



# *Social Security for Domestic Workers in Latin America*



- Executive Summary -



Federación Internacional  
de Trabajadoras del Hogar



Women in Informal Employment:  
Globalizing and Organizing

Paid domestic work is an occupation that has historically faced discrimination. This situation has been socially normalized and has even been long supported by regulations that granted fewer rights to domestic workers and condemned them to precarity.

Over the last decades, organized domestic workers' struggle has led to legal reforms in many countries, which allowed for the recognition of their labour rights. These demands and efforts were strengthened in 2011 due to the adoption of the International Labour Organization (ILO) Domestic Workers Convention (No. 189). This Convention has been ratified by 13 of the 15 countries under analysis<sup>1</sup>: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, Mexico, Nicaragua, Panama, Paraguay and Peru<sup>2</sup>.

Even though important advances have been made, discrimination remains under the regulations of some countries. In addition, even in the countries in which legal protection has improved, compliance gaps are wide. That is, in practice, many domestic workers continue not to enjoy their rights.

Access to social security is a very frequently violated right. This is not irrelevant since there are many guarantees and benefits related to this right. In addition, when employment relationships are formalized through social security registration, other rights are more likely to be respected. According to available figures, in 2019, 7 out of 10 domestic workers in the region<sup>3</sup> (72.3%) were informally employed. This means that they lacked effective social security coverage derived from their employment relationship (ILO 2021).

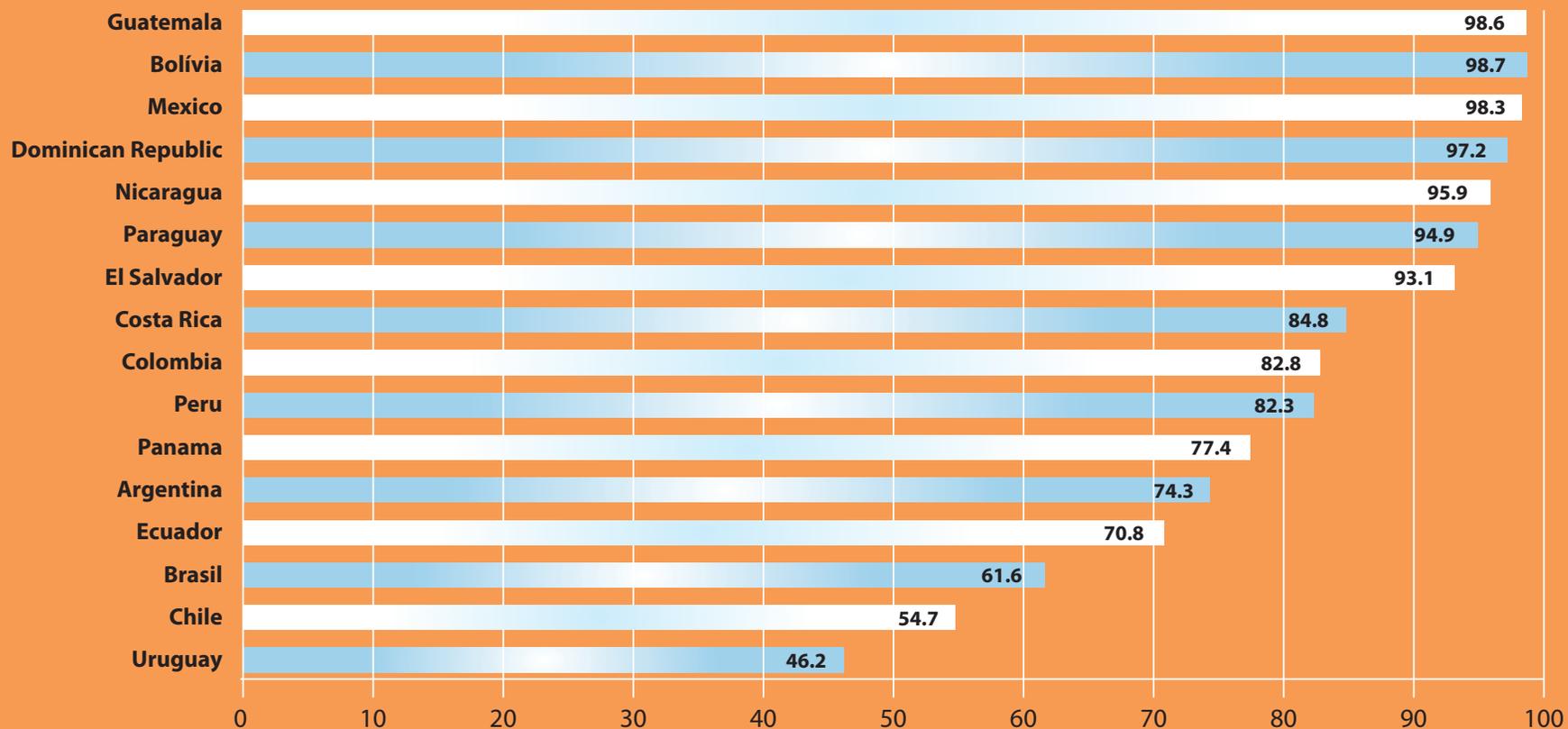
Figures by country show how precarious the social security situation is. In 7 of the 15 countries under analysis, more than 9 out of 10 domestic workers were informally employed in 2019: Guatemala, Bolivia, Mexico, the Dominican Republic, Nicaragua, Paraguay and El Salvador. Brazil and Chile show lower informality rates and thus higher social security coverage rates (Chart 1).

