



Organizing Domestic Workers in Bangladesh: Present Status, Challenges and Future Directions

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Acronyms

BILS	Bangladesh Institute of Labour Studies
BJSD	Bangladesh Jatiotabadi Shromik Dal
BJSF	Bangladesh Jatio Shromik Federation
BLF	Bangladesh Labour Federation
BNWLA	Bangladesh National Women Lawyers Association
BSF	Bangladesh Shromik federation
BTUK	Bangladesh Trade Union Kendra
DWPWP	Domestic Workers Protection and Welfare Policy
DWRN	Domestic Workers Rights Network
JMSL	Jatio Mohila Shromik League
JSJ	Jatio Shromik Jote
JSJB	Jatio Shromik Jote Bangladesh
NCLEP	National Child Labour Elimination Policy
NCP	National Children Policy
NDWWU	National Domestic Women Workers Union
NLP	National Labour Policy
NWDP	National Women Development Policy

1.1 STUDY BACKGROUND

‘Domestic work’ as occupation is widely prevalent in Bangladesh and ‘domestic workers’ are one of the most marginalized and highly vulnerable working communities in the country. Domestic work is one of the oldest and most important occupations for millions of women around the world (ILO, 2010) and domestic work is a heavily female-dominated sector: women account for 83 per cent of all domestic workers (ILO, 2013). In the context of Bangladesh, this sector is overwhelmingly occupied by women and children, especially girls. However, there is dearth of reliable and specific data on the number of domestic workers in Bangladesh. Though the Labour Force Survey-2006 (BBS) provided an estimate that the total number of domestic workers in Bangladesh was 331,000, the latest Labour Force Survey (2010) of the country does not provide any estimation on domestic workers’ number. According to ILO-UNICEF Baseline Survey 2007, the number of child domestic workers is 420,000. But a calculation based on household of the Dhaka and Chittagong City Corporation it is estimated that the number of domestic workers is about 2 million in Bangladesh (DWRN, 2011).

Domestic workers of Bangladesh are going through various adverse situations. The situation is more acute due to the fact that a very high proportion of the domestic workers are children and women. They do not know about their rights and suffer in silence when these rights are violated (Ahmed, 2009). Even in many households they are not treated as complete human beings. They face severe deprivations in wages and do not get education and basic health care. Indecent behaviour and torture are their regular experience and house-workers do not have minimum social recognition. A study shows that that majority of the domestic workers (50 percent) are children (5-15 years); and more than three-fourth (76.67 percent) of the all domestic workers are female (BILS, 2005). Of the all domestic workers 73.33 percent are unmarried, 16.67 percent married and 10.00 percent divorcee. The level of education among the domestic workers is very poor. Half (50.8 percent) of the domestic workers have never attended to school. This section of the workers is illiterate. 40 percent workers have primary level education. Besides, few workers have claimed that they have education up to secondary level (7.5 percent) and higher secondary level (1.7 percent) education (BILS, 2013).

Domestic work in Bangladesh implies a wide range of tasks including cooking and serving food, doing laundry and ironing, food- shopping, washing dishes, mopping floors and other household tasks performed in and for a household. It also entails tasks of providing care for children and elderly dependents of the family. Noteworthy, all these tasks are performed in domestic settings. Domestic work does not imply the work of a person engaged in establishment for cooking and cleaning (e.g. cooking in canteen and cleaning of floors, garbage, drains and walkways in an industrial setting; and cooking and cleaning in hotel and restaurants is not considered as domestic work), and accordingly, such persons are not considered as domestic workers. A recent study shows that Domestic workers of the country perform multifarious

tasks. In this regard, tasks performed by most of the workers are – plate/dish washing (89 percent), cleaning (82.5 percent), sweeping the house (80 percent), and cloth washing (77.5 percent). A large proportion (61 percent) of the domestic workers cleans the household furniture and half (50.8 percent) of the domestic workers are engaged in cooking. Cloth ironing is performed by a good proportion (27.5 percent) of domestic workers. One-third (33.3 percent) of the domestic workers claim that they clean stairs. Besides, more than one-fifth (22.5 percent) of the domestic workers also take care of children (baby care). Taking care of the older family members is the least frequent task (5 percent) performed by the domestic workers (BILS, 2013). Besides common household works (e.g. floor cleaning, cloth washing, plate and glass washing, and cooking), the domestic workers, especially child domestic workers, do various risky jobs. Most of them (60.00 percent) work near fire/*chula*, 30.00 percent carry hot-water-pots, and 26.67 percent lift water from reserve tanks. For both the cases, 16.67 percent child domestic workers iron cloths and spread/expose cloths on railing-less roofs (BILS, 2005).

Although appointment letter is a basic right of the workers, none of the domestic workers (100.00 percent) has received such letter from his/her employer. A little more than three-quarter (78.3 percent) of the domestic workers have some agreement with employers. It is important to note that all (100 percent) of these workers claiming agreement with employer admit that there is no formal or written agreement between them. The entire thing they have is oral/verbal agreement. Noteworthy, 21.7 percent workers even lack any sort of verbal/oral contract with their employers. Domestic workers work, on an average, 10.73 hours per day. Majority of domestic workers (46.67 percent) work 10-12 hours every day followed by 14-16 hours (16.67 percent). 13.67 percent domestic workers work 8-10 hours per day. There is no provision of weekly holiday for the domestic workers (100 percent) and most of them (63.33 percent) do not even get any leave from their employers. Only 13.33 percent domestic workers enjoy regular leave (BILS, 2005).

Domestic workers of the country mainly work on monthly basis; however there is gross violation in wage payment practice. More than half of the respondents (53.3 percent) do not get wage just after completion of the wage period, a month. 28.3 percent respondents claim that employers generally pay them wage after a selected period (after every 2/3/4 month). 12.5 percent domestic workers claim that employer pay wage once a year, and another 12.5 percent inform that they get money (as wage) when they go to their villages. On the other hand, 46.7 percent workers get their wage regularly after end of every month. The practice of providing workers with payment/wage slip is hardly found. Only 0.8 percent workers claim that their employers provide pay slip. Thus about all workers are deprived of right (BILS 2013).

Although all domestic workers are generally forced to choose this occupation due to acute poverty, there are some others specific causes like food requirement and repaying family debt/loan as the main causes of engaging themselves in domestic work. Because of being divorcee and broken family effects the domestic workers come to this occupation also. Domestic workers are a deprived section of our society and they go through various types of torture and oppression. Two-third domestic workers (66.67 percent) do not get any educational facility and more than half of the domestic workers (53.33 percent) are deprived of recreational

facilities. Most of the domestic workers (83.33 percent) are castigated regularly. For both the cases, 46.67 percent domestic workers undergo physical torture and face the threat of expelling from work. 63.33 percent domestic workers are forced to do works/jobs beyond their physical ability; 16.67 percent are victim of various sexual harassments; 40.00 percent suffer from insecurity at work-place; and 67.67 percent of the all domestic workers are mentally frustrated (BILS, 2005).

Though the number of domestic workers in Bangladesh is gradually increasing and at the same time the incidence of victimization of the domestic workers is also increasing alarmingly. The statistics (Jan-June 2012) shows that at least 42 domestic workers are became the victim of torture and accident among them three faces accident in workplace, died 21 and the number of injured are 18 due to torture at workplace (BILS, 2012). But there is no such effective law and monitoring system to ensure the welfare and to protect the rights of the domestic workers in Bangladesh. On this ground organizing domestic workers in order to build collective strength on advocating for rights and representation is needed.

