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Misconstrued Notions and Misplaced Interventions: An Assessment of State Policy on Domestic Work in India

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Abstract

Given the informal employment relationship that marks the paid domestic work sector, this paper examines the important state interventions in India which follow the ILO convention on domestic work. The understanding that the sector is homogenous and thus could be regulated or managed through uniform intervention, whether legal or otherwise, has prevailed. This was even when existing studies have demonstrated the existence of segmented labour markets with varying employer, work and worker identities. The extension of the Minimum Wages Act to domestic workers, the draft National Policy on Domestic Work, and the Domestic Workers Sector Skill Council (DWSSC) set up under the National Skill Development Council of the Ministry of Skill Development & Entrepreneurship of Government of India, are examined in the paper in detail. The paper highlights how various state interventions have outlined the sector, the work, the workers and their everyday experiences and negotiations in terms of extending or framing these interventions. Examining the assumptions and objectives that have defined the formation of Domestic Workers Sector Skill Development council and its functioning, the paper argues that the attempt to corporatize the sector is a classic case of how the state tends to ignore the specificities that feature the sector leading to its poor impact.

Keywords Infromal sector · Domesic workers · State policy · Training and skill development

1 Introduction

The growth of paid domestic work has been a feature of contemporary development in most economies. Though the sector has various reminiscences from the past feudal practices, the growth of the sector could be purely located within the



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unequal economic development over a period of time. In many countries, though women's employment was adversely affected in the last few decades, the sector has seen a feminization, questioning the understanding that domestic work is to disappear with industrialization and modernization. The new approach to the sector is marked by discussions on regulating the sector. The ILO convention, C189, (ILO, 2010), has cemented the acceptance of this sector, as a sector of employment, with many national governments coming up with legislative interventions.

Domestic work in India, as in the case of many other countries has a long history, evolved from a feudal system to the modern forms of domestic work relations. Economic changes leading to increased inequality marked by agrarian distress, indebtedness and rural—urban migration have encouraged the growth of paid domestic work, as it produced an affordable class of employers and a surplus of unskilled workers (Neetha 2013). It is interesting to note that the feminized growth in paid domestic work happened during a time when there has been an overall decline in female employment in the country. Almost all Indian middle-class households in cities and towns have a worker or two to undertake various tasks, especially tasks that are physically demanding and socially menial.

Given the informal employment relationship that marks the paid domestic work sector, the paper examines the important state interventions in India, which preceded or followed the ILO convention on domestic work. The understanding that the sector is homogenous and thus could be regulated or managed through uniform intervention, whether legal or otherwise, prevails. This was even when existing studies have demonstrated the existence of segmented labour markets with varying employer-employee relations, work and worker identities. The extension of the Minimum Wages Act to domestic workers, the draft National Policy on Domestic Work and the Domestic Workers Sector Skill Council (DWSSC) set up under the National Skill Development Corporation of the Ministry of Skill Development & Entrepreneurship of Government of India are examined in the paper. Examining the assumptions and objectives that have defined the formation of Domestic Workers Sector Skill Development council and its functioning, the paper argues that attempts to standardize the sector in terms of a business model without adequate regulation are a classic case of how the state tends to ignore the specificities of the sector. The experiences of organizations on their initiatives on skill development and professionalization of domestic work are discussed to highlight some of the issues with this approach. It is argued that without adequate regulation in place the possibility of professionalization of the sector through skill development is misplaced and needs rethinking.

The rest of the paper is divided into five sections: The second section gives an overview of work, workers and work relations in the sector highlighting some of the challenges in paid domestic work, particularly from the perspective of state intervention. Critical analysis of state interventions and policies largely limited to the present phase of growth of domestic work, since late 1990s is carried out in Section 3. Section 4 provides an overview of state initiatives for skilling domestic workers, especially the formation and working of Domestic Workers Sector Skill Development Council (DWSDC). Section 4.1 provides a methodical account of various training initiatives taken up by various organizations underlining some of



the challenges with skilling domestic workers given the specificity of the sector. Finally, Section 5 concludes the paper highlighting the importance of a comprehensive legislation for regulating domestic work, in the absence of which issues of low wages and poor working conditions are surely to continue adversely affecting all attempts to professionalize the sector.