1. This report analyzes 15 Latin American countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Paraguay and Peru.

2. As of June 2022.

3. Latin American and Caribbean countries.

Chart 1. Proportion of Domestic Workers in Informal Employment (2019)



Source: OIT 2021.

In the 15 countries under analysis, domestic workers must be registered with the social security system. However, in many cases, the protection provided by regulations is insufficient. As explained below, on some occasions, legislation directly discriminates against domestic workers by establishing voluntary systems or granting fewer benefits. In addition, there are also cases where, even though regulations do not directly discriminate against domestic workers, the lack of regulation and specific rules prevents them from enjoying these rights. Finally, the requirements, conditions and procedures set forth in the relevant regulations are usually not in line with the reality of domestic workers' work relationships. Therefore, enforcement is impossible.

These formal limitations partially account for the exclusion of domestic workers from social security coverage. However, other factors also need to be considered in order to explain the reason why a compliance gap still exists. On occasion, even though the right to social security coverage is granted and conditions for enjoying such right exist, it is not respected. The lack of adequate oversight and punishment mechanisms and the insufficient efforts made to promote coverage also account for this situation.

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### *Registration is Mandatory, at Least in Theory*

In some countries around the world, domestic workers are excluded from social security coverage altogether. That is, this right is not granted under the relevant regulations. This is not the case in the region. As already stated, the laws of the countries under analysis do grant this right to domestic workers. However, as explained below, some countries impose limitations.

In 14 of the 15 countries under analysis, coverage is mandatory for domestic workers. Only in El Salvador coverage is voluntary. In practice, under voluntary regimes, only a few domestic workers have social security coverage. In this case, coverage depends on the willingness of each employer. In addition, domestic workers are at a disadvantage since, in practice, it is them who must request their employers to have them registered.

In Guatemala, the situation regarding mandatory coverage is ambiguous. In this country, registration is mandatory under the rules of the Special Programme for the Protection of Domestic Workers (PRECAPI). However, in practice, registration only applies in Guatemala Department (ILO 2021).

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## *Fewer Rights Are Granted under Special Regimes*

In most of the countries under analysis (in 12 of them), domestic workers are included into general social security systems. This is a positive measure, since it means that domestic workers are included into the same system as other workers. In fact, their inclusion into special regimes usually means fewer rights and benefits for them. The three countries that have special systems for domestic workers are El Salvador, Guatemala and the Dominican Republic.

In El Salvador, the special system prevents domestic workers from accessing disability allowances and funeral payments and from registering spouses or partners as beneficiaries. In addition, the minimum contribution period required to receive some of the medical services is 6 months, whereas it is 3 months under the general system. In addition, they also do not have access to contributory pensions (Schwarzer, et al. 2020).

In Guatemala, on the other hand, the PRECAPI only covers maternity benefits, employment injury benefits and healthcare for healthy children. It does not cover other benefits such as medical care or pensions, which are recognized under the general social security system. In addition, the recognized benefits are of low quality in practice<sup>4</sup>.

Finally, in the Dominican Republic, in August 2022, the National Social Security Council approved a resolution<sup>5</sup> under which a Pilot Plan was created in order to include domestic workers into the social security system by means of their registration with the Subsidized Contributory System.

