

The Use of ICTs by Domestic Workers and Domestic Worker Organisations

by Philippa Smales

Domestic workers, the single largest employment category for women in Asia, are largely not unionised, poorly paid, lack holiday pay, sick leave, days off, minimum hours, retirement benefits, occupational health and safety standards and are often subjected to harassment and exploitation. The fact that their work is isolated and rarely recognised by governments as “work” has made it extremely difficult to organise domestic workers and collectively progress their labour rights. As new information communication technology (ICT) becomes more accessible, organisations and unions have begun to tap into the potential of these modern forms of communication to mobilise and educate domestic workers.

The right to organise

Asia has more than 50 million migrant workers of which more than half are women, a large number of them domestic workers. Domestic work is under-paid with poor conditions, as they are rarely included in national labour laws and lack the legislative and collective protection other workers enjoy.¹ One of the major barriers

to strengthening women domestic worker rights and labour conditions is the restrictions and barriers to collective organising. The ability to form and join trade unions is a civil and political right recognised in the Universal Declaration of Human Rights. Freedom of association is also included in the International Labour Organisation’s (ILO) recently proposed



Domestic workers gathering during United for Foreign Domestic Workers' Rights (UFDWR) (of which APWLD is co-secretariat) One Paid Day Off a Week Campaign launch in Thailand, November 2007.

Photo from www.ufdwrs.blogspot.com

convention and recommendation on domestic workers.² Unions provide an important voice in policy and legislative debates, and are a major avenue for civic and political participation, but one that is rarely available to domestic workers. To deny workers the right to collective action is to deny them the opportunity to claim and advance their human rights.

Unlike work in factories or offices, domestic work is usually done in isolation and in the private sphere. The isolation of domestic workers is compounded by the fact that many of them are live-in, especially migrant workers. When the domestic worker lives in the place of employment, employers have the power to control the workers autonomy, mobility and communications with the outside world. The employer in most receiving countries routinely holds immigration documents and passports.³ Unlike in a factory, a shop or even a brothel, those who work in private household do not have other workers in which to gain information or support from. The lack of a common employer hinders domestic workers to organise and fight collectively for their rights. Domestic workers in their own country may be able to search for and contact those who may represent them, but for migrants, the language barriers alone may make this knowledge impossible to gain.

There are three basic levels of collective representation for women migrant domestic workers. The most basic level is an informal group, network or workers' cooperative. These

grassroots self-organised associations are the most common way for information sharing, education and for domestic workers to be linked to others in the area. Women tend to feel more confident in joining these grassroots groups, which tend to be socially or culturally based. They tend to meet irregularly and are based at a particular location such as at a park, church, playground, city landmark or outside of a school. In Singapore, for example, Filipino Domestic Workers tend to congregate in Lucky Plaza shopping mall complex, and in Hong Kong, Indonesian domestic workers spend their days off in Victoria Park. Their effectiveness and level of advocacy tends to depend on how well connected the associations are with more formal groups and support networks.

The second level is the informal unions and more structured organisations. These are common where domestic workers are restricted from forming or joining registered trade unions by national laws, such as in Taiwan.⁴ These organisations tend to be more organised and connected to other services, NGOs and similar worker based organisations and will have offices with volunteers and maybe even some professional staff. The most structured level is the legally registered trade union, such as the Filipino Migrant Workers Union, the Indonesian Migrant Workers Union, and the Asian Domestic Workers Union, all in Hong Kong where laws permit migrant domestic workers to register unions. In other countries there are unfortunately quite few formed by and for domestic workers, but there are some that are formed by migrant workers engaged in more "formal" forms of work such as manufacturing, that allow membership of domestic workers. Even in these, membership levels are still low because of the isolated nature of domestic work and the traditionally male-orientated nature of unions.

