

# Employment conditions and challenges associated with being a domestic worker in KwaZulu-Natal, South Africa

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## ABSTRACT

Despite domestic workers constituting a large portion of vulnerable workers in the informal sector, published studies on their health in relation to work are scarce, especially in South Africa. This baseline study aimed to investigate the general employment conditions and challenges associated with being a domestic worker in KwaZulu-Natal. A descriptive cross-sectional survey of 90 women was conducted. A lack of written contracts, low wages, long working hours and the need to reside with employers or commute long distances to work characterised the employment conditions and challenges of domestic workers. The work involved physical, repetitive tasks for lengthy hours, sometimes with forceful exertion coupled with prolonged standing. Initiatives for sustained improvement in employment and working conditions for these workers are an urgent need.

**Key words:** domestic workers, employment conditions, challenges, South Africa

## INTRODUCTION

A domestic worker is a person in a private household who renders familial services such as cleaning, laundry, cooking, child minding, care of the elderly and/or gardening.<sup>1</sup> According to the International Labour Organization (ILO) there are "tens of millions" of domestic workers worldwide,

and the majority of these are women from the poorer sections of society. Despite the differences in their working and legal situations, domestic workers worldwide share common characteristics, most notably their isolation, exploitation and lack of recognition for the services that they provide, which is also regarded as informal work.<sup>2</sup> In South Africa, the domestic worker sector accounts for about 800 000 workers which falls under the informal sector and African women predominate in the domestic sector.<sup>3</sup> The ILO has described the informal sector or work as referring to dependent workers, paid or unpaid, including wage workers in micro enterprises, contract labour, and home workers and paid domestic workers.<sup>4</sup>

## BACKGROUND

In the past, the employment of domestic workers (DWs) in South Africa was not regulated with respect to their working conditions and wages, because they were excluded from key labour legislation. This left them open to exploitation and abuse by some of their employers. Even up to present times, domestic labour is regarded as a "low status job" and cheap form of employment, mostly for African women.<sup>5</sup>

Since the democratic government came into effect in 1994, DWs and their advocates struggled to have them included in all employment laws. In 1996, DWs were included in the Labour Relations Act (LRA), and gained access to the Commission for Conciliation, Mediation and Arbitration (CCMA), established in terms of section 112 of the LRA, where they have been able to contest unfair dismissals and any other unfair labour practices by their employers.<sup>6</sup>

In 2002, the Sectoral Determination 7 regulation<sup>7</sup> for DWs was established in terms of the Basic Conditions of Employment Act. It regulates their minimum wage and



working conditions and stipulates other minimum terms and conditions of employment for these workers.<sup>8</sup> These include annual wage increases, written contracts, overtime and leave entitlements.<sup>7</sup> Finally, in 2003 DWs were included for coverage of benefits under the Unemployment Insurance Fund (UIF) Act<sup>9</sup> which provided benefit cover for illness due to non-work related illnesses for more than 14 days and maternity leave benefits.

Despite being included in the Occupational Health and Safety Act,<sup>10</sup> they are still excluded from the Compensation for Occupational Injuries and Diseases Act.<sup>11</sup> Such exclusion prevents them from seeking compensation for medical costs associated with work-related injuries and occupational diseases. It also means that occupational injury and disease data for DWs is not included. This contravenes Objective 4 of the ILO's Global Plan of Action on Workers' Health for 2008–2017; which promotes the reporting and early detection of occupational accidents and diseases in order to establish the national information systems to estimate the burden of such injuries and diseases.<sup>12</sup> It further contravenes DWs' right to equal protection and benefit of the law as stipulated in the country's constitution.<sup>13</sup>

and safety cannot be attained. This baseline study aimed to investigate the employment conditions and challenges associated with being a domestic worker in KwaZulu-Natal. This paper reports on their employment conditions in general and not on occupational hazards in particular.

### METHODOLOGY

The descriptive cross-sectional survey was conducted in 2004 in the urban setting of Durban and its surrounding areas in the province of KwaZulu-Natal, located on the East Coast of southern Africa. The database of DWs whose employers had registered them with the Department of Labour for UIF benefits was used to randomly select 300 participants. Data were collected using a structured self-administered questionnaire after obtaining an oral informed consent from each participant. Although 100 DWs agreed to participate, 10 were used to pretest the questionnaire and 90 remained for the main study.