4. Interview with Floridalma Contreras, Domestic, Similar and Independent Workers' Union (SITRADOMSA).

5. Resolution No. 551-08.

Table 1. **Inclusion of Domestic Workers into Social Security Systems**

<b>General system</b>	Brazil, Bolivia, Colombia, Chile, Ecuador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, Argentina, and Costa Rica
<b>Special differentiated system</b>	El Salvador (Special Healthcare and Maternity System for Domestic Workers) Guatemala (PRECAPI) Dominican Republic (Subsidized Contributory System)

Source: Prepared by the author of this report on the basis of the regulations in force in the countries.

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## ***Benefits under Social Security Systems***

Social security coverage comprises different branches providing for assistance and benefits in order to protect persons from various risks and situations. Social security coverage should comprise at least the following nine branches<sup>6</sup>: medical care, sickness benefit, employment injury benefit, maternity benefit, old-age benefit, invalidity benefit, survivors' benefit, unemployment benefit and family benefit.

Domestic workers may not have access to all branches due to different reasons. In some cases, the social security systems of certain countries do not provide full protection to other workers either. That is, they show limitations compared to international social security standards. In other cases, domestic workers are explicitly excluded from some benefits. In such cases, against the provisions of Convention No. 189, domestic workers enjoy conditions that are less favourable than those applicable to other workers.

6. Social Security Convention (No. 102) (Minimum Standards).

Out of the 15 countries under analysis, only three grant the right to all social security branches to domestic workers: Brazil, Chile and Colombia.

It should be noted that only a few countries in the region grant unemployment benefits: Argentina, Brazil, Chile, Colombia and Ecuador. Mexico City also offers this protection (Casalí, Cetrángolo and Pino 2020). In Brazil, Chile, Colombia and Ecuador, domestic workers also enjoy this benefit<sup>7</sup>.

After unemployment benefits, family benefits are the less commonly recognized. In this case, seven countries do not offer these benefits: Ecuador, Guatemala, Peru, Paraguay, Panama, El Salvador and Bolivia.

In other three countries (Bolivia, El Salvador and Guatemala) domestic workers do not enjoy benefits that are considered as long-term benefits or pensions (old age, invalidity and survivors' benefits). In these three countries, domestic workers are being discriminated against, since such benefits are granted to other groups of workers. In Bolivia and El Salvador, domestic workers are not explicitly excluded by law. However, the lack of mechanisms for their inclusion results in this discriminatory situation.

Access to pensions depends on contribution periods and amounts. Since domestic workers have long been excluded from social security coverage, contribution periods are usually short. In addition, their very low wages prevent them from making large contributions. Therefore, in many cases, they do not have pension rights or the amount received does not cover their basic needs.

As regards employment injury and occupational disease benefit, two countries (El Salvador and Panama) do not grant this right to domestic workers. In both countries, this benefit is granted to other workers.

Guatemala and El Salvador do not grant the right to sickness benefits either. That is, unlike other workers, domestic workers do not have the right to be paid when they suffer from a sickness that prevents them from working.

As stated above, in Guatemala, benefits are limited to only the few contingencies covered by the PRECAPI. This is the only country that does not provide medical care to domestic workers.

7. Data for Argentina is not available.

Finally, it should be noted that all of the countries under analysis grant maternity benefits to domestic workers. However, in some of these countries, the periods of maternity leave established are less than the minimum 14-week leave set forth in Convention No. 183: Argentina, Bolivia, Ecuador, Guatemala, Mexico and Nicaragua.

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## *Conditions and Requirements that Do Not Suit the Characteristics of Domestic Work in the Region*

Even where social security registration is mandatory by law, it is sometimes not mandatory in practice. That is, the fact that registration is mandatory is less important where registration requirements and conditions cannot be met in practice.

Working time and wages are the conditions that most frequently limit access to social security coverage. As regards working time, in Brazil, daily workers (those who work two days per week or less) are not protected under Lei Complementar No. 150, which governs domestic work (DIEESE 2020). In Panama, the General Regulations on Registration with the Social Security Fund (CSS) explicitly exclude persons who “provide domestic services less than three (3) days per week to a single employer” (Section 61).

In Bolivia<sup>8</sup>, El Salvador<sup>9</sup> and Guatemala<sup>10</sup>, contribution bases are calculated on the basis of an amount similar to full-time minimum wages. In Brazil, until 2020, the amount of contributions depended on wages earned. However, after a reform adopted in 2020<sup>11</sup>, contributions made out of earnings lower than minimum wages are not taken into account in calculating the contribution period.

