



World Day *Against* CHILD LABOUR

12 JUNE 2013



International
Labour
Organization

NO TO CHILD LABOUR IN DOMESTIC WORK

QUESTIONS AND ANSWERS

WHAT IS THE WORLD DAY AGAINST CHILD LABOUR?

Originally launched by the International Labour Organization (ILO) in 2002, the World Day Against Child Labour brings attention to the global extent of child labour and the efforts needed to eliminate it. Every year on June 12th, the World Day brings together national governments, employers and workers unions, civil society, and millions of children and adults throughout the world to highlight the plight of child labourers and to advocate for change.

WHY IS THIS YEAR'S THEME CHILD DOMESTIC WORK?

In 2011, the ILO, in a landmark development, adopted Convention No. 189 and Recommendation No. 201 concerning decent work for domestic workers. The adoption of these instruments is a historic step towards ensuring that all domestic workers enjoy the same fair terms of employment and decent working conditions as other workers and are equally entitled to respect of their rights and dignity. Within this framework, the ILO considers that it is timely to say: ***No to child labour in domestic work!***



WHAT IS DOMESTIC WORK?

Following Convention No. 189, “domestic work” means work performed in or for a household or households and “domestic worker” means any person engaged in domestic work within an employment relationship.

The term “domestic work” covers a wide range of tasks and services that vary from country to country and that can be different depending on the age, gender, ethnic background and migration status of the workers concerned, as well as the cultural and economic context in which they work. This means that a definition of domestic work and the workers involved on the basis only of the tasks being performed, risks being perpetually incomplete. Rather, the Convention No. 189 draws on the common and distinctive characteristic that domestic workers are employed by, and provide services for, third party private households.

WHAT IS CHILD DOMESTIC WORK?

Child domestic work is a general reference to children’s work in the domestic work sector in the home of a third party or employer. This general concept encapsulates both permissible as well as non permissible situations.

WHAT DOES CONSTITUTE CHILD LABOUR IN DOMESTIC WORK?

Child labour in domestic work refers to situations where domestic work is performed by children below the relevant minimum age (for light work, full-time non-hazardous work), in hazardous conditions or in a slavery-like situation.

DO HOUSEHOLD CHORES PERFORMED BY CHILDREN IN THEIR OWN HOMES CONSTITUTE CHILD DOMESTIC WORK?

Household chores undertaken by children in their own homes, in reasonable conditions, and under the supervision of those close to them are an integral part of family life and of growing up, therefore something positive. However, in some cases, there might be concerns over certain situations where these workloads might interfere with the children’s education or be excessive, in which case they might be tantamount to child labour.

Children doing household chores in their own home, and children in domestic work (in a third party household) might perform similar tasks. However, in the first case, the employment element is missing; therefore, we should avoid referring to those situations as domestic work.



WHY IS CHILD DOMESTIC WORK A "HIDDEN" PHENOMENON AND WHY IS IT SO DIFFICULT TO TACKLE?

This phenomenon is often hidden and hard to tackle because of its links to social and cultural patterns. In many countries child domestic work is not only accepted socially and culturally, but is also regarded in a positive light as a protected and non-stigmatised type of work and preferred to others forms of employment – especially for girls. The perpetuation of traditional female roles and responsibilities, within and outside the household, as well as the perception of domestic service as part of a woman's "apprenticeship" for adulthood and marriage, also contribute to the persistence of child domestic work as a form of child labour.

WHAT ARE THE ROOT CAUSES OF THIS PHENOMENON?

There are many root causes of child domestic work, but in broad terms we can differentiate between "push and pull" factors. Among the first, there are poverty and its feminization, social exclusion, lack of education, gender and ethnic discrimination, violence suffered by children in their own homes, displacement, rural-urban migration and the loss of parents due to conflict and/or disease. Among the latter, we can talk about increasing social and economic disparities, debt bondage, in addition to the perception that the employer is simply an extended family and therefore offers a protected environment for the child, the increasing need for the women of the household to have a domestic "replacement" who enables more and more women to enter the labour market, and the illusion that domestic service gives child workers an opportunity for education.

WHAT ARE SOME OF THE HAZARDS THAT CHILD DOMESTIC WORKERS FACE?