Present study deems its significance on the ground of formulating a base of information regarding the organizing effort and situation and role of stakeholders in domestic worker of Bangladesh. The study will look into the strengths and needs of domestic workers organizations and how domestic workers can be organized to have representative voice in the society and achieve their rights. This study will also be influential to determine future action plan and to consolidate broader scale of organizing effort on domestic workers. The implementation of the ILO *Convention C189 - Domestic Workers Convention*, 2011 (No. 189) will also be facilitated by the outcome of the study.

1.2 STUDY OBJECTIVES

The current study is mainly concerned with organizing efforts of the domestic workers in Bangladesh. The study broadly has attempted to explore the existing condition of unionizing the domestic workers in the country focusing on the issues of domestic workers. Specifically the study aims –

- i) To know the legal and policy issues relating to the domestic workers of the country;
- ii) To focus on the issues that affect the domestic workers;
- iii) To know the present status of domestic workers organizing efforts in Bangladesh;
- iv) To identify the opportunities and challenges of bringing domestic workers into union/organization; and
- v) To explore ways for bringing more workers under union and make unions more effective to protect domestic workers' rights/issues in Bangladesh.

1.3 STUDY METHODOLOGY

To attain the study objectives this study has collected information from both primary and secondary sources.

Secondary information collection: Secondary information has been collected through desk review. Newspaper reports, government report, research reports etc. have been reviewed to know the existing condition of the domestic workers and the state of legal and policy provisions in this regard.

Primary information collection: Interview, Focus Group Discussion (FGD), and Key Informant Interview (KII) techniques have been used to collect necessary primary information. Several interviews have been conducted with individual worker and employer of the worker. Total eleven FGDs, comprising 10-12 participants in each, have been conducted with domestic workers and organizers where ten FGDs are with workers and one with organizers of the domestic workers. Besides trade union leaders, organizers, and NGO activists have been interviewed as key informant.

1.4 STRUCTURE OF THE REPORT

This report is organized into five sections. **Section One** is the introductory section which has focused on background, objectives, and methodology of this study. **Section Two** is concerned with legal and policy concern and issues relating to domestic workers in the country. Issues included in this section in particular are –law and domestic workers; policy coverage; and issues affecting domestic workers. Conditions of the domestic workers’ organizations have been analyzed in **Section Three**. Along with organizing efforts the present status of the organizations have been analyzed in terms of membership numbers, structure, financial strengths, decision making process, present activities, participation of members, and future plan the unions. **Section Four** has focused on two aspects – opportunities of organizing domestic workers in Bangladesh; and challenges and problems of organizing domestic workers. Finally **Section Five** highlights way forward for the effective and fruitful organizing activities of the domestic workers in Bangladesh.

Domestic Workers in Bangladesh: Legal and Policy Coverage and Domestic Workers' Issues

Workers' rights and labour standards are generally translated into reality by implementation of legal and policy provisions in any society. Focus of this section is to find out how far the domestic workers of the Bangladesh are protected by the law. This section also highlights the worker rights and labour standards issues, which are also pertinent to the domestic workers, covered by the existing social policies of the country. Besides, another concern of this section is to explore the issues that are affecting the domestic workers.

2.1 LAW AND DOMESTIC WORKERS

Bangladesh now has an up-to-date and comprehensive labour law giving protection to workers of different sectors as well as specific group of workers. An ordinance also exists in the country which is specifically concerned with domestic workers. Besides, another law covers welfare of the informal sector workers under which domestic workers are also included.

Bangladesh Labour Law 2006

Bangladesh Labour Law 2006 is the latest addition in the history of the labour law enactment in Bangladesh. The law has compiled provisions of 25 previous laws, which were in operation earlier, into a single law and at the same time declared those laws ineffective from the day when the new law came into effect. Therefore, the current law is comprehensive in nature. It has included under its purview a broad aspect of worker rights and labour and industrial relations. The law has also included provisions on trade union rights of the workers. These provisions are relating to trade union formation and registration process as well as protection of the workers during trade union formation process.

Domestic workers of the country are not fortunate enough to get benefits and protection as per the provisions of Bangladesh Labour Law 2006 since the law has excluded them from coverage.

Besides, the law has ensured various welfare provisions for the workers including special provisions for specific worker groups. However, the domestic workers of the country are not that much fortunate to get benefits and protection as per the provisions of Labour Law 2006 since they have not been brought into the coverage of this latest and comprehensive labour law of the country.

Bangladesh Labour Law 2006

Chapter I

Preliminary

1. Short title, commencement and application:

(1) This Act shall be called the Bangladesh Labour Act, 2006

(3) Save as otherwise specified elsewhere in this Act, it extends to the whole of Bangladesh.

(4) Notwithstanding anything contained in sub-section (3), this Act shall not apply to—
(o) domestic servants

Domestic Servants' Registration Ordinance, 1961

This is the only legal instrument of the country that exclusively is linked with the domestic workers. However, scope of this ordinance is limited. The Domestic Servants' Registration Ordinance, 1961 only deals with the registration of the domestic workers. According to this ordinance a domestic servant must get registration from the local police station within fifteen days of his/her employment, and domestic servant's work without having a registration card is prohibited in this ordinance. Besides registration issue other issues like security, rights and welfare, organization and trade union etc. have not been addressed in the ordinance. Scope of this ordinance is limited in terms of its geographical coverage also. Provisions of this ordinance are applicable only in specified areas of Dhaka city. Noteworthy, application of the ordinance is not seen.

A person willing to work as domestic servant in specified areas must get registration from the local police and s/he is not allowed to work without a registration card. However, application of this ordinance is not seen.

Provisions under Domestic Servants' Registration Ordinance, 1961

Registration

- *Any person who takes employment as a domestic servant within the Specified Areas shall, within fifteen days of his taking such employment, report for registration to the Officer in charge of the police station of the area or any other police officer not below the rank of an Assistant Sub Inspector of Police authorized by the Officer in charge in this behalf (hereinafter referred to as the authorized officer).*
- *Any person who seeks employment as a domestic servant within the Specified Areas may report for registration to the Officer-in-charge of the police station of the area or the authorized officer.*
- *Any person reporting for registration shall-*
 - (a) give his correct name and address or addresses and such other particulars as the Officer in charge of the police-station or the authorized officer may consider necessary,*
 - (b) supply a copy of his own photograph in duplicate, and*
 - (c) allow his finger impressions and measurements to be taken by the Officer in charge of the police station or the authorized officer.*
- *The Officer in charge of the police station or the authorized officer shall make enquiries about the correctness of the particulars given by the person and his character and antecedents.*
- *When the Officer in charge of the police station or the authorised officer is satisfied about the correctness of the particulars given by the person and his character and antecedents, he shall issue a registration card in such form and containing such particulars as may be prescribed. The photograph of the person shall be affixed on the registration card.*

Prohibition to work as a domestic servant without registration card

No person shall work as a domestic servant within the Specified Areas without obtaining a registration card.

Penalty

Whoever contravenes the provisions shall be punished with simple imprisonment which may extend to one month or with fine which may extend to one hundred [taka] or with both.

Bangladesh Labour Welfare Foundation Act' 2006

Bangladesh Labour Welfare Foundation Act 2006, identifies informal sectors as those private sectors where the work and conditions of work are not determined and regulated by the existing labour law and where the scope of becoming organized is very limited. In light of this definition, domestic workers of the country could be considered as informal sectors workers. And they are entitles to receive welfare benefits as per the provision of this law.