8. Section 4 of Executive Order No. 4589.

9. Section 6 of the Regulations on the Creation and Implementation of a Special Healthcare and Maternity System for Domestic Workers

10. Section 71. Agreement No. 1235.

11. *Decreto Nº 10.410, de 30 de junho de 2020. Altera o Regulamento da Previdência Social, aprovado pelo Decreto no 3.048, de 6 de maio de 1999*

In Mexico, both the model implemented during the pilot plan devised by the Mexican Social Security Institute (IMSS) and the regulations approved by the Senate<sup>12</sup> in March 2022 have important limitations. The regulations approved by the Senate do not explicitly exclude part-time domestic workers from social security coverage. However, where domestic workers earn less than minimum comprehensive wages, coverage is provided only for the days reported by the employer (Section 239-C). In other words, they have partial social security coverage, only for the days worked, which is of low quality.

### Systems that Attempt to Account for the Specific Characteristics of Paid Domestic Work

Some of the countries in the region, such as Chile, Argentina, Colombia, Ecuador, Costa Rica and Paraguay, have registration schemes that give more careful consideration, at least in theory, to the distinctive features of paid domestic work. These countries have coverage systems that allow for coverage for part-time workers under different conditions and with different outcomes.

In Colombia, the system for registering part-time domestic workers is aimed at domestic workers who work less than 30 days per month (Section 3 of Executive Order No. 2616). However, from domestic workers' viewpoint, this system has not greatly increased the possibility of obtaining coverage. The system is not flexible enough for contributions to be based on actual working time<sup>13</sup>.

Similarly, contributions for part-time workers are possible in Ecuador. In this country, the minimum contribution base is calculated on the basis of days worked, which guarantees that the amount is proportional to minimum wages. However, contributions towards healthcare and maternity benefits must be calculated on the basis of minimum wages (Ecuador, Ecuadorian Social Security Institute -IESS- n.d.). According to domestic workers, coverage for workers who work fewer hours than part-time workers is not provided in practice. In addition, adding contributions from different employers is not possible<sup>14</sup>.

As in the case of Colombia and Ecuador, in Paraguay, registration of part-time domestic workers with the Social Security Institute (IPS) has also been possible since 2019. In the case of domestic workers, working time required for registration is between 16 and 32 hours per week (Section 2 of Resolution No. 2660/2019). Domestic workers' opinion on this system is not favourable either. In particular, they state that, under the proposed system for contributions for part-time workers, receiving a pension will not be possible in practice<sup>15</sup>.

12. Resolution by the Joint Labour and Social Security, Gender Equality and Legislative Studies Commissions (second reading), approved with amendments, on a draft executive order amending, adding and repealing several provisions of the Social Security Law governing the rights of domestic workers.

13. Entrevista a Claribed Palacios, União Afrocolombiana de Trabalhadoras Domésticas (UTRASD).

14. Lenny Quiroz, União Nacional de Trabalhadoras domésticas e Afins (UNTHA).

15. Interview with Claribed Palacios, Afro-Colombian Domestic Workers' Union (UTRASD).

Argentina, Chile and Costa Rica have had better experiences. In Argentina, the approval of the Special Regime Governing Employment Contracts of Domestic Workers in 2013 allowed for the inclusion of all domestic workers into the social security system. Before such regime, only domestic workers who worked at least 6 hours per day had this right (Messina 2015).

In Chile, both full-time and part-time domestic workers may be registered. In this case, contributions are calculated on the basis of the days and hours worked and actual earnings under the employment contract (Chile, Social Security Institute -IPS- 2022).

In 2017, Costa Rica approved regulations providing for a range of Reduced Minimum Contribution Bases that apply where wages are lower than the regular Minimum Contribution Base (BMC) (ILO, n.d.). In addition, under the new system, contributions from different employers may be added together in order to reach the minimum amount, prior coordination between employers not being necessary (ILO, n.d.).

### **Intermediary Agencies: An Option that Adversely Affects Domestic Workers and Fails to Improve Social Security Access**

Intermediary agencies in the region are not new, including intermediary agencies in the domestic work sector, although they have not been quite relevant to date. While there are scarce figures accounting for this issue, domestic workers in the region believe that this way of working has been gaining momentum over the past few years owing to the increased use of new technologies, such as apps.