Organising and the use of ICT

At all levels of organising, the isolation and physical control of domestic workers is the main barrier to participation. Organisations and unions have therefore begun to use technology

to overcome the separation and isolation of domestic workers. While isolated physically, ICTs provide some opportunities to create virtual solidarity. Preliminary research by the Asia Pacific Forum on Women, Law and Development (APWLD) has highlighted that ICTs allow migrant domestic worker unions to lobby governments of both countries of origin and destination, document abuse and inform the public of rights violations across national borders.⁵ Mobile phones, in particular, are a key part of communication for domestic worker organisations. They are extremely important for the grassroots self-organised associations to keep in touch with their members. As handsets and pre-paid subscriber identity module (SIM) cards became cheaply available, they also became accessible for migrant domestic workers who may be otherwise restricted in their communications to the outside world.

In 2008, there was an intensive campaign by Indonesian domestic worker organisations that led to the withdrawal of the SE2258/2007 policy prohibiting domestic workers in Hong Kong to change employment agencies within the first two years of employment.⁶ This particular organising was achieved mostly through the use of mobile phones and was publicised on the internet through blogs and sites such as YouTube.⁷ The use of ICT in that case decreased the isolation

issue of control. As many employers control the domestic workers' day to day lives, they are forced to hide their mobile phone usage. Employers dislike their domestic workers owning a mobile phone as they are concerned that it may distract them while they work.⁸ Domestic workers protect their mobile phone usage through various methods, including only using the text function, keeping the mobile hidden and on silent and by restricting use to late at night.⁹ On the flip side, some employers encourage mobile phone use and may supply a phone. However, again the motive is control over their employee, as the phone is used as a way to track the movements of the domestic worker and to ensure that they are available at all times. Personal use of the mobile may be restricted and monitored. Employers are not the only ones controlling migrant domestic workers access to ICT, there are also reports of recruitment agencies confiscating mobile phones.¹⁰

One way to protect the use of mobile phones is to include into standard contracts the right of the domestic worker to possess and use a personal mobile phone as a part of their general right to outside communication. The low costs and availability of purchasing and topping up mobile phones in most countries has made basic mobile phones affordable to most migrant workers. Enforcing employers to supply mobile phones would potentially lead to increased restrictions of their use and in the employer using the phone as a monitoring method, as mentioned above.

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and allowed for the effective organising and civil participation of domestic workers. Further research needs to be conducted to reveal the full extent to which ICT can be utilised in order for women to claim their labour rights.

Concerns and Challenges

The main concern and challenge to organising domestic workers through the use of ICT, is the

In terms of internet usage, access and control is also an issue. Internet use on mobile phones is costly and requires more expensive technology. Where domestic workers are able to have internet use within the employers' household, they may be monitored. Also employers may not allow them the time for internet use outside of the home, such as in cybercafés. In this case the right of the worker to a regular day off is crucial in their access to this technology.

As mobiles and other ICTs are utilised by migrant domestic worker organisations and unions to arrange protests and demonstration in the streets, such as in Hong Kong, governments

also could see the technology use as a threat. As noted above, in many countries migrant workers and, also domestic workers, are not included in legislation that protect the right to organise. Therefore, rather than protecting mobile and internet use by migrant workers, the government could begin to restrict access to these technologies. For example, by limiting their availability, increasing the relatively low cost of pre-paid SIM cards and by monitoring blogs and activity on the internet. In some areas of Thailand, police regularly confiscate migrant workers mobile phones as they are considered a threat to security.¹¹

As ICT use by migrant domestic workers becomes more common place, it also becomes a crucial tool for strengthened participation

in collective organisation, as a way for isolated workers to be engaged and mobilised. However, the challenges of control and access of women migrant domestic workers to ICT is a potential impediment that needs to be considered if women migrant domestic workers are to continue to utilise ICT in the future. ♦

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Endnotes:

- 1 Out of ten Asian countries, only three include domestic workers in their labour laws, and only one provides full labour protection to domestic workers, including migrant domestic workers. Philippa Smales, 'United for Foreign Domestic Workers Rights (UFDWRs) The Right to Unite: A handbook on domestic workers rights in Asia,' Asia Pacific Forum on Women, Law and Development (forthcoming 2010) <http://www.apwld.org/>
- 2 ILO Proposed Recommendation Concerning Decent Work for Domestic Workers: 3. In taking measures to ensure that domestic workers enjoy freedom of association and the effective recognition of the right to collective bargaining, Members should: (a) identify and eliminate any legislative or administrative restrictions or other obstacles to the right of domestic workers to establish their own organizations or to join the workers organizations of their choice, and to the right of organizations of domestic workers to join workers organizations, federations and confederations; (b) ensure the right of employers of domestic workers to establish and join organizations, federations and confederations of employers of their choosing; (c) take or support measures to strengthen the capacity of organizations of domestic workers to protect effectively the interests of their members. ILO, 'Decent Work for Domestic Workers Report IV(1)' (August 2010) ILC.100/IV/1
- 3 Human Rights Watch, "Slow Reform: Protection of Migrant Domestic Workers in Asia and the Middle East," 1-56432-625-X (April 2010): 9, 14.
- 4 Philippa Smales, 'United for Foreign Domestic Workers Rights (UFDWRs) The Right to Unite: A handbook on domestic workers rights in Asia,' Asia Pacific Forum on Women, Law and Development (forthcoming 2010) <http://www.apwld.org/>
- 5 A one year research and advocacy project on the use of ICT by domestic workers and domestic worker organisations is currently being undertaken by Asia Pacific Forum for Women, Law and Development (APWLD), funded by IT for Change. For more information please contact philippa@apwld.org.
- 6 The policy contained in the Indonesian Consulate Letter of Order No. 2258/2007 addressed to the Association of Employment Agency in Hong Kong (APPIH). United Indonesians Against Overcharging (PILAR) and Indonesian Migrant Muslim Alliance (GAMMI), 'Press release: Indonesian migrant claim victory over SE2258' 23 February 2008
- 7 There are six videos on YouTube on the SE2258 rallies supplied by United Indonesians Against Overcharging (PILAR) in 2008, each has been viewed 230-450 times. Available from http://www.youtube.com/results?search_query=SE2258&aq=f
- 8 Sun, Hsiao-Li (Shirley). "Cellphone Usage and Everyday Resistance of Live-in Maids in Singapore" Paper presented at the annual meeting of the American Sociological Association, Montreal Convention Center, Montreal, Quebec, Canada, Aug 11, 2006, p14.
- 9 Human Rights Watch, 'Maid to Order: Ending Abuses Against Migrant Domestic Workers in Singapore' (December 2005) Volume 17, No. 10 (C). Sun, Hsiao-Li (Shirley). "Cellphone Usage and Everyday Resistance of Live-in Maids in Singapore", p15.
- 10 BBC News, 'Filipina workers allege foul play', July 29, 2009, available from <http://www.theweek.co.om/disCon.aspx?Cval=2240>. Maureen Hermitanio, 'Running from Hell: The harrowing story of a Filipino migrant worker in war-torn Lebanon' *Bulatlat* (2006) Vol. VI, No. 29, available from <http://www.bulatlat.com/news/6-29/6-29-bell.htm>.
- 11 "In Phang Nga and Ranong, decrees forbid migrants from using mobile phones and explicitly authorize government authorities to seize such phones on sight, while Phuket requires mobile phone usage to comply with an unspecified provincial security policy. 'In Rayong and Surat Thani provinces, the provincial announcements use identical language stating that migrant workers are not permitted to use mobile phones because a mobile phone is not considered "a tool for work but instead is a tool that can convey information easily and quickly, which can impact national security.'" Human Rights Watch. "From the Tiger to the Crocodile: Abuse of Migrant Workers in Thailand." 1-56432-602-0 (February 2010), p32.