

A portrait of a young Black woman with short, dark, curly hair, looking directly at the camera with a neutral expression. She is wearing a sleeveless top with a colorful, abstract pattern. The background is a vibrant orange fabric with a dense, repeating pattern of blue and white floral and leaf motifs. The ActionAid logo is in the top left corner.

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Convention No. 189 Decent
work for domestic workers
and Domestic Workers
Recommendation No. 201

On 16 June 2011, the International Labour Conference of the International Labour Organization adopted the Convention and recommendation on decent work for domestic workers, which is also referred to as the Domestic Workers Convention, 2011 (No. 189) and Recommendation 201.

What is an ILO Convention?

It is a treaty adopted by the International Labour Conference (ILC), which is made up of government, worker and employer delegates from the 183 member States of the ILO.

What does it mean to ratify a Convention?

When a country ratifies a convention, the government formally makes a commitment to implement all the obligations provided in the convention, and to report periodically to the ILO on the measures taken in implementing the convention.

What is the significance of an ILO Recommendation to a Convention?

The Recommendation provides practical guidance concerning possible legal and other measures to implement the rights and principles stated in the Convention. Recommendations are not ratified, they only serve as guidelines.



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Who and what is covered by Convention No. 189?

It defines domestic work as “work performed in or for a household or households”. This work may include tasks such as cleaning the house, cooking, washing and ironing clothes, caring duties such as taking care of children or elderly or sick members of a family, gardening, guarding the house, driving for the family, even taking care of household pets.

The main aim of C189 is:

1. To recognize domestic workers as workers with rights like other categories of workers
2. To offer specific protection for domestic workers, recognising the specific risks and vulnerabilities associated with domestic work and the marginalization factors facing those typically engaged as domestic workers
3. To lay down basic rights and principles, and also request that member states take a series of measures to ensure decent work is made a reality for domestic workers.

It defines domestic worker as “any person engaged in domestic work within an employment relationship”. A domestic worker may work on full-time or part-time basis; may be employed by a single household or by multiple employers; may be residing in the household of the employer (live-in worker) or may be living in his or her own residence (live-out).

A domestic worker may be a migrant working in a country of which she/he is not a national. All domestic workers are covered by Convention No. 189, although countries may decide to exclude some categories, under very strict conditions.

The employer of a domestic worker may be a member of the household for which the work is performed, or an agency or enterprise that employs domestic workers and makes them available to households.



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Minimum standards set by Convention No. 189:

- **Promotion and protection of the human rights of all domestic workers**
- **Respect and protection of fundamental principles and rights at work which are:**
 - Freedom of association and the effective recognition of the right to collective bargaining;
 - Elimination of all forms of forced or compulsory labour;
 - Abolition of child labour; and
 - Elimination of discrimination in respect of employment and occupation
 - Effective protection against all forms of abuse, harassment and violence.
 - Fair terms of employment and decent living conditions.
- **Information on terms and conditions of employment (Article 7).**

Domestic workers must be informed of their terms and conditions of employment in an easily understandable manner, preferably through a written contract.
- **Hours of work (Article 10).**

Measures aimed at ensuring equal treatment between domestic workers and workers generally with respect to normal hours of work, overtime compensation, periods of daily and weekly rest, and annual paid leave. There should be weekly rest period of at least 24 consecutive hours.
- **Remuneration (Article 11).**

Where there is an existing national minimum wage, it should apply to domestic workers too. Payment of wages must be paid in cash, directly to the worker, and at regular interval of no longer than one month.
- **Payment by cheque or bank transfer – when allowed by law or collective agreements, or with worker's consent (Article 12)**

In-kind payment is allowed under 3 conditions: only a limited proportion of total remuneration; monetary value is fair and reasonable; the items or services given as in-kind payment are of personal use by and benefit to the workers.

This means that uniforms or personal protective equipment are not to be regarded as payment in kind, but as tools that the employer must provide to the workers at no cost to them for the performance of their duties. Fees charged by private employment agencies are not to be deducted from the remuneration (Article 15).

- **Occupational safety and health (Article 13)**

A domestic worker has the right to safe and healthy working environment which is the responsibility of the employer to ensure measures are to be put in place to this effect.
- **Social security (Article 14)**

Domestic workers are to enjoy social security protection, including maternity benefits with the same conditions as other workers.
- **Standards concerning live-in workers (Article 6)**
 - Decent living conditions that respect the workers' privacy (Article 6).
 - Freedom to reach agreement with their employers or potential employers on whether or not to reside in the household (Article 9).
 - No obligation to remain in the household or with its members during their periods of rest or leave (Article 9).
 - Domestic workers have the right to keep their identity and travel documents in their possession (Article 9).
- **Standards concerning migrant domestic workers (Article 8)**

Protection as migrant domestic worker under the national labour laws of the host country as well as protection from private employment agencies against exploitation.
- **Dispute settlement, complaints, enforcement and access to justice (Article 17) provision and access to dispute settlement mechanisms for domestic workers**

Domestic workers provide the needed support to the care economy of our countries and deserve recognition and support from government. In ratifying C189, Government show their commitment to promoting decent work for domestic workers and formal recognition of their role in the care economy.

COVER PHOTO: Irene is a member of the Young Urban Women's Movement, an organised group of young women in urban and peri-urban areas across Ghana with the aim of empowering young women with skills, knowledge and attitudes to challenge and address structural barriers that prevent them from enjoying their rights.

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