Sometimes, these companies are seen as a solution to the difficulties found in registering workers for social security benefits. However, in practice, these companies dilute responsibilities as to who should guarantee workers' rights. Organized workers in the region are also saying that there are no regulations or legal avenues in their countries that allow for a proper oversight of these agencies. In addition, these companies seek profit rather than to defend and guarantee the rights of domestic workers. In practice, domestic workers say that those retained through intermediary agencies work in poor conditions and are worse paid.

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## *Complex Procedures are Another Barrier*

Burdensome and time-consuming procedures may discourage registration. They require employers and domestic workers to invest a lot of time and effort. In addition, lack of flexibility is also a problem. For instance, in many cases, the possibility of e-filing submissions is an advantage. However, where this is the only option, it may also be an obstacle in the cases in which platforms are not user-friendly and users are not familiarized with this technology.

In some countries, including Argentina, Brazil, Chile, Costa Rica and Peru, submissions can be e-filed (ILO 2021). In Costa Rica people can choose to carry out these procedures either online or in person.

In Peru, domestic workers say that the recent reform has made registration more complex. The platform is reported not to be user-friendly and to have not worked correctly during the first months of implementation<sup>16</sup>.

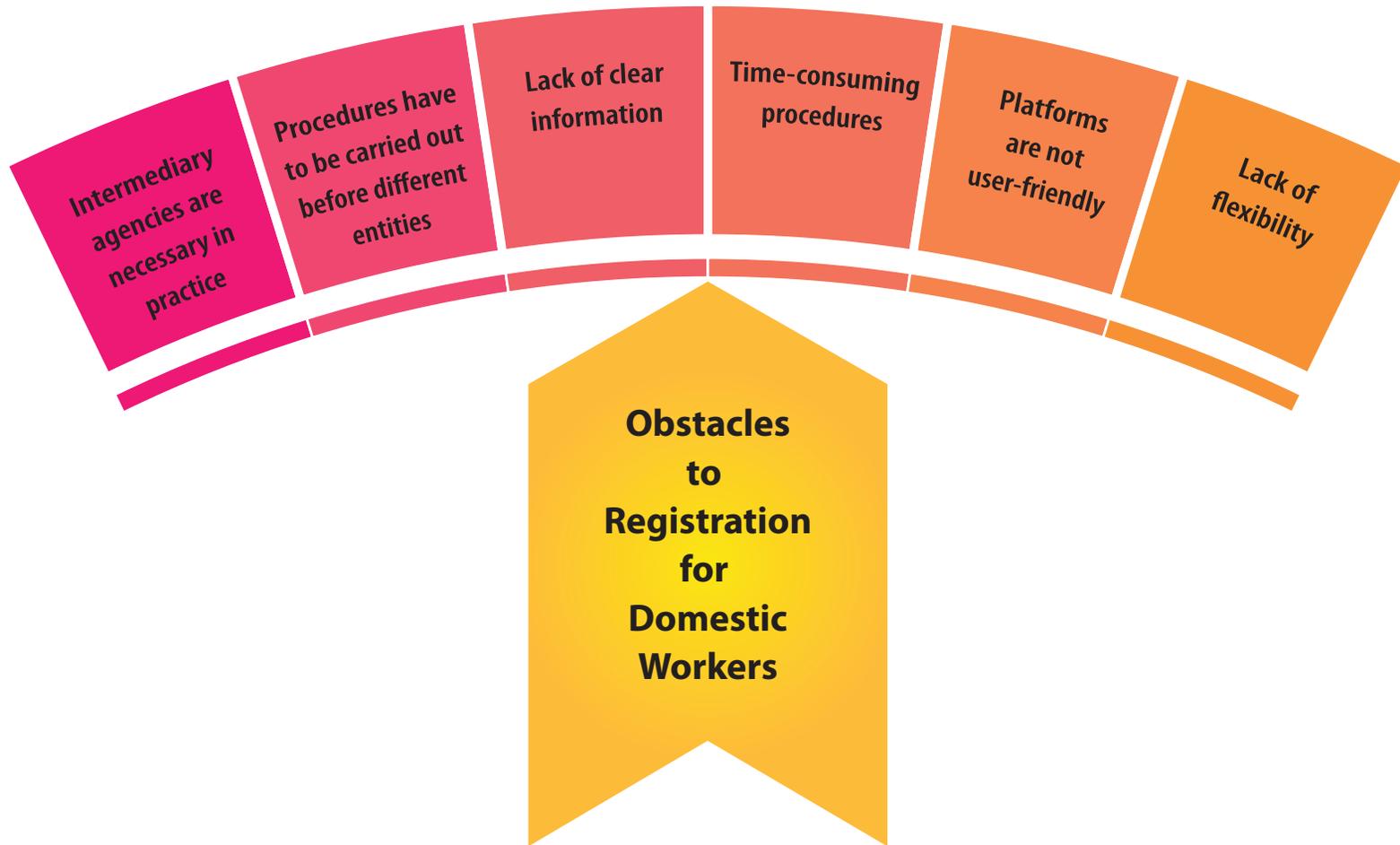
On a different note, besides digitalization, procedures may also make registration more complex. The case of Colombia is a case in point. In this country, the different existing benefits are paid through different entities, so employers have to follow registration procedures with different entities. Then, payments are made using the Integrated Contributions' Worksheet (PILA). This is a highly complex system, which sometimes drives employers, where possible, to include domestic workers on other payrolls<sup>17</sup>.