There are some laws like Penal Code, Law against Oppression of Women and Children, and Code of Criminal Procedure which can be used against torture and serious abuses of the domestic workers.

Supreme Court's Special Direction to Government

Following the incidence of oppression/torture against a 10-years old girl domestic worker by her employer and submission of a writ-petition, in this incidence, by Bangladesh National Women Lawyers Association (BNWLA) the Supreme Court of the Country provides a 10-point direction to the government to take necessary steps. The 10-point direction not only aims to protect the child domestic workers, it provides a basis of taking protective measures and ensure welfare and rights of all the domestic workers in the country.

10-Point Direction of Supreme Court to the Government

- 1. In order to make the provision and concept of compulsory primary education to be meaningful, we direct the government to take immediate steps to prohibit employment of children up to the age of 12 from any type of employment, including employment in the domestic sector, particularly with the view to ensuring that children up to the age of 12 attend school and obtain the basic education which is necessary as a foundation for their future life.*
- 2. Education/training of domestic workers aged between 13 and 18 must be ensured by the employers either by allowing them to attend educational or vocational training institutes or by alternative domestic arrangements suitable to the concerned worker.*
- 3. We urge the government to implement the provisions mentioned in the National Elimination of Child Labour Policy 2010 published in the gazette dated 08.04.2010. In particular, we strongly recommend the establishment of a focal Ministry/focal point, Child Labour Unit and National Child Labour Welfare Council in order to ensure implementation of the policies as mentioned in the Policy, 2010.*
- 4. We direct the government to include domestic workers within the definition of "worker" in the Labour Act, 2006 and also to implement all the beneficial provisions of the draft of Domestic Worker Protection and Welfare Policy 2010 as announced by the government.*
- 5. The cases relating to the violence upon the domestic workers must be monitored and prosecution of the perpetrators must be ensured by the government. We note with dismay the disinterested and sometimes motivated way in which the prosecution conducts the investigation and trial procedure resulting in the perpetrators being acquitted or discharged or even remaining untouched due to the high position, which they hold in the society. The government has a duty to*

protect all citizens of this country, be they rich or poor. It must not be forgotten that the domestic workers come from a poverty stricken background and deserve all the more protection from the government and the authorities setup by the government.

- 6. In order to prevent trafficking, in particular, and also to maintain a track on the movement of young children from the villages to the urban areas, parents must be required to register at the local Union Parishad the name and address of the person to whom the child is being sent for the purpose of employment. The Chairman of the Union Parishad must be required to maintain a register with the details of any children of his union who are sent away from the locality for the purpose of being engaged in any employment. If any middleman is involved, then his/her name and other details must be entered in the register.*
- 7. Government is directed to ensure mandatory registration of all domestic workers by all employers engaging in their household any child or other domestic worker and to maintain an effective system through the respective local government units such as Pourashava or Municipal Corporations in all towns and cities for tracking down each and every change of employment or transfer of all the registered domestic workers from one house-hold to another.*
- 8. Government should take steps to promulgate law making it mandatory for the employers to ensure health check up of domestic workers at least once in every two months.*
- 9. The legal framework must be strengthened in order to ensure all the benefits of regulated working hours, rest, recreation, home-visits, salary etc. of all domestic workers.*
- 10. Laws must also ensure proper medical treatment and compensation by the employers for all domestic-workers, who suffer any illness, injury or fatality during the course of their employment or as a result of it.*

2.2 POLICY COVERAGE

Bangladesh is yet to finalize any policy for the domestic workers of the country, despite the fact that a draft policy was developed three years back. The draft policy included different aspects of welfare and protection necessary for the domestic workers. Recently the country has formulated National Labour Policy which brings into its coverage the workers of both for formal in informal sectors. Besides, the country has various other policies relating to protection, welfare and development of women and children. These policies can also be instrumental to protect the rights of the domestic workers and ensure their development since almost all of the domestic workers of the country are either women or children. Following section focuses on labour standards, workers' rights, and workers' welfare and protection issues covered by the existing policies and applicable to workers, including the domestic workers of informal sector.

National Labour Policy (NLP) 2012

NLP 2012 has recognized trade union as an important partner of the society in the efforts of bringing stability in industrial sector, protecting rights of the workers, reducing income disparity, and establishing social justice. According to the constitutional declaration and

international commitments government believes in the rights of the workers to form and operate trade unions freely. In this regard, NLP 2012 in its “trade union formation, collective bargaining, and social dialogue” section declares that government will bring necessary amendment, in line with ILO convention, in labour law of the country to ensure the trade union right of the workers. As per policy provision of NLP 2012 government is also committed to take effective measures to remove all the barriers to the practice of representative trade union in the country.

NLP-2012 has also focused, in its objectives section, on elimination of all forms of hazardous child labour. NLP 2012 has incorporated a broader view concerning workers’ health care facilities. Recognizing workers’ health as state’s property NLP 2012 declares that ensuring workers’ health care is the responsibility of the government. NLP 2012 has emphasized on ensuring fair wage for the workers. NLP 2012 declares that government would ensure fair wage in all possible areas aiming at ensuring a wage appropriate for the maintaining livelihood of the workers and their families and continuous improvement in the standards of living. NLP 2012 has focused on making compensation law up-to-date to ensure adequate compensation for all workers in case of accidental injury and occupational illnesses.

According to policy provisions mentioned in ‘social security’ section of NLP 2012, government would ensure compensation for the informal sector workers through the programs of Bangladesh Labour Welfare Foundation. The strong side of the NLP 2012 is that the policy does not leave the issue of maternity protection of the informal sector workers. NLP 2012 recommends inclusion of female informal sector workers in the existing maternity protection scheme of the government.

National Women Development Policy (NWDP) 2011

NWDP 2011 has included specially the issue of women workers’ protection against oppression and harassment in its ‘eliminating all forms of oppression against women’ section. This section emphasizes on elimination of physical, mental and sexual exploitation of women at their workplaces. On the other hand, the issue of removing wage discrimination has been addressed directly in various sections of NWDP 2011.

National Children Policy (NCP) 2011

NCP 2011 has given emphasis on taking measures to ensure that children working in various establishments/institutions are not oppressed physically, mentally and sexually. NCP 2011 in this regard has focused on ensuring conditions so that children are not engaged in antisocial or dishonorable and risky works. Besides, NCP 2011 also urges to ensure such an environment for the working children that is not harmful/injurious for the physical and mental health condition of the children. The policy of ‘elimination of all forms of discrimination against children’ of NCP-2011 is also relevant to the issue of removing discrimination at workplaces with regard to treatment and facilities.

National Child Labour Elimination Policy (NCLEP) 2010

NCLEP-2010 is committed to take all necessary steps and efforts to rescue children from hazardous working condition or environment. NCLEP 2010, along with emphasizing on specifying daily working hours for the children, has focused on hazardous work for the children in connection with working hours. While describing hazardous work for children NCLEP 2010 states that if a child is engaged in labour requiring work for more than 5 hours per day that would be considered as hazardous. NCLEP 2010's focus is also more on exploitation. This policy has emphasized on taking steps to protect child workers from being the victim of physical and/or mental torture and sexual exploitation.

