

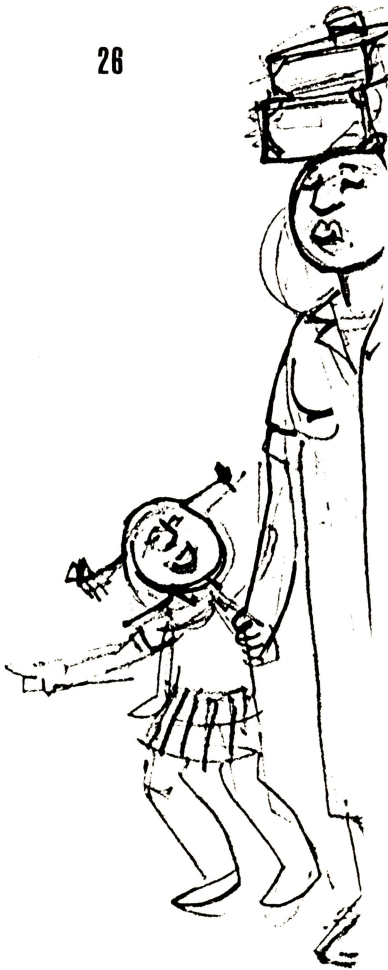
PROBLEMS FACING PAID DOMESTIC WORKERS

■ PAID DOMESTIC WORKERS AS PARENTS

As parents, workers see little of their children. If women, they often have to act as a parent with other people's children while they are experiencing difficulties in being a parent to their own.

Live-in working parents generally only spend time with their children when they are on holiday. Live-out working parents are away from their children for most of the day; when they get home, tired after a day's work, it can be difficult to look after them as well as cope with the demands of running a home. For all, children are often left in the care of others. This often causes continual concern; whether their children's welfare and education is being properly provided for.

If a worker is suffering from stress and anxiety in the work situation, this will affect a child. A good working environment, on the other hand, will have a positive effect on a parent and therefore a child.



■ SOCIAL ACTIVITIES

Live-in workers often experience loneliness because they are separated from their family and friends. Their activities are usually confined to what is available in their immediate environment. If they cannot read or write, they are further limited in what they can do. Most cannot afford to go out, and there are seldom community centres in the area which provide entertainment. They are "imprisoned" in the houses where they work, with little access to outside information.

For live-out workers, the demands of hard work, long hours and long distances to travel limit their family life and leisure activities.

👉 TO YOU THE WORKER

If you are a live-in worker, ensure there is clarity between working hours and leisure time. Negotiate access of visitors; be aware of unnecessary noise and disturbance, and be considerate of an employer.

👉 TO YOU THE EMPLOYER

Recognise the isolation of a live-in worker and respect her or his need to enjoy the company of family and friends. Discuss arrangements regarding visitors; you can be firm but fair.

If you help finance a worker's children's education, a worker's general family situation can improve. The children will, in the future, have more opportunity to find skilled, better-paid jobs and not necessarily have to do domestic work themselves.

■ VIOLENCE AND ABUSE

Paid domestic workers, and particularly women, face abuse on many levels. Not only are they harassed in their own homes by family members, but also in the homes of employers. There have also been reported incidents of violence perpetrated by the police, where workers have been arrested in the streets for "loitering".

Abuse of workers by an employer and/or members of an employer's household happens more regularly than the public know. This is because, for example, that workers are afraid to report the matter, fearing possible dismissal if she or he does so.

Abuse includes the use of harsh, insulting language, room searches, threatening a worker with a gun, ordering a worker to leave the premises without prior warning, calling in the police to detain a worker, and physical and sexual abuse*. Sexual harassment (unwanted sexual attention) reported by workers ranges from sexual advances to rape.