These difficulties have led to the creation of a market niche for intermediary entities, which offer employers the service of carrying out these procedures. The mere fact that these platforms exist lays bare the shortcomings of the Government in promoting formal registration of domestic work, as the Government has failed to guarantee accessible registration mechanisms for the people who need them.

16, Carmen Almeida and Marcolina Infante, Domestic Workers' Union of Lima (SINTTRAHOL), Peru.

17. Claribed Palacios, UTRASD.

Figure 1. Procedural Obstacles to Registration



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## *Strengthening Oversight Mechanisms: A Pending Matter in All Countries*

Inspection mechanisms are key to guaranteeing access to social security. When there is a lack of oversight mechanisms to control regulatory compliance and impose some sort of penalty when necessary, registration ceases to be mandatory in practice. In other words, even if social security registration is mandatory under the law, it is not so in reality if there are no mechanisms enforcing regulatory compliance.

The case of Guatemala is a case in point. As already mentioned, in Guatemala, registration is mandatory, as established under the rules of the PRECAPI. Nevertheless, the Guatemalan Social Security Institute does not have any tool enabling measures against those who fail to comply with this obligation (ILO 2021).

It has been reported by SINACTRAHO that the situation is similar in Mexico. Both the pilot plan implemented by the IMSS and the proposed regulations approved by the Senate governing this matter lack inspection procedures or penalties to be applied in cases of non-compliance (SINACTRAHO 2021).

When it comes to paid domestic work, there are some specific challenges to oversight. The fact that the workplace is a household gives rise to limitations faced when carrying out inspection procedures. The right to privacy enjoyed by households prevails, so, in most cases, inspections cannot be carried out of the inspector's own accord, but rather a warrant is necessary for an inspection to be carried out upon a complaint. This puts domestic workers in a more vulnerable situation.

Driving changes to modify this is not easy, as this view is still quite rooted in all the countries of the region. Yet, this aspiration should be maintained at least as a long-term goal. In order for this to happen, the role of households as workplaces should be recognized when it comes to the hiring of domestic work.

Some countries of the region have advanced the implementation of alternative oversight models, whereby inspection should be carried out without necessarily entering households. Among the countries under analysis, Chile has developed an alternative mechanism of such kind. The Chilean National Directorate for Labour may request permission to enter a household to verify compliance with labour regulations. If entry into the household is not allowed, the employer will be required to appear before the Labour Inspection Office and may be fined upon failure to appear (Chile, Directorate for Labour 2021). This strategy has great potential and has proved

useful in other countries, including Uruguay. However, workers in Chile believe that the strategy as applied in the country falls short, as it fails to substitute on-site inspections, which enable the effective verification of working conditions<sup>18</sup>.

When robust oversight mechanisms are lacking, other indirect strategies may also contribute to turning the spotlight on the working conditions of domestic workers. One of these strategies is establishing the mandatory registration of contracts of employment or work relationships. This measure also puts employers under the obligation to recognize the work relationship before an agency. Furthermore, it raises awareness among employers on the obligations arising from hiring domestic workers. It also allows oversight agencies to control whether the working conditions agreed upon under the contract are in keeping with the law and provides the necessary information to follow up on the work relationship. This registration is required in countries such as Argentina, Bolivia, Brazil, Chile, Ecuador, Peru and the Dominican Republic (ILO 2021).