NCLEP 2010 has made conditions that prior to employ a child in any work the employer in consultation with the children and their guardians would fix clear stipulations which would include the provision of ensuring at least one weekly holiday for the child workers. On the other hand, NCLEP-2010 includes only one issue, notice period for job termination, relating to employment contract. The policy states that an employer of a child worker would give one-month's prior-notice to the child if he (employer) wants to terminate him/her from the job. NCLEP 2010 declares that an interim arrangement can be made of fixing national minimum wages for children and adolescents engaged in both formal and informal sectors until the child labour is completely eliminated from the country.

Domestic Workers Protection and Welfare Policy (DWPWP) 2010 (Draft)

Issues of identity card, employment type and notice period for job termination have been included in DWPWP. This policy has clearly declared that every full-time domestic worker must be provided with an identity card with a photograph attached by his/her employer. According to this policy, there must be a contract signed between employer and domestic workers, before employing domestic a worker, where the employment type/nature of the worker must be mentioned. Besides this draft policy has also prescribed a notice period for job termination by both parties, which is one month for both employer and domestic worker.

The draft DWPWP-2010 is more comprehensive and specific as well concerning the child and adolescent workers' permissible work and working environment conditions. As per the draft DWPWP-2010 children less than 14 years of age would not be employed in domestic work. The draft also states that children who have completed 12 years could be employed if it is not dangerous to his/her health and development. The policy states that a secured and healthy place for sleeping and taking rest must be ensured for a domestic worker and, specifically, adolescent domestic workers must not be employed in heavy and dangerous works inconsistent with their age and ability. Moreover the issues of ethics and personal will have also been considered in this policy. According to this policy a domestic worker must not be employed in any work against his will and which is unethical.

The draft DWPWP-2010 has determined working hours for the domestic workers. According to this draft policy, domestic workers are entitled to get at least 8 hours at night for sleeping and 4 hours at day-time for rest and recreation. However this policy has allowed the scope of exploitation of the domestic workers in term of working hours since it approves, though

indirectly, daily 12 hours of work for the domestic workers which contradicts with the international labour standards. Provision of at least one weekly holiday has been included for the domestic workers in draft DWPWP-2010. In the context of maternity protection, draft DWPWP 2010 is more comprehensive than the other policies. A number of issues has been mentioned in the draft DWPWP 2010 as part of the maternity protection and benefits of the domestic workers. The draft policy specifically prescribes a 16-week leave with pay. Along with leave provision the policy also includes provision of medical treatment for the female domestic workers during pregnancy and delivery period. Besides, considering the special-care need of the pregnant women DWPWP 2010 recommends that female domestic workers are to be refrained from doing heavy-work and provided with rest opportunity during pregnancy.

As process of fixing wage for the domestic workers the DWPWP 2010 has given emphasis on the 'discussion'. Noteworthy, this is also an interim system to be followed until the sector gets its own minimum wage. As per the policy provision wage for full-time domestic workers would be determined by discussion between both parties, i.e. employer and domestic worker, until minimum wage is declared for the domestic workers. Besides, the policy also declares that wage of the part-time domestic workers would also be determined following the same process, i.e. discussion between both parties. In this regard, number of hours worked or number/type of works done has been prescribed as the wage payment basis. Noteworthy, considering the existing practice as well as the nature of wage payment for the domestic workers of the country DWPWP 2010 specifically states that domestic workers' wage must be determined in cash.

DWPWP 2010 prohibits physical torture and indecent behaviour to domestic workers and declares that appropriate compensation would be ensured for a domestic worker if s/he becomes victim of accidents while s/he is working. The policy prescribes that the appropriate amount of compensation would be determined, based on types of accidents and damage created, by the regional executive officer of City Corporation in city corporation areas and by UNO at *Upazila* level. It is important to note that, the Draft DWPWP 2010 has not mentioned anything on trade union rights of the domestic workers.

2.3 ISSUES AFFECTING DOMESTIC WORKERS

Issues of different types and nature affect work and life of the domestic workers. All these issues could be categorized in two ways – a) work and workplace related issues, and b) issues at residence.

Work and Workplace related Issues: Among several factors that affect domestic workers of the country the most important ones are – wage, long working hour, job uncertainty, and absence of leave provisions. The wage factor again includes three types of deprivations – low wage, absence of fixed wage rate, wage deduction, and irregular wage payment. Generally the monthly income of the domestic workers ranges from Tk.500 to Tk.4500; however the common income range of the workers is Tk.1200-2200. In this regard a long working hour is a common phenomenon for them. Generally domestic workers start work very early in the morning and they continue their work till night. Work period of the permanent and part-time (*chuta*)

workers vary significantly. Though most of the part workers start work at 7/8 am in the morning, there is variation on when they end work, since number of houses where they work in varies. Workers in this regard have informed that based on work-load part-time (*chuta*) workers finish their work at different times – 2pm, 3pm, 6pm, and even 8pm. On the other hand, permanent workers, who stay at employers' house, claim that they start work around 6am but there is no fixed time when they can finish their work, sometimes they are to work till 12 am or even more. Thus the total length of work is up to 18 hours, despite the fact that they get chances to take rest; and the permanent workers have longer daily work-length than the part-time (*chuta*) workers.

Part-time (chuta) domestic workers work in 2/3 houses, on an average every day. Many even work in 4/5 houses to manage/arrange a monthly income that amounts Tk.3500-4500 every month.

There is no fixed wage rate for the domestic workers. Part-time workers work on contractual basis, the wage is bargained on work basis (single work). It has been observed that rate of single work/task varies from Tk. 250 to Tk.500 monthly. This variation has been marked on the basis location/place. Monthly wage of the permanent workers vary from Tk.500 to Tk.3000. There is also variation of the timeliness of wage payment. Though part-time workers get wages within 10th of the next month in very few cases workers have claimed that employers often keep the wage due. On the other hand payment mode/type is most infrequent for the permanent workers. In most cases employers keep the wages due for several months, even up to one year. Noteworthy, permanent workers get their wage back when they go to village home to visit her family members. Another aspect of wage deprivation of the domestic workers is wage deduction. Many workers during the FGDs have claimed that employers often deduct wage if they remain absent for longer period, several days at a row. Rokyee Begum, a domestic workers, states – “my children suffered from fever for three days and I could not go to my employer’s house and for that reason my employer deducted 600TK from my wage”. According to Parol, another workers – “few days ago I didn’t attend the workplace for 10 days due to physical illness, for this reason house owner deducted 1000TK from my wage.” Domestic workers, nonetheless, have admitted that for one/two days absent and damage of household appliances and other materials employers generally do not deduct wages.

Fixed wage rate is absent. Wage rate for a single work/task of part-time (chuta) workers varies from Tk. 250 to Tk.500 monthly. Permanent workers’ wage amount varies from Tk.500 to Tk.3000.

A close link exists between the non-leave provision and job uncertainty of the domestic workers. Since all types of leave (e.g. weekly holiday, sick leave, maternity leave) is absent in this sector if workers remain absent, even keeping the employer informed, for a longer period due to sickness, sickness of family members, or maternity related cause employers very often expel them from work.

Besides, some workers notice that sometimes domestic workers face physical and mental torture/oppression and harassment at their workplaces. Physical torture ranges from simple slap to severe cruelty. On the other hand, mental torture includes, scolding, threat to expel

form job etc. Shefaly Akter, a domestic work, informs – *“I always do huge work without any rest, and when I demand some rest house-owner threaten me to cut my job”*.