The hazards linked to child domestic work are a matter of serious concern. The ILO has identified a number of hazards to which domestic workers are particularly vulnerable and the reason it may be considered in some cases a worst form of child labour. Some of the most common risks children face in domestic service include: long and tiring working days; use of toxic chemicals; carrying heavy loads; handling dangerous items such as knives, axes and hot pans; insufficient or inadequate food and accommodation, and humiliating or degrading treatment including physical and verbal violence, and sexual abuse. The risks are compounded when a child lives in the household where he or she works as a domestic worker. These hazards need to be seen in association with the denial of fundamental rights of the child, such as, for example, access to education and health care, the right to rest, leisure, play and recreation, and the right to be cared for and to have regular contact with their parents and peers. These factors can have an irreversible physical, psychological and moral impact on the development, health and wellbeing of a child.

THE ILO'S CHILD LABOUR CONVENTIONS No. 138 AND No. 182 AND THE CONVENTION No. 189 CONCERNING DECENT WORK FOR DOMESTIC WORKERS

The new Convention No. 189 compliments the provisions of the ILO Child Labour Conventions: Convention No. 138 on Minimum Age and Convention No. 182 on the Worst Forms of Child Labour.

Convention No. 189 explicitly states that member States of the ILO shall set a minimum age for domestic workers consistent with the provisions of Convention No. 138 and Convention No. 182, and not lower than the minimum age established by national laws and regulations for workers, in general.

Recommendation No. 201 reinforces this by calling for the identification, prohibition and elimination of hazardous domestic work by children, and for the implementation of mechanisms to monitor the situation of children in domestic work.

Children trapped in child labour in domestic work from a very young age are likely to have had no or insufficient access to education. At the same time, child domestic workers above the legal minimum age have a reduced chance of continuing with education. Convention No. 189 calls on member States to take measures to ensure that work performed by domestic workers under the age of 18 and above the minimum age of employment does not deprive them of compulsory education, or interfere with opportunities to participate in further education or vocational training.



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WHAT IS THE SOLUTION TO END CHILD LABOUR IN DOMESTIC WORK AND TO PROTECT YOUNG WORKERS OF LEGAL WORKING AGE?

There is no magic recipe; the problems posed by child labour in domestic work and to protect young workers of legal working age require a complementary approach in different domains and at different levels, including:

- developing statistical visibility and further enhancing knowledge on child domestic work to better capture child labour and youth employment in domestic work;
- awareness-raising and advocacy to transform social attitudes and to address the widespread acceptance of child labour in domestic work and the beliefs amongst employers and parents that these situations represent a protective and healthy environment for children – especially girls;
- promoting the ratification and implementation of the child labour Conventions No.138, No. 182 and of Convention No.189 concerning decent work for domestic workers;
- taking legislative and policy action to end child labour and to protect young workers in domestic work:
 - setting a clear minimum age for domestic workers not lower than that established for workers generally;
 - identifying types of hazardous domestic work for children;
 - regulating the working and living conditions of domestic workers, with special attention to the needs of young domestic workers. This should include strict limits on hours of work, the prohibition of night work, restrictions on work that is excessively demanding, and monitoring mechanisms on working and living conditions;
 - adoption of appropriate penalties;
 - provision of complaint mechanisms;
 - facilitation of access to justice and legal redress;
 - effective labour inspection that is authorized by law to enter premises in order to enforce provisions applicable to domestic work.
- paying attention to child migrants vulnerability to abusive working conditions in domestic work;
- formalizing the employment relationship in domestic work through written contracts / model employment contracts;
- enhancing the role of the social partners and extending freedom of association and effective recognition of the right to collective bargaining in domestic work, including the recognition to young domestic workers of legal working of the right to join or form unions;
- enlisting the support of employers of domestic workers;

- providing support to child domestic workers against child labour and for decent youth employment;
- supporting the worldwide movement against child labour;
- engaging with child domestic workers as agents for change;
- joining forces to promote decent work for all: Better together.

WHO DOES WHAT?

Cooperation is fundamental to effective action to eliminate child labour in domestic work, to protect young workers from abusive working and employment conditions and to promote decent work for all domestic workers. Governments at large, workers and employers' organizations, civil society groups, and international organizations have played and continue to play a vital role in giving greater visibility to the issues and problems of domestic workers.

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