The questionnaire was developed based on the prescriptions of the Sectoral Determination 7<sup>7</sup> and was translated into participants' preferred language (isiZulu). It was pretested and refined in order to make it more comprehensive and user

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Domestic workers constitute a sizeable portion of the informal women workforce and therefore approaches and strategies aiming at improving their employment and working conditions have the potential to reduce poverty and risk factors associated with domestic worker sector.<sup>14</sup> International organisations have been working hard to assist DWs in this regard. In 2007, the International Trade Union Confederation with strong support from other global union federations for DWs established a network to promote DWs' rights, and is leading a campaign for the International Labour Organization (ILO) Convention on domestic work to improve their working conditions.<sup>15</sup> In 2008, the ILO Governing Body agreed to start the standard setting procedure for a Convention on Domestic Work<sup>16</sup> which could result in the adoption of a convention in 2011.<sup>16</sup>

A rapid rise, globally, in the number of people working in the informal sectors has resulted in concerns for the occupational health and safety of these workers. Domestic workers represent a vulnerable group of workers from the informal sector and there is a need to recognise the value of domestic work in society. Furthermore, due to the paucity of published data on employment conditions of DWs and the relative invisibility of these workers, the burden of diseases and injuries associated with such work cannot be established. Thus favourable working conditions and high standard of health

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friendly. It comprised of questions on the socio-demographic characteristics of participants, their employment conditions and characteristics (for example hours of work, wages and other benefits), challenges associated with being a DW, and the nature of domestic work (including the various duties performed). A possible risk of selection bias was that employers who registered their workers for UIF benefits may be more compliant with labour laws than those who did not register their DWs. Hence, it is possible that these participants had better employment conditions than those who were not registered. Furthermore, this study was limited to only one province in South Africa.

Ethical clearance to conduct the survey was obtained from the University of Zululand, Faculty of Arts: Health Sciences. General ethical principles of autonomy, justice and confidentiality were upheld at all times.<sup>17</sup> Confidentiality was maintained by not recording participants' identifying details on the questionnaire. Results were presented in frequencies, percentages and descriptive measures.

## RESULTS

Data for the 90 participants is presented in this section.

### Socio-demographic characteristics

Participants' socio-demographic characteristics are summarised in Table 1.

Most (55.5%) were aged between 40–50 years, widowed (45.5%) and had only a primary level of education (85.5%). They were all black women.

### Employment conditions and characteristics

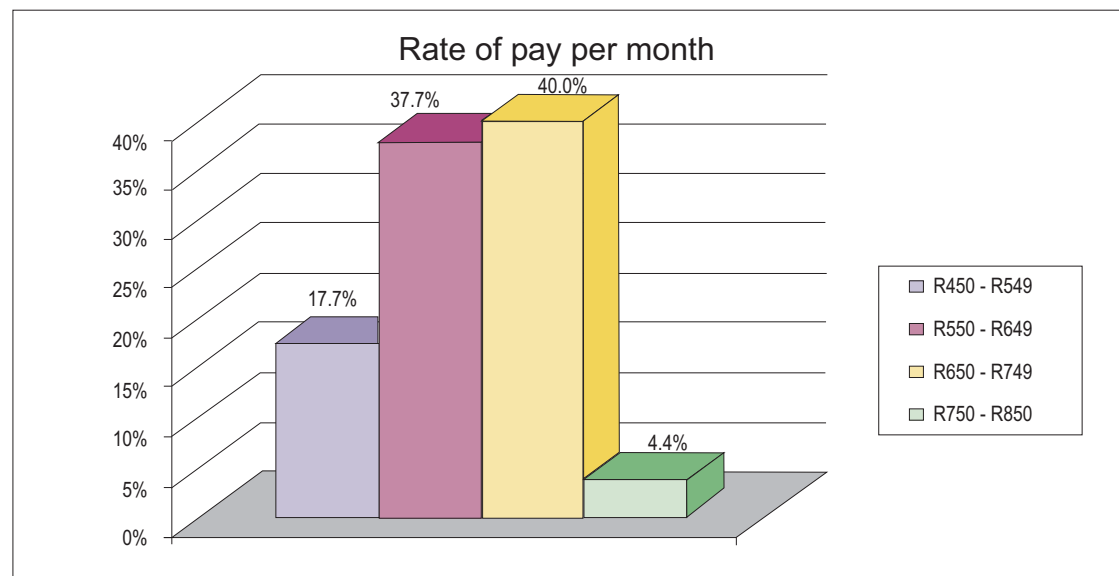
Most (70%) were full-time employees, while 20% and 10% were part-time and casual employees respectively. (Casual work is occasional or temporary work). The majority (86.6%) stated that they worked long hours (i.e. more than 8 hours per day) without adequate rest periods, and consequently many felt overworked. This was especially common amongst those living on their employers' premises, who often expected them to work without compensation for the overtime worked.

The highest proportion (30%) had between 6 and 10 years' employment service with their current employers (see Table 2). Most employers were white (40%), followed by Indian (30%), black (20%) and coloured (10%).