Issues at Residence: Domestic workers at their residences are also facing many difficulties. The common problem talked about by most of the worker is house-rent issue. According to the workers because of the rocketing house-rent it has become very difficult for them to manage their family with very little income. House-rent has been double, or triple in some cases, than the amount they used pay six/seven years back/earlier.

Beside because of the expansion of Real Estate business and other development works *slums and other are being evicted causing a major threat to the accommodation of the poor domestic workers*.

Besides, there is also lack of safe drinking water and adequate and proper sanitation facilities at the residences of the domestic workers since almost all of the part-time domestic workers of live in slum areas.

Issues Affecting Domestic Workers

Issues relating to work and workplace

- *Wage (low wage, absence of fixed wage rate, wage deduction, and irregular wage payment)*
- *Long working hours, 7/8 to 18 hours*
- *No provision of overtime*
- *Absence of leave (e.g. weekly holiday, sick leave, maternity leave) provisions*
- *Job uncertainty, expulsion from work without prior notice in frequently practiced*
- *Physical torture and mental and sexual harassment*

Issues at residences

- *Rocketing house-rent*
- *Eviction of slum areas, and scarcity of living places*
- *Lack of safe drinking water*
- *Lack of adequate sanitation facility*

Domestic Workers' Organizations in Bangladesh: Present Condition

3.1 ORGANIZING EFFORTS OF DOMESTIC WORKERS IN BANGLADESH: A BRIEF OVERVIEW

Organizing domestic workers in Bangladesh is a new issue under the broad purview and long history of trade union activities, though the practice of domestic work is age-old. Considering the right-based issues the National Domestic Women Workers Union (NDWWU) was established on March 8, in 2001. This was the first initiative to organize domestic workers in Bangladesh. NDWWU at present is organizing domestic workers in 24 areas of Dhaka city. NDWWU has mainly two types of activities – i) area group meeting and ii) education programme. In each area covered by NDWWU regular meeting is arranged. The trade union leaders go to these areas and try to organize domestic workers in their own way. In the area group meetings right-based issues, tortures, harassment etc are discussed among domestic workers. Besides, NDWWU also operates night schools for the domestic workers. School holds two days every week

The first initiative to bring domestic workers under union started with the establishment of NDWWU in 2001, though practice of domestic work is age-old.

– Friday and Saturday – and timing of the school is 8-9 pm so that the domestic workers can attend the school after finishing their work. Noteworthy, most domestic workers at the schools are aged women. Teachers are from the union, who are a little bit literate.

Five years after establishing NDWWU another major initiative, to protect and promote the rights and dignity of the domestic workers and to organize them, was seen in 2006 when Domestic Workers Rights Network (DWRN) was established including trade unions, NGOs, and human rights based organization and with the active support of Bangladesh Institute of Labour Studies (BILS), which acts as the secretariat of DWRN. Objectives of DWRN are – to raise a strong voice through mobilizing all forces concerned; to create awareness among the workers themselves to be organized and vocal for their own rights; and to initiate a healthy discussion with policy makers, civil society, professional groups, trade unions and human rights actors. With a view to attaining these objectives DWRN implements multifarious activities which include – conducting research to identify the priorities and arguments for lobby and advocacy; national level seminar; roundtable discussion; series of workshops; preparation of advocacy plans; campaign through leaflet, stickers; preparation of MOU for Ministry of Labour and Employment; press conference; campaign through media reporting; observe Human Rights Day, May Day and Child Rights Day with special focus on the rights of domestic workers; organizing domestic workers by the National Trade Union Federations in different places of Dhaka city area; and organizing Human Chain and Protest Meeting where domestic workers have been tortured (based on media report). All these activities of DWRN are directly and indirectly facilitative to the organizing efforts of the domestic workers in the country.

At present with active support of the DWRN several national trade union federations – Jatio Mohila Shromik League (JMSL), Jatio Shromik Jote Bangladesh (JSJB), Bangladesh Jatio Shromik

Federation (BJSF), Bangladesh Labour Federation (BLF), Bangladesh Trade Union Kendra (BTUK), Bangladesh Shromik federation (BSF), Bangladesh Jatitabadi Shromik Dal (BJSJ), Jatio Shromik Jote (JSJ) – of Bangladesh have started organizing activities of the domestic workers. These national federations are organizing workers in various areas of Dhaka city.

3.2 PRESENT STATUS OF THE ORGANIZATIONS

3.2.1 Membership: Total number and length of membership

Unions of the domestic workers vary in terms of number of membership. Since unionizing domestic workers is a very recent issue in Bangladesh, the existing unions are yet to enlist/attract members at a large volume, except in the case of NDWWU. NDWWU has, as claimed, total about 12000 members. Apart from this union, the number of members in all

Total member in each union varies from 50 to 100, except NDWWU which claims about 12000 members. Most have six months to one year long membership, but in NDWWU 12 year long members is also seen.

other unions varies from 50 to 100. In this regard, in each case, BLF, JSJB and JSJ have 50 members. Total number of members of BSF is 55. Organizers of BJSF and BTUK have claimed that they have 70 members and 80 members respectively in their union. Besides, organizers of JMSL have informed that so far they have been able to enlist 100 members in their union.

The total length of union membership is also very short. During FGDs it has been observed that domestic workers' membership length generally varies from six months to one year, except for members of NDWWU. Membership length of the members of NDWWU varies from six months to twelve years. Besides, membership length of few members of BTUK is two years.

3.2.2 Structure of the Organizations

Variation has been marked in the structure of the executive committees of the domestic workers' unions in Bangladesh. The number of executive committee members of the unions varies from 5 to 30. BLF and BJSF both have 5-members executive committee in each case; however the designations of the committee members are different. Five-member executive committee of BLF is comprised of Chairman, Vice-Chairman, General Secretary, Organizing Secretary, and Publicity Secretary; whereas the executive committee of BJSF has been formed including Convener, Joint-Convener, Secretary, Joint-Secretary, and Cashier.

Structure of executive committees of the unions varies in terms of both total committee members and position of the members.

JMSL and JSJ have executive committees comprised of 30 members and 21 members respectively. In the 30-member committee of JMSL along with President, Vice-president, General Secretary, Organizing Secretary, and Publicity Secretary there are 25 general members. On the other hand, in 21-member executive committee of JSJ the key positions, along with ten general members, are –

Chairman, Vice-chairman, General Secretary, Joint Secretary (2), Treasurer, Housing and Public Works Secretary, Publicity Secretary, and Cultural Secretary.

The structure of executive committee of BTUK includes President, Vice president, Secretary, and General Members. It is important to note that JSJB and BSF have not been able to form any executive committee yet. Noteworthy, executive committee members of these unions are not elected by direct voting; selected members of the executive committee run the union.

The central committee of NDWWU is comprised of 30 members. One-third members of the central committee are not domestic workers, and rest two-thirds are domestic workers. They are all women. The office secretary is the only one paid worker, as official staff / secretariat to work for the union. The union pays for her/his salary. Other members are voluntary.

