



**COSATU**

# SADSAWU

South African Domestic Service & Allied Workers Union



No 41 Salt River Road  
Community House  
Salt River Road  
Salt River 7925

Tel: 021 448 0045  
Fax: 021 448 0047

email: myrtle.cosatu@webmail.co.za

## SADSAWU SUBMISSION TO THE PORTFOLIO COMMITTEE ON LABOUR

TUESDAY, 2 AUGUST 2011

M514, 5<sup>th</sup> FLOOR, MARKS, BUILDING, SOUTH AFRICAN PARLIAMENT

### **DOMESTIC WORK IS WORK; DOMESTIC WORKERS ARE WORKERS:**

*SADSAWU, through our active involvement in the processes leading up to the adoption of the ILO convention on domestic workers, recognises that our country has made huge strides to protect domestic workers in relation to other countries. South Africa and particularly the Department of Labour played a leading role ensuring that the ILO adopted the convention on the 16<sup>th</sup> June 2011. Our right to organise, to a contract of employment, to participate in processes of setting national minimum wages and conditions of employment has been achieved long before the adoption of the ILO convention. But we have to continue to lead and the next step is the ratification of the ILO convention on domestic workers by the South African government – let us be the first country to do so in Africa and in the world.*

*For SADSAWU, the meaning of the ILO convention on domestic workers is that it is now recognised internationally that "Domestic Work is Work" and "Domestic Workers are Workers". But we know, from our experience of organising and representing domestic workers in South Africa, that what is on paper does not always represent what is on the ground. The majority of domestic workers in our country is not organised, do not have contracts and have no say in the wages they receive and the conditions under which they work - they are far removed from the institutions that have been set up to protect their rights and they remain at the mercy of their employers.*

*The mentality in our country when it comes to domestic workers is still that of "baasskap". The domestic worker is not supposed to be thinking of rights and decent work; the domestic worker must only think of how grateful she is to have a job and must always please her employer. We have a long way to go to change this mentality and bring about respect for domestic workers and the work they do. Too often are domestic workers treated badly and sometimes dismissed because their employer is simply having a bad day.*

*Domestic workers often live in the back yards of the homes of the employer and are often afraid to join the union as they may lose their jobs as they are a scattered workforce it is very hard to organise them.*

*Domestic workers play a big role in the building of the economy by silently being there for the employer caring for their family while they create the wealth of the country .*

*There is no other job in this country that so many other jobs are dependent on. Domestic workers take care of cleaning the house and the garden but they also take care of the cooking and shopping. They care for the sick and they care for the children in the household. Without this work so much other work will not be done – yet domestic workers are invisible in our country and they do not have all the rights that other workers have. The right to*

occupational health and safety as set out in COIDA is not applicable to domestic workers. We do not have retirement or provident funds that workers in other sectors have and the level of social protection is very low. Most domestic workers are not registered with UIF and can't even claim from the UIF when they are "let go" or when they fall pregnant. There is a long way to go.

We must work together all of us – parliamentarians, the department of labour, the employers, the trade unions, the NGOs and advice offices, - and as SADSAWU we want to cooperate with everybody to change this "baasskap" mentality that has remained with us after 1994 and *shows that we have still not defeated Apartheid in our society. Our main point here today is that while there may not be much work for us to do and there would be hardly any implications for South Africa to ratify the ILO convention – and ratify it we must – there is a lot of work that needs to be done to achieve decent work for domestic workers.*

*Our capacity must not be an excuse. It is a challenge – the challenge to work together towards this aim of Decent Work for Domestic Workers. This is not the responsibility of Sadsawu alone. It is the responsibility of all stakeholders in South Africa who want our nation to break out of the cycle of poverty, inequality and unemployment. Domestic workers live at the lower ends of poverty and inequality and are the first to go into unemployment. During the recession of 2008-9 the labour force surveys shows that almost 200 000 domestic workers lost their jobs in that period.*

We have asked other trade unions to help us organise domestic workers who are employed by their members and now we are asking parliamentarians. As parliamentarians you should bring your domestic workers to parliament on the international domestic workers day or on the international day of decent work and we can organise a programme that will raise awareness throughout South Africa about the important role domestic workers play in South Africa. If this is done in every provincial parliament the impact will be enormous.

We are asking the Department of Labour to set up clear processes together with all stakeholders – trade unions, employers and NGOs – so that these processes become more transparent and accessible to domestic workers. Domestic workers must be involved in discussions on:

- the setting of minimum wages and conditions,
- the labour legislation and its future improvement that relates to our rights,
- the designing of monitoring mechanisms to ensure compliance with the laws that relate to domestic workers

We do have the capacity to bring about decent work for domestic workers if we work together to develop and implement measures over time in a structured and consultative manner. While many ideas get put forward every year very few actually get taken up with clear recommendations developed for stakeholders to agree and to implement. We suggest that committees or working groups be established that look into and inform this relationship we build between government, trade unions, employers, NGOs and parliamentarians.

1. A technical committee that meets twice a year to review and advise on the *improvement of data and data capturing as well as access to and publication of data on domestic workers. We spend more time speculating on figures then ensuring more accurate data is available.*



2. A committee on the sectoral determination for domestic workers which meets twice a year that can develop and review more participative processes for the involvement of stakeholders and specifically of domestic workers in these processes.
3. A committee that reviews and recommends improvements to labour laws to ensure we comply with the ILO convention but also to enhance the rights of domestic workers in the laws of our country over time.
4. A committee on the registration of domestic workers to improve the monitoring and the mechanisms for monitoring specifically to ensure that the mechanisms allow for transforming the mentality towards domestic workers in our country rather than merely promoting compliance.

There is no turning back, we can't go back to before the ILO convention was adopted and we definitely can't go back to before 1994 in South Africa. We don't want to go back in any case because the future has so much to offer. Together we can achieve decent work for domestic workers!

AMANDLA NGAWETHU!!

Myrtle Witbooi.  
General Secretary  
Sadsawu