Nearly all participants (98.8%) indicated that they were not given employment contracts and/or written job

**Table 1. Socio-demographic characteristics of participants (N=90)**

Age category	Frequency (N)	Percentage (%)
18 – 28 years	7	7.7
29 – 39 years	20	22.2
40 – 50 years	50	55.5
51 – 59 years	13	14.4
<b>Race and gender</b>		
African	90	100
Female	90	100
<b>Marital status</b>		
Single	18	20
Married	27	30
Divorced	4	4.4
Widowed	41	45.5
<b>Educational level</b>		
No formal education	3	3.3
Primary school	77	85.5
High school	10	11.1
Tertiary education	-	-



**Figure 1. Domestic workers' rate of pay per month**

descriptions. Regarding wages, the majority (95.4%) indicated that they were paid less than R750 per month as depicted in Figure 1.

Some stated that it was a common practice for employers to dismiss them at any time, without providing any reason(s) for this. There was a lack of any form of insurance against old age, even though 63 (70%) were between the ages of 40–59 years, and nearing the usual retirement age. They also confirmed that their employers did not take any health insurance cover for them for long-term or chronic illnesses or for death benefits for their dependants in case they died whilst employed.

### Challenges associated with being a domestic worker

Twenty-two (24.4%) participants indicated that they travelled more than 60 kilometres per day to work (Figure 2). The majority (91.7%) who travelled over 30 kilometres said they woke early in the morning (usually at 04h00) in order to be able to start work at 07h00 as expected by

their employers. Having to travel these distances became even more challenging when they had to work extremely long hours, often without compensation, resulting in many feeling overworked.

The majority (85.5%) expressed concern about the lack of appreciation and consideration from their employers for the valuable services that they rendered. Many felt insecure in their jobs even though most (70%) were in full-time employment.

Just over (54.4%) were from the rural areas and resided with their employers. Some (22.2%) said this disrupted their family life due to the influences of urbanisation, resulting in profound changes in their behaviour and lifestyle practices

**Table 2. Length of service as domestic workers for current employer**

Length of service	Frequency (N)	Percentage (%)
1 – 5 years	47	52.2
6 – 10 years	27	30
>10 years	16	17.7

**“Nearly all participants ... indicated that they were not given employment contracts and/or written job descriptions.”**



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and predisposing them to various diseases. They were also unable to attend their own churches on Sundays, which affected their spiritual well-being.

### Nature of domestic work

They did household work, mainly cleaning, cooking, washing and child minding. It was mostly physical work, requiring many manual and repetitive tasks performed for lengthy periods, sometimes with forceful exertion coupled with prolonged standing. The activities involved included washing clothes or dishes, ironing and cooking. They further indicated that they had to adopt awkward and uncomfortable positions whilst carrying heavy loads, such as washing baskets with wet clothes or moving furniture. Forty-nine (54.4%) complained of back pain. However, they were reluctant to link their health problems to the nature of their jobs as they feared losing their jobs. They were also exposed to chemicals used for cleaning purposes.

## DISCUSSION

### Socio-demographic characteristics

The participants were black females, mostly middle-aged, in line with the ILO study which confirmed that domestic work is universally regarded as women's work, and women rarely compete with men in this job market.<sup>16</sup> The ILO Bureau of Statistics Database demonstrated that domestic work is an important source of employment for women in many African countries, e.g. Botswana (11%); Namibia (12%) and South Africa (16%).<sup>2</sup> By contrast, very few countries have more than 1% of men employed in domestic service.

Most had primary level education, again similar to the ILO study<sup>16</sup> which revealed that in general DWs have low levels of education and fewer marketable skills, other than their skills in household chores or duties and caring for others. DW is regarded as one of the few employment opportunities open to poor women. It must be noted, however, that this is not typical of those who have migrated to other countries from places such as the Philippines or from Eastern Europe. They often have medium or even high levels of education.<sup>18</sup>

### Employment conditions and characteristics

These DWs did not have employment contracts with written job descriptions, which did not comply with the stipulations of the Sectoral Determination 7.<sup>7</sup> It also contravenes their constitutional rights as they are entitled to a legally enforceable contract of employment setting out minimum wages, maximum hours and responsibilities.<sup>13</sup>

The majority received wages which were well below the stipulated minimum wages as prescribed by the Sectoral Determination 7 for DWs.<sup>7</sup> A monthly wage of R850 was prescribed for workers in urban areas who worked more than 27 ordinary hours per week. This concurred with the ILO report that women employed in domestic work in many countries receive low wages, much lower than women working in other jobs.<sup>2</sup> Similarly, Schwenken (2005) in her study on domestic slavery in European countries, indicated that many DWs face poor living conditions and exploitative working conditions.<sup>19</sup>