3.2.3 Financial Contribution of the Members

None of the domestic workers' unions working at present in the country has paid members. Thus the financial capacity and sustainability of the unions is very poor in the country, and

Except the executive committee members of NDWWU, who contribute Tk.10 every month, none of any union contributes financially to union activities

unions are almost completely dependent on the funds provided by DWRN. Generally DWRN provides a lump sum Tk. 1500 to conduct a monthly meeting of the unions. Besides, during special occasions (day observance, human chain, protest-rally etc) DWRN provides special allocation/funds to the unions. Besides, organizers of the unions sometimes contribute personally to carry out the tasks of unions. The statements of the workers (FGD participants) also admit this fact. *"We do not pay any money to our union. Our organizers arrange money and spend it for our union activities"* – members of BLF have

informed. This voice was echoed by all the workers in all FGDs

Organizers also have informed that since domestic workers have very little income it becomes a burden on them to pay a regular contribution. *"Because of financial constraints we cannot take programmes independently"* – say many organizers. An organizer also adds in this regard – *"I proposed to the workers to pay Tk.20 monthly, but no one agreed to pay"* (FGD, BLF). The exception is only for NDWWU; only the executive committee members contribute Tk.10 monthly, general members do not pay anything to union.

3.2.4 Decision Making Process

A participatory decision making process is absent and in most cases the decision making process is centralized, i.e. the organizers of the unions mainly take decisions and sometimes they take decisions in consultation with some senior/regular member. It is the matter of fact that domestic workers rely completely on their organizers to make decisions on various issues. Members of JMSL, BJSF, and NDWWU have informed that generally the executive committee members take decision and they just follow those. Members of BJSF state – *"Normally our five executive members decide everything about our welfare"*.

On the other hand, members of BLF, JSJB, BSF, and JSJ have claim that they generally do not take part in the decision making process in their union but when any problem arises in their areas they take part in decision making for deciding necessary actions and ways to implement them. Besides the

members of BKTU claim that every member of this union takes part in decision making, however the executive committee members are

Executive committee members are increasingly participating in decision making processes despite the fact that decision making process in all unions is still highly organizer-dependent; even some unions are yet to form such committees.

pioneer for decision making. They also inform that sometime DWRN also provide some idea for decision making. Noteworthy, none of the executive committees of the unions is formally elected by the general voting of the members. Rather those selected informally and hence the decision taking processes are also informed in this regard. Besides, there are also external influences in the decision making processes of the unions.

3.2.5 Activities of the Organizations

Despite having weaknesses and limitations unions of the domestic workers are taking different types of activities with active support of DWRN. From the discussions with domestic workers and organizers it has observed that unions currently are taking two types of activities – regular activity and occasional activity. Besides few unions have some other activity not common to the activities of all other unions.

Activities of the unions have three broad aspects – a) regular activity of all unions, b) common occasional activities, and c) union-specific special activity.

Regular Activity: Regular activity of the unions is only limited to holdings

meetings. Generally each union arranges a monthly meeting where organizer of the union, executive committee members, and general members – all participate. On an average 15-30 members take part in these meeting. Besides, some unions arrange more than one meeting. BJSF regularly arranges two meetings and often more based on necessity. JSJB and BJS often arrange two meetings. In these meetings organizers generally inform workers about worker rights, labour law, and human rights issues as well as many other issues affecting domestic workers. Organizer and members of BJSF inform that they often invite local political person, school teacher, and employer and other respectable persons in their locality in their meeting to sensitize them on domestic workers issues. *“We arrange meeting including the participation of local political leaders, doctors, community leaders and discuss before them about our problems, ILO convention, Labour Law to let them know our concerns as well as to seek their support and cooperation in our movement”* – sates Salma Akter, organizer of BJSF.

Occasional Activities: Apart from regular activity, all unions undertake different types of activities based on the situation and demand. Noteworthy, there is similarity among the various activities undertaken occasionally by the various unions. These activities include:

Day Observance: Workers of all the unions have informed that they take programmes to observe special days relating to the rights of the workers. In this regard domestic workers inform that they have so far arranged programmes to observe May Day, International Women's Day, and Human Rights Day. On these occasions sometimes they organize rally in their localities and they always take part in the programmes organized nationally by DWRN.

Protest Rally: Domestic workers' unions arrange protest rally especially when any serious incident of domestic workers rights violation takes place in their own localities or in any part of the country. Workers claim that when they come to know about any severe violation (e.g. physical torture) in their locality they try to organize rally against the incident. On the other hand, union organizes protest rally for incidents which do not take place in their locality when news of the violation and oppression is published in newspapers or telecast on television channels.

Human Chain: Unions of the domestic workers often form human chain as part of their peaceful movement to press their demand home. Unions so far have formed human chains focusing on the issues like getting recognition as workers; inclusion in labour law; rights of weekly holiday, minimum wage, and maternity benefit; mark of protest against killing and other oppression against domestic workers and bringing the perpetrators under punishment, etc. Noteworthy, each union often arranges human chain in their own locality on violation of domestic workers' rights in their area, and for common demands and issues of the domestic workers all unions collectively organize human chain.

Poster/Leaflet/Banner: To raise consciousness on domestic workers' issues among the common people unions often distribute leaflets, stick posters, and hang banners in different places to attract attention of the people on the issues of the domestic workers. Noteworthy, because of financial constraints/limitations unions do not publish/print leaflets/posters/banners by themselves, DWRN is supporting unions in this regard. Union members just participate in distribution of these materials.

Supporting the Victim: Unions provide support to the victim domestic workers in different ways – help to domestic workers to get back due wage; move collectively to get compensation from employer; provide counseling to the tortured workers; collect funds for the victim worker.

Staging Demonstration: Though this activity of the unions is less frequent, sometimes unions arrange demonstration for torture against domestic workers. There is an instance that domestic workers, in an incident of torture, marched towards the local police station to press home their demand.

Union-specific Special Activities:

Savings Scheme: Members of BJSF by their own initiative have started saving scheme. Many members are now participating the scheme. Every member saves a specific amount of money every month.

Nari Nijatan Protirod Committee (Committee on Prevention of Oppression against Women): This is a special initiative of NDWWU. NDWWU has formed this committee to protect domestic workers against dowry, divorce, and child marriage. Issues of child domestic workers are also looked after by this committee since many girls are engaged in this occupation. This committee arranges protest rally against torture and also provides training to the women domestic workers on issues like women right and equal rights.

Night School: This is another specific activity of NDWWU. This school sits at 8-9 pm on Friday and Saturday every week so that domestic workers can attend after finishing their work. Basic reading and writing techniques are taught in this school.

Activities of the Domestic Workers' Organization

a. Regular activity:

Meeting of the union members – once or twice a month

b. Occasional Activities:

- *Protest rally especially when sever oppression and crime is committed against domestic workers*
- *Observance of special days relation to workers' rights (e.g. May Day, International Women's Day, and Human Rights Day)*
- *Forming Human Chain to protest against torture as well as mobilize domestic workers' issues*
- *Leaflet distribution, postering, and banner hanging to raise to attract people's attention on domestic workers' issues*
- *Direct support (e.g. counseling, financial assistance) to the victim domestic worker*
- *Staging Demonstration*

c. Special Activity of Specific Union:

- *Promoting saving of the workers through co-operative (BJSF)*
- *Nari Nijatan Protirod Committee to take actions against dowry, divorce, child marriage and child labour (NDWWU)*
- *Training on women rights issues (NDWWU)*
- *Night School (NDWWU)*

3.2.6 Participation of Domestic Workers in Union Activities

Union members have claimed that generally they participate in union activities, e.g. day observance, human chain, protest rally, demonstration. Noteworthy, part-time (*chuta*) workers are seen participating in union activities frequently, whereas participation of the permanent workers, who stay at employers' houses, is hardly seen.