2 Paid Domestic Work: Low Paid, Low Skilled and Low Status Work

There is an astounding lack of data on domestic workers, with varied figures being quoted and referred to in many discussions, due to the high rate of invisibility prevailing in the sector. If we look at the contemporary data for domestic workers in India, according to an estimate there were about 5.235 million domestic workers in India based on PLFS 2017-2018 data (Raveendran and Vanek 2020). The sector is one of the major sectors of women's employment in urban areas with a considerable presence of migrant women who are illiterate or poorly educated (Neetha 2009). Caste and gender are important dimensions that have been acknowledged in the understanding of the sector (Chigateri, 2007; ILO 2017). Though the caste composition of the sector seems to have changed overtime with increased demand, it is still dominated by marginalized women, especially women from the SC category. Despite the increasing demand for these services, especially in urban areas, the wages and conditions of work for domestic workers have not seen an improvement. One reason for this could be the supply-side factors, largely an outcome of distress-driven rural-urban migration (Moghe 2019). Absence of alternative employment opportunities has been pushing poor women into this work. Further, with declining employment opportunities, male members are either unable to find jobs or are largely employed in casual irregular work. This makes women's entry into paid domestic work, a strategy for family survival.

Even within the modern system of domestic work, there are different work relations and are marked by the presence of personal relationship. A large number of domestic workers can be classified as "part-timers"—obviously from the point of view of the employer as such workers have to work in multiple houses to earn a living (Neetha and Palriwala 2011). Most part-time workers are into cleaning homes as this service has maximum demand. Washing utensils and cloth are also outsourced in many households, though it is not as common as house cleaning tasks. Cooking is less outsourced largely due to socio-cultural reasons and the regional diversity in food habits. Workers may combine cleaning tasks with other household chores as per the requirement of employers. The social understanding of these tasks is reflected in the composition of workers and wages—with cleaning tasks largely dominated by women from marginalized caste groups with poor wages and presence of upper caste women in cooking which fetches higher wages. If all cleaning and cooking tasks are contracted out, multiple workers are often recruited to carry out these fragmented tasks, which allows employers to maintain wage differentials across tasks. Reliance on a single live-out worker for all tasks is considered risky by many employers as the worker could take leave unexpectedly leaving the employer household to manage all work. Tasks such as vegetable cutting, occasional shopping or picking up of children from schools or occasional child care are mostly unaccounted and are seen as



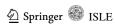
part of the workers' loyalty to the employers. Specialized care services such as child care and elderly care are less in demand and are mostly met through live-in domestic workers who combine multiple household tasks or through specialized care agencies following a different system of employment relation.

Domestic workers across the country be it any tasks such as house cleaning or care work are vulnerable to low wages and poor conditions of work. Workers are employed on the basis of individual verbal contracts, and the terms of employment, especially wages, vary according to the locality, nature and number of tasks performed, social status of the employees, number of members in the household, and prevailing market conditions (Neetha 2009; Jain and Kodoth 2019). The demographic and social attributes of the worker are also found important in fixing wages. In a relationship which is largely informal, workers' dependency on the employers is high for tiding over the immediate requirements of cash and other needs, be it help in children's education or health concerns of family members or dealing with state departments including the police. Very often workers are indebted to the employers through advanced salary payments or loans taken for meeting various contingencies. Lack of any social security protection forces the workers to continue this non-market relationship, close to that of a patron-client, negatively affecting their negotiation of wages, its revisions and other conditions of work, especially leave. High level of job insecurity exists in the sector with arbitrary dismissals, many a times without any notice. Basic workspace requirements like toilets are not made available to domestic workers in many households.