Figure 2. **Oversight-related Shortcomings and Strategies**



18. Interview with María Cotal, National Federation of Domestic Workers' Unions (FESINTRACAP).

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## *Active Promotion of the Right to Social Security for Domestic Workers*

Some countries take action for the promotion of domestic workers' right to social security coverage. Specifically, they implement incentive strategies and conduct information and awareness-raising campaigns.

Incentives seek to make registration more appealing through additional benefits granted both to employers and workers. Argentina stands out due to the variety of actions taken over time. This country offers tax deductions to employers (Argentina, Ministry of Labour, Employment and Social Security 2022) and public transportation discounts to domestic workers (Argentina, Ministry of Transport 2022). In addition, since 2021, Argentina has taken on the payment of part of domestic workers' wages in return for registration<sup>19</sup> under the programme known as "Registradas". It also promotes that workers be paid through banks (Argentina, Ministry of Women, Gender and Diversity 2022).

Information and awareness-raising campaigns that provide information on domestic workers' right to social security, registration procedures and the benefits of social security coverage are quite necessary as well. Many efforts have been carried out along these lines in the countries of the region. While this responsibility should be taken on by governmental agencies, it is usually organized domestic workers who take it on because there is no government commitment.

This type of efforts should also entail creative approaches beyond the preparation of printed and audiovisual material. In this regard, the efforts carried out recently in Argentina and in the state of Jalisco in Mexico should be noted. In both cases, a strategy has been implemented whereby letters are sent to social groups or neighbourhoods that have many employers of domestic workers, urging them to register their employment relationships (ILO 2021 and Government of the state of Jalisco 2022).

19. The programme targets employers registering new work relationships and domestic workers. Employers are under a duty to keep domestic workers employed for four months after the benefit has expired. The programme is currently in force until December 2022

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## *Migrant Women: Domestic Workers who Face More Barriers*

If access to social security is not certain for most workers of the region, it is all the more so for some groups of domestic workers in a situation of greater vulnerability, such as migrant workers. In the LAC region, several countries play an important role as destinations for migrant domestic workers. Some of the highest-ranking countries among the 15 countries under analysis are Argentina, Chile, Costa Rica and the Dominican Republic.

For migrant domestic workers, regularizing their migration status is an additional requirement to access social security. In countries such as Costa Rica, there are several difficulties in regularizing a migrant's status, including the high costs incurred in the procedure or the difficulties faced in trying to obtain documentation from the worker's country of origin. Thus, regularizing a worker's migration status is not possible sometimes. Furthermore, in the case of domestic workers, work permits are employer-specific. That is, if a domestic worker is dismissed or wants to change employers, they will have to apply for a new permit (Gil Everaert 2021).

The portability of social security benefits, that is, the possibility of transferring social security contributions from the worker's country of destination back to the worker's country of origin, may also be a determining factor for migrant workers. In the absence of this possibility, workers lose their accumulated benefits when they have to return to their country of origin. Also, this may disincentivize registration, since there is a perception that contributions are being paid for benefits, including retirement benefits, which workers will not be able to enjoy.

The lack of bilateral or multilateral mechanisms among countries is one of the main barriers to the possibility of transferring social security contributions (Maldonado Valera, Martínez Pizarro and Martínez 2018). Conversely, sometimes, even if agreements among countries exist, implementing portability is complex in practice (Maldonado Valera et al. 2018, p. 43).

Some best practices in this field have been developed on a sub-regional level. For instance, let us take the case of MERCOSUR, made up by Argentina, Uruguay, Brazil, Paraguay and Venezuela. The MERCOSUR Multilateral Agreement on Social Security grants people working or who have worked in any of the States Parties access to the portability of social security-related rights (ILO 2021).

Figure 3. **Obstacles Faced by Migrant Domestic Workers**



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## *An Analysis of Some of the Efforts Carried Out Regionally to Guarantee Domestic Workers' Right to Social Security*

### **The Case of Uruguay: A Best Practice that Delivered Good Outcomes**

Even though Uruguay is not among the countries under analysis, it is particularly important in this field. On a regional level, Uruguay has been a trailblazer in equating domestic workers' rights to the rights of other workers.

As in most countries of the region under analysis in this report, social security registration for domestic workers is mandatory in Uruguay. Contributions are paid in proportion to wages, but in the case of healthcare coverage they must be calculated on the basis of a minimum threshold. In this case, there is a requirement of at least 13 days or 104 hours of monthly work or wages equal to or in excess of 1.25 points in the Uruguayan Benefit and Contributions Base index (BPC). These requirements may be met by adding up wages from different jobs (ILO 2013 and the Uruguayan Social Security Bank, BPS, 2022).