3.2.7 Future Plan

Different issues are now being considered by the domestic workers' unions of Bangladesh which they want to attain in near future. Domestic workers' unions have the plan to increase membership. In this regard, organizers of the unions and senior members have talked about taking some activities so that domestic workers would be attracted to unions. Unions again want to arrange a fixed place/venue where they can meet regularly. The issue of fixed place/venue has been mentioned by most of the organizers. Hena Chowdhury, an organizer of the domestic workers, states – *"My next plan is to bring more workers under this union and to fix a specific place to arrange regular meetings of the domestic workers."* Another organizer, Mukti, has informed – *"At first we want to arrange a venue/place where everyone can meet together and discuss about their demand and desires"*.

Unions' future plans include – increasing membership, fixing meeting place, more frequent meeting, strengthening financial capacity of union, and introducing income-earning training.

Some organizers have even claimed that they want to introduce 'membership fee' to increase financial strength of their unions. Organizers also have a plan to introduce income-earning training programme (e.g. tailoring) for the workers so that they can earn some extra income from alternative sources (). Organizers have also focused to increase the frequency of meeting, in future, among domestic workers of their unions. *"We will try to arrange workers' meeting in every week. We will also try to solve the problem of meeting place and reduce financial dependency by developing self-funding system"* – in this way Salma Akter, an organizer, has described the future plan.

Opportunities and Challenges of Organizing Domestic Workers in Bangladesh

4.1 OPPORTUNITIES OF ORGANIZING DOMESTIC WORKERS

4.1.1 Volume and Availability of Domestic Workers

The huge volume and availability of workers is the main opportunity to organize domestic workers in Bangladesh. Though there is dearth of official data about the number of domestic workers in Bangladesh, it is estimated that around two million domestic workers work in the country. This huge volume and availability of the workers is prime opportunity to organize them in Bangladesh.

4.1.2 Will/Realization of the workers to be united

Workers have the urge to form of their own organization. They now realize the need for bringing them to organizations. They now perceive/think that organizations can help them in many ways. Especially they think that if they remain united then the chance of being victim of any type of torture from employer would be minimal. Workers also perceive their unity could also be helpful to increase their wages and ensure some other facilities like – holiday, rest, maternity leave etc. Many even participate in union activities despite have obstacles from family members and local leaders. According to Sofia Akter – *"when I saw that domestic workers were more sufferer than others and house owner didn't give any support when we face problem, I found this federation giving support and shelter to other domestic workers, and then I realized that federation was thinking about us and we need to be associated with this federation"*. Many workers have claimed that they now feel stronger others. Unions have increased our strengths and confidence level (FGD, NDWWU))

4.1.3 Awareness of the workers about benefits of union

Domestic worker now perceive than they can get various types of benefits because of being member of a union. According to the opinion of the domestic workers they now realize that they are not alone to fight against torture of domestic workers. Workers also inform that today they are well-organized and well aware about their rights (FGD, JSML). Workers have informed that unionizing domestic workers would be the main vehicle to ensure their rights – appointment letter, identity card, etc. They also realize that though these unions they can solve their workplace problems also.

Workers now are very much concern about their status as a worker. *"Though we work, we are not treated as worker. We want to gain status a worker and if more workers come into unions it would be easier to achieve this status"* - many workers have expressed their opinion in this way in several FGDs.

Along with rights establishment at workplaces domestic workers also think that they could be benefited in some other ways also – unions have been contributing to increase their knowledge, unions have provided them with opportunities to share their experiences and

suffering with others. According to Parvin Akter – “when we see that house owner are threatening and torturing a domestic worker, we all support this domestic worker and we also conduct bargain with the house owner and try to protect this incidence”. Another domestic worker has informed that they have been united under their organization for protecting torture and promoting rights by their union.

4.1.4 Willingness to contribute financially

Less income is one of the most important issues affecting the domestic workers of the country. However many workers are interested to contribute an affordable minimum amount to their unions. In this regard their desire is that the money given by them must be spent on their welfare and its transparency must be ensured. Many workers have even informed that contributing Tk.10-20 a month is not a big amount in present context and this amount would not be a burden for them (FGD with BJSD).

“Contributing for union could be burden for us sometimes. But if this contribution really brings any benefit for us we will try to pay this despite our hardship.” – said many workers in FGDs.

4.1.5 Educated Organizer/ Enthusiastic organizers and their experience

Organizers engaged in organizing domestic workers in the country are experienced, educated and have long experience in organizing work. All organizers but two have organizing experience of over ten years. There are organizers who have been actively participating trade union activities even for 24/25 years. Besides, majority of the organizers have 10-15 years long experience in trade union and organizing field. The youngest organizer, in terms of length of experience, has been involved in organizing work for two years.

Organizers of the domestic workers are rich not only from the point of view of organizing experience but also from educational background. All organizers but one has SSC level education at least. Among the organizers three have completed SSC level education, one has completed HSC level, one BSS, and one MA level education. Along with general education one organizer has also completed a Diploma degree.

Organizers have also received various trainings on worker rights and organizing issues. The total number of trainings received by each organizer varies from 5 to 30, where majority of the organizers have received 15-20 trainings on different issues including – Occupational Health and Safety (OHS), Labor Law, Leadership Training, Women Leadership Development, Gender Inequality, Acid Awareness, Negative Impact of Globalization, Climate Change etc. Noteworthy, some of the organizers have also completed TOT.

4.1.6 Availability of Supportive Organizations

In society many NGOs, and Development Organizations, Human Rights Groups (e.g. BILS, DWRN, Save the Children, Ain-o-Shalis Kendra, BNWLA, Nari Moitri, Shurovi, Shoishob Bangladesh) are now taking domestic workers issues in their programmes, and activities. These

organizing are mainly taking programmes for the domestic workers, not exclusively focusing on organizing issues. But these programmes are making domestic workers aware and workers will come to know about their rights among which freedom of association is a core one.

4.1.7 Attention of media on domestic workers' issues

Both electronic and print media of the country now telecast and publish news of the rights deprivation of domestic workers and torture and oppression against them with great importance. This role of the media is positive and favorable as well to ensure that domestic workers of the country will live with their rights including the 'right to organize'.

4.2 CHALLENGES AND PROBLEMS OF ORGANIZING DOMESTIC WORKERS

Organizing efforts of the domestic workers of Bangladesh are not free from challenges and problems. Number of factors, which are social, political, economic, and cultural in nature, creates challenge to the organizing process of the domestic workers in the country. Following section has focused on the issues, explored in this study, as major challenges in this process.

4.2.1 Domestic workers are out of the coverage of the Labour Law

Trade union rights of the workers are closely associated with the status of a person as worker and their coverage in nation legal instrument. However the prevailing labour law of the does not recognize domestic workers and has left them out of the coverage. Consequently domestic workers of the country are deprived of enjoying rights given in labour law including the trade union rights.

4.2.2 Access to permanent workers is difficult

A large number of the workers stay permanently at their employers' houses. These workers rare get chances to participate in TU activities, even to meet with other people. In this situation unionization efforts of the domestic workers are facing a big trouble. Despite efforts from the side of the organizers very few permanent workers have joined with the existing unions. It is even very tough task to make any contact with these types of workers. Sometimes employers do not want to give access to talk to these workers.

It could not be ignored that employers' primary concern is the security of the workers. Most of the workers of this type come from villages and they are not familiar with urban environment and do not know roads and avenues. In this situation employers do not want to let him/her go outside and meet with unknown persons.