### Challenges associated with being a domestic worker

Just over half were from rural areas and resided with their employers. The reason for their seeking work in urban areas is likely to be similar to other countries, where rural poverty has increased and pushed many women into the domestic labour market in urban areas.<sup>14</sup> Being separated from their families and unable to attend their own churches was challenging for many of them. Many lacked appreciation from their employers for the domestic services that they provided. DWs worldwide seem to experience such feelings, most notably their isolation, invisibility and lack of recognition for the services.<sup>1</sup>

### Nature of domestic work

Despite their employment being in private households, they were exposed to a range of workplace hazards. These included chemical hazards due to detergents and other chemicals used for cleaning purposes, and physical hazards from activities involving manual handling and/or repetitive movements, e.g. scrubbing floors, moving furniture, washing and ironing clothes. The latter could be risk factors for the development of musculoskeletal

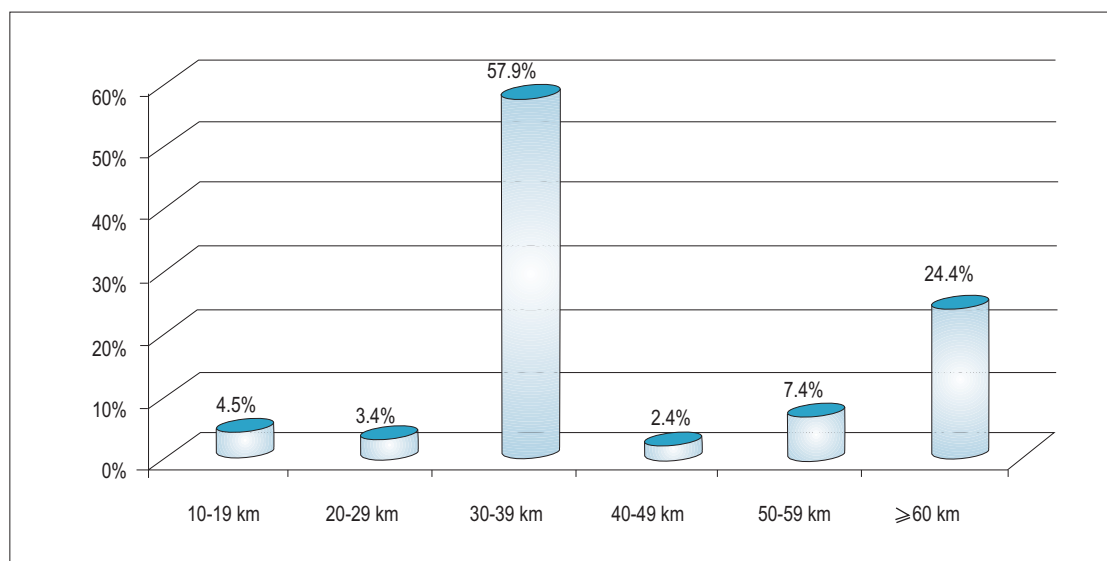


Figure 2. Distance travelled by domestic workers to and from work

disorders<sup>20</sup> and could account for 49 (54.4%) complaining of back pain. Furthermore, psychosocial hazards due to urbanisation were also prevalent among participants who resided in their employers' premises.

## CONCLUSION

The findings of the study confirmed the ILO report on legislation for DWs in over sixty countries which noted that: "Regardless of the manner in which domestic work is regulated by national laws, standards on domestic work fall below labour standards set for other categories of workers".<sup>2</sup> Even when protective laws are prescribed, the challenge is that they are frequently ignored by employers and not enforced by authorities. Despite the Sectoral Determination 7,<sup>7</sup> non-compliance by employers in terms of providing DWs with written contracts, minimum wages, and prescribed working hours was revealed. Pensions and medical insurance were not provided. It must be noted, however, that if employers were to be legally required to provide these, some employers could be unable to afford to employ DWs.

## RECOMMENDATIONS

Based on the findings of this survey, the following recommendations were made:

- Extension of coverage for compensation of work-related injuries and diseases to include DWs. This will allow occupational health and safety professionals to develop appropriate surveillance strategies.
- A need to promote awareness of occupational hazards related to domestic work, in order to implement appropriate surveillance interventions.
- Enforcement strategies for employers to comply with the Sectoral Determination 7<sup>7</sup> in terms of the minimum wages, hours of work and other basic conditions of employment are necessary.
- Initiatives for sustained improvement in employment and working conditions for workers in informal sectors are an urgent need.

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