As stated above, Uruguay has managed to make progress on oversight matters. There, work inspections may be carried out in households believed to have domestic workers hired. Inspections may be carried out inside the household upon request or at the doorway. Since these are households, inspectors cannot enter without the permission of the house owner.

In any case, inspections can be carried out from outside the household by questioning the worker at the door and asking the employer for the necessary documents to verify whether the employer is in good standing with respect to their obligations. Specifically, employers are required to show proof of registration with BPS and the Uruguayan State-owned Insurance Bank (BSE), plus proof of payment of wages, annual leave benefits and complementary annual salary benefits. If the worker is a migrant, inspectors will also ask to be shown a Uruguay-issued identity document or a provisional authorization for the migrant to be able to have a paid job in the country issued by the National Directorate for Migration (ILO 2013). **It should be noted that Uruguay is the country with the lowest rates of informal domestic work in the region.**

As demonstrated by the analysis carried out above, many are the countries that have carried out efforts in the past few years to promote access to social security coverage for domestic workers. However, in spite of the fact that there may exist similar characteristics (e.g., the possibility of part-time registration, registration with lower contribution bases, multi-employer registration, etc.), the outcomes have been different.

First, it should be noted that the rates of lack of compliance and informal employment are greater in all countries with respect to domestic workers than with respect to workers in general. Nevertheless, in countries where rates of social security registration of the working population overall are higher, numbers account for greater access to social security by domestic workers as well. For instance, Uruguay is the country with the highest rates of social security contribution coverage in the region considering the working population overall (78.1%). Likewise, it is the country with the lowest rates of informal domestic work (46.2%).

In another vein, the available data also shows that the footing based on which countries took action was unequal when they adopted regulations to equate the rights of domestic workers with the rights already enjoyed by people working in other occupations or when they carried out reforms or efforts to promote social security coverage. For instance, in Uruguay, in 2006—when new regulations on domestic work were passed—, 67% of domestic workers did not have their social security contributions in good standing (Uruguay, General Advice on Social Security Matters 2021). In turn, in Argentina, in Q4 2012—a few months before Law No. 26,844<sup>20</sup> was passed—, the rate of unregistered domestic work was 84% (Argentina, Ministry of Labour, Employment and Social Security n.d.).

Another factor which may be influencing a slower progress of the efforts to promote registration is the fact that working hours are quite short in some countries. Weekly working hours below 20 hours are particularly frequent in Argentina. There, almost half of domestic workers work hours like these. Another key aspect when trying to understanding the barriers that prevent the efforts promoting increased coverage from succeeding is how strong the culture of non-compliance still is in some countries.

20. Law No. 26,844. Special Regime Governing Employment Contracts of Domestic Workers.

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## *Moving Towards Social Security Systems that Include Domestic Workers*

As evidenced by the regional scenario, social security systems do not provide adequate protection to domestic workers. This is the result of laws that, in some cases, explicitly discriminate against domestic workers and, in other cases, do not account for the distinctive features of domestic work. This is in addition to the lack of mechanisms and political will to guarantee compliance with the law. Therefore, moving towards social security systems that do include domestic workers requires a combination of strategies involving amendments to laws and regulations, oversight actions and intensive information and awareness-raising efforts.

Social security coverage for domestic workers requires systems adapted to their reality. Domestic work is an occupation in which work on an hourly basis and multiple employers are very frequent. Lifting the minimum working time and wages barriers to registration and enabling coverage by multiple employers is an important step towards this goal. These conditions adapted to domestic workers' reality should not be associated with fewer rights and benefits. Under any new modalities, alternative funding sources should be considered in order to guarantee full social security coverage.

Registration procedures and requirements should also be reviewed. Guaranteeing that procedures are simple and quick is a responsibility that lies with States, which should be possible without having to invest a great number of resources.

In addition, even where appropriate regulations are in force, oversight is key to guaranteeing compliance. As already mentioned, inspection in the case of domestic work poses particular challenges, because it must be carried out in households. In this regard, there is an urgent need to conduct a deeper analysis on alternative inspection strategies, such as the one implemented in Chile. It is also necessary to promote efforts to develop new oversight strategies that meet the existing challenges.

Lastly, it should be noted that any successful strategy will require the active involvement of domestic workers' organizations in both development and implementation and assessment processes.

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