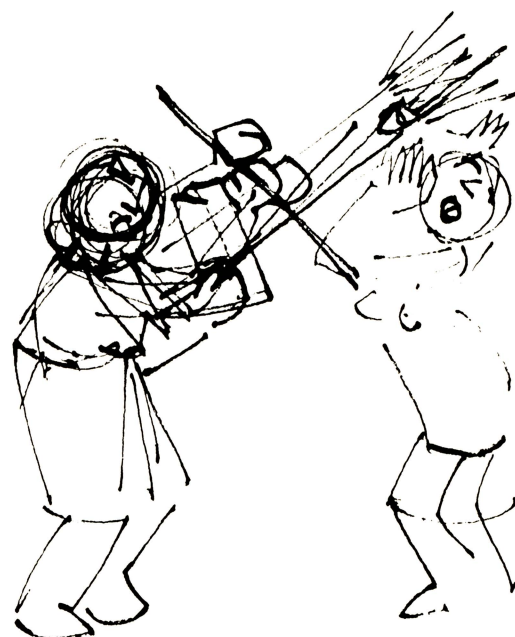
The actions might follow accusations made by a household member; for example, that a worker has stolen something, has refused to obey an order, has other people staying on the premises, is said to be drunk, or is a member of a political organisation or trade union. Often indirect frustration or anger of the person concerned is being vented on a worker, or an employer is showing her or his sense of power over a worker.

There are four criminal charges that can be used in sexual harassment cases:

1. Assault
2. Extortion, when pressure or force is used to secure an advantage (for example, if a worker is told that she or he will lose a job unless she or he agrees to do something)
3. Indecent assault, which includes any act of violence that involves indecent physical violence
4. Crimen Injuria (defamation), which is the impairing of a person's self respect or dignity (for example, privacy and physical integrity.)

Workers are also exposed to violence between members within an employer's household; for example, child abuse. A worker is placed in a difficult position as she or he is responsible for protecting a child yet, if she or he reports the matter, there are implications for the child and for the worker.

* *Life Line, Rape Crisis or People Opposing Women Abuse (POWA) counsel workers beaten, sexually assaulted or raped.*



☛ TO YOU THE WORKER

If you are assaulted by a member of an employer's household, you should:

- make a detailed, written statement of exactly what happened to a lawyer, SADWU, an advice office, or a council of churches, or lay a charge of assault directly with the police
- if there were witnesses to the action, ask them to give evidence. Collect any other supportive evidence, such as photographs or a medical certificate
- claim for damages resulting from abuse by taking the matter to a magistrate's court.

People can only use force against you if you assault them and they need to protect themselves, if you stop them from doing a lawful search, and if they need to use force to arrest you lawfully. But they cannot use more force than is necessary.

If you feel it is necessary, you are entitled to ask for police protection while removing your belongings from the premises and/or while receiving wages due.

☛ TO YOU THE EMPLOYER

Workers are entitled to fair and humane treatment. You are not allowed to take the law into your own hands. For example, if a worker has not agreed to be searched then a search of her or his person amounts to an assault on her or him. Even if a worker agrees to punishment (for example, because of fear of dismissal otherwise), the court will not allow it. It is important to provide a worker with safe living conditions.

■ PREPARING FOR OLD AGE

Benefits provided to a worker can be seen to go beyond the cash wage to social benefits such as helping a worker prepare for her or his old age. However, these benefits should not be seen as an employer's full responsibility. Employers and workers can discuss the needs of a worker and look at options available. Workers must play their own part, and any final decision must be made by a worker.

PENSIONS

Few paid domestic workers have any of the retirement or death benefits enjoyed by workers in industry.

When paid domestic workers reach retirement age some are forced to keep on earning a wage, others are dismissed because they no longer have the physical strength to work. When they leave their place of work they often have no savings, and are faced with the prospect of poverty. They are usually dependent on the government pension, which is not enough to meet their needs and can be difficult to get.

One way of making provision for old age is by contributing to a pension fund. Several pension schemes are available for domestic workers, especially designed with relatively low monthly premiums. However, when deciding on monthly payments it is important to take note of the following: although all women over the age of 60 and men over the age of 65 are entitled to a government pension, they lose this if they have private income(s) or pension(s) which are a certain proportion of the government pension. But if a private pension subsidises or replaces a state pension, you should not necessarily decide not to take one out:

- a government pension is not always easy to get whereas private pension is
- without a private pension there is no death or disability protection.