The patriarchal assumption that women are always adept at domestic work simply by virtue of being women makes the skill natural and devalued. This view of domestic work as a natural function of "feminine domesticity" (Sengupta and Sen 2019) also fails to account for the "affective labour" involved in performing social reproduction tasks, as well as the labour involved in learning and adapting to the specific cultural needs of a household (Joseph 2020). This leads to a fundamental denial of domestic work as skilled work, and it is hence rendered invisible. Thus, low wages for domestic workers need to be understood from the perspective of housework and its gendering.

The invisibility of domestic work in public and official discourse had the pernicious effect of hampering class consciousness within domestic workers, who have largely accepted the low status of their work and become pliant to terrible work conditions marked by exploitation and harassment (Hamid 2006). In states like Karnataka, Maharashtra, Tamil Nadu and Andhra Pradesh, organizational initiatives go back to the late 1980 s and 1990s and have contributed to the visibility of the sector and also state intervention. In Maharashtra and Tamil Nadu, domestic workers were extended social security benefits, while Karnataka and Andhra Pradesh included domestic workers in the list of employment under the Minimum Wages Act. However, the organizational initiatives were mostly in the urban areas and limited to a few pockets and thus have not been able to make much changes to the overall condition of workers.

This situation has seen some improvement in recent years with increasing organizational initiatives in the sector. Organizations with varied locations and perspectives are involved in the sector, and now all central trade unions are also into organizing domestic workers, apart from SEWA, which has been active for a long time The increased presence of trade unions in the sector in recent years could also be associated with International Labour Organization (ILO) convention on domestic



work (C189), which has been an important landmark in the sector. There have also been efforts bringing together organizations across the country through networks largely to campaign and put pressure at the national level for required interventions. These networks became more defined with the ILO Convention and have been active in the initial years after the convention, campaigning for adoption of the draft national policy, ILO convention and the formulation of a national law for domestic workers (UNRISD 2016).

3 Regulating the Sector: The Story of Apathy and Neglect

Because of the nature of work, which is housework, and concentration of poor women, mostly from marginalized communities, the sector has not been in the limelight of much state attention (Neetha 2013). However, there have been sporadic attempts right from 1950s to regulate the sector. It was only after its expansion and subsequent feminization that the sector got some attention, largely as an outcome of the struggles of organizations/unions working among domestic workers. In India, as per the definition of labour laws, private households are outside the realm of its coverage and thus do not qualify the definitions of "workmen", "employer" or "establishment" as defined in the labour laws. The fact that domestic work is situated in the private realm of the household contributes to its neglect in policy discourse and state intervention. Though there have been variations in regulating the sector across states in India, the larger reluctance to accept the private realm of the household prevails (ILO, 2013; Sankaran, 2019). While some states extended Minimum Wages Act (1948) to the sector, few other states extended the coverage of social security to these workers. Three states have welfare boards for domestic workers though the working of these boards is a matter of concern (Moghe 2019). These reluctant and half-hearted steps have not been able to make the required changes, as is evident from the continuation of poor conditions of work in the sector.

3.1 Defining the Sector

Defining the sector is critical from the perspective of legal intervention as the most important issue is with recognizing the place of work of domestic workers—private homes—as workplaces. In the initial phase of the growth of the sector, there have been much discussions on how to define the sector since the tasks and systems of employment have specificities, which are important in the understanding of wages, working hours and other conditions of work and in generating useful data on the sector. Most of the organizations that work among domestic workers define domestic workers based on hours of work and the nature of employment such as part-time, full-time and live-in workers. Part-time workers account for majority of workers who often work for more than one employer during specified hours of work on a day, and the tasks performed mostly is the same but could also vary across employers (Neetha, 2004). On the other hand, a full-time worker undertakes work only for one employer and working hours are normally above 8 h. Full-time workers



could be classified into live-in or live-out workers depending on whether the worker lives with the employer or in the premises of the employer household. An important concern that has been pointed out in the popular classification of domestic workers is that of part-time workers who work part time, only from the perspective of the employer and not when one considers the total time spent by the worker on a day carrying out paid domestic work (Neetha 2009).

In India, one of the earlier official attempts to define the