wage for workers generally
* Ensuring equal treatment between domestic workers and workers generally in terms
of working hours, overtime compensation, daily and weekly rest where weekly rest
is at least 24 consecutive hours, and paid annual leave
* Ensuring effective access to courts, tribunals or other dispute resolution mechanisms that are not less favourable than those available to workers generally
* Guaranteeing that domestic workers enjoy the same social security protections
and general conditions as available to other workers
* Protecting domestic workers against all forms of abuse, harassment, and violence
* Implementing measures for labour inspection, enforcement and penalties

Over the past decade, domestic workers have continued to mobilise globally and call for governments around the world to ratify the Convention, however only 36 countries have done so.

**Domestic workers and the UK**

In 2011, the UK shocked domestic workers and campaigners globally by abstaining from voting to ratify the Domestic Workers Convention. At the time, the UK cited excellent domestic legislation as reason why the Convention was not required.

Less than a year later, in April 2012, the UK Government ushered in significant changes to our domestic legislation as it relates to those arriving in the UK on the Overseas Domestic Worker visa. This despite vehement opposition and warnings that such changes would only serve to institutionalise abuse. The changes included prohibiting workers from changing employers and no longer permitting workers to renew their visa. This meant that workers faced remaining with abusive employers, or being criminalised through the act of escaping.

Migrant domestic workers and their supporters have tried seizing legislative opportunities available to them over the past 11 years to return basic rights to this workforce, including tabling amendments to the Modern Slavery Act in 2015, however all attempts have been defeated by the UK Government. They have claimed that abused workers can avail themselves of the UK’s trafficking system, the National Referral Mechanism (NRM), to access support, however this policy position fails to safeguard those workers who have experienced labour abuse, but who do not meet the threshold of having been trafficked or enslaved. It also fails to prevent exploitation or to stop it from escalating.

In response to parliamentary debates, the UK Government commissioned a review which was published in 2015 and found that not being allowed to change employers or apply for visa extensions is incompatible with the reasonable protection of overseas domestic workers while in the UK. In response, the UK Government conceded that workers should have an escape route from abuse, but did not agree that workers needed time to find safe and decent re-employment. The right to change employer without the linked right to renew the visa is a meaningless concession. Workers have merely weeks on their visa at the point they leave an abusive employer and typically are doing so without possession of their passport, or any references.

**The case for ratification**

Whilst migrant domestic workers are subject to the current legislative and policy framework in the UK, they are at heightened risk of abuse and exploitation, which is at odds with the Domestic Workers Convention, specifically Article 5 which provides for each member state to take measures to ensure effective protection against all forms of abuse, harassment and violence.

Ratification of Convention 189 is vital if the UK is committed to eradicating all forms of violence against women, including trafficking and slavery.

Kalayaan and The Voice of Domestic Workers stand united with migrant domestic workers in the UK and across the world in calling on governments globally to ratify the Domestic Worker Convention.

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