4.2.3 Nature of Work

Domestic workers of the country do a hard labour all through the day. Part-time (*chuta*) workers work at several houses and several tasks in each house. And after returning home they need to carry out the household tasks. On the other hand part-time workers remain busy from dawn to night, even till mid-night. And they hardly get chances to come out. Thus the domestic

workers of the country are over burdened with work and because of which they are in many cases reluctant to append time for union activities.

4.2.4 Attitude of Employers

Employers often create obstacles so that domestic workers cannot participate in union activities and most employers do not hold positive attitude in this regard. Employers create problems in many ways. Workers have claimed that there is possibility of losing job when they go out to participate in the union activities. Sometimes employers cut their wages for the day/s when they attend outside activities of the unions. Many employers even discourage workers or even force them so that they do not go outside to participate union activities. Workers have also claimed that often employers impose extra work when workers inform them about their outside programmes. *“I told my employer that we had a human chain and for that I need leave for a short while, but my employer did not allow me to go” – said Chamely Begom, a part-time (chuta)domestic worker.*

4.2.5 Still many workers lack awareness

Many workers still do not realize the importance of being unionized. They are not even aware about their rights and issues. And they are not aware about what the organizations/unions of the domestic workers are doing. Thus bringing them into organization/union is really a hard task. Lolita Begom, member of JMSL, have informed that – *“Many workers are not joining union because they think that to be unionized is not necessary for doing domestic work. They think that they are just domestic worker and they have not enough time to spoil for meeting or human chain”.*

4.2.6 Negative Social Attitude

Despite progress in eliminating negative attitude towards women’s work in Bangladesh still women domestic workers of the country face negative attitudes when they come out and gather together to participate in trade union activities. *“When we go outside to join activities, many of our workers face stalking, sometimes they are hear even slang words. As a result sometimes they lose interest to participate out-door activities of the unions”*— claim many workers in FGDs.

Besides stalking on roads and facing slang words/unwanted comments, domestic workers often face a negative attitude from the household members, especially from husbands. Husbands do not like their wives’ engagement at outside home and workplace. Thus many husbands try to refrain their wives (domestic workers) from participating in some particular type of peogrammes e.g. human chain, protest rally, demonstration.

4.2.7 Developing Leadership among the Domestic Workers

Still in Bangladesh domestic workers are organized by those who are not from this occupation. Occupations where the organizers of the unions are from vary a lot. On the other hand, domestic workers have very low level of education, and the awareness level among the workers on labour rights and organizing issues is also not satisfactory. Besides domestic workers also lack training on organizing. These is also less motivation among the workers to take leadership,

rather they prefer to rely on the organizers. All these have made developing leaders among the domestic workers tough.

4.2.8 Dependency on organizers (financial/decision making/programme-activities)

Domestic workers' unions in the country are not self-dependent. Workers heavily/largely depend on the organizers to make decisions. Except one or two all other unions have no activity of their own. They just participate in activities designed by DWRN. In almost every cases unions general union members depend on their organizer for finance and other decision concerning any activity.

4.2.9 Bringing Uniformity (in structure)

Domestic workers unions lack uniform structure. The unions vary in terms of the number of executive committee members as well as status/positions of the executive committee members. Some unions even have no executive committee. This variation of the structures and positions is a major challenge to start a uniform organizing effort of the domestic workers in Bangladesh.

4.2.10 Financial Dependency

Unions completely depend on outside sources to finance its activities. Especially unions depend on DWRN in this regard. None of the unions has any general member who contributes financially for her union. Thus bringing financial independence of the unions already existing in Bangladesh is major challenge for effective organizing efforts of the domestic workers in the country.

Domestic workers' organizing situation is still in poor state in Bangladesh. Very few of the domestic workers of the country have now come under unions. Number of unions is also few and organizing activities are only Dhaka, the capital city, based. Unions also lack financial strengths. Besides, legal and policy environment are not conducive fully to facilitate domestic workers' organizing activities. There are also obstacles and barriers from the side of the families of domestic workers and community people. On the other hand, despite limitations, workers have desires to be united and many of the domestic workers realize the needs and benefits of being organized. In this situation domestic workers' organizing efforts of the country require considering multifarious factors to become successful in this process.

This study suggests, in light of the findings, a three-prong strategy to strengthen the organizing efforts of the domestic workers of Bangladesh. This three-prong strategy includes – creating a favourable environment, attracting more domestic workers to unions, and capacity-building of existing unions.

Creating a Favorable Environment for Organizing Activities

Strengthening Legal Instrument: Domestic workers must be brought under the coverage of labour law. If it is possible then the trade union rights of the domestic workers would be easier to establish.

Strengthening Policy Instrument: Existing policies must incorporate organizing issues adequately. Especially the draft DWPWP should include the issue of the 'right to organize' of the domestic workers.

Ratification of ILO C189: Bangladesh is yet to ratify the latest ILO convention (C189) on decent work of the domestic work which ensures trade union rights of this section of working class population. Thus ratification of this convention would be facilitative to establish and ensure organization rights of the domestic workers.

Change in Social Attitude: Many domestic workers face obstacles from family and society to participate union activities which again discourages other. Bringing change in this regard is necessary to ensure a conducive environment so that women domestic workers can participate unions freely.

Needed Action: To attain the desired environment Advocacy, Campaigning, and Mobilization by Trade Unions, Rights-based Organizations and NGOs, and Civil Society are needed.

Attracting More Members to Union:

Organizing efforts of the domestic workers of the county certainly will not be fruitful with few members. Thus for strengthened trade union movement of the domestic workers attention must be given to increase the number of members in each unions. In this regard following steps are necessary –

Awareness Raising: Awareness raising among workers about their rights and importance of being united to attain rights;

Incorporating Burning and Popular Issues in Organizing Efforts: To attract attention of the domestic workers and enlist their membership unions must incorporate issues and demands (e.g. housing problem, house-rent, eviction, savings, income-earning training) which are burning and popular to them;

Contributing to address problems at workplace: Along with incorporating popular issues unions must show some fruitful and effective role to solve the problems that domestic workers face at workplaces. Unions' role to help domestic workers to get back wage and job; ensure maternity leave; arranging compensation, etc. certainly encourage domestic workers to join unions;

Special Attention to the Permanent Workers' Issues: Issues of the permanent workers are different to a great extent from those of the part-time (*chuta*) workers. Is matter must be given special attention by the union activists; and

Taking Special Activities: Along with mobilizing activities unions should initiate some other activities which domestic workers think beneficial for them (e.g tailoring training, savings co-operative). These activities must be taken in consultation with the workers.

Needed action: To increase the number of workers in unions vigorous Campaigning; and Networking and Local Liaison with employers, local government representatives, local influential persons, NGOs, and other support organizations are needed.

Capacity-building of the Existing Unions

In order to contribute to the benefit of the members, capacities of the unions must be strengthened. Capacity-building of the unions must have focus on following areas —

Financial self-dependency: Arrangement of membership fees and monthly contribution of all union members based on their capacity.

Leadership Training: Especially for the members of the executive committees of the unions.

Financial Management/Money Management Training: Along with fund-raising and financial self-sufficiency of the unions, money management training for the persons concerned is also necessary.

Participatory Decision Making: Proper arrangement and system must be developed so that workers' opinion is reflected in decisions taken by union leaders. In this regard selecting executive committee members through direct voting must be given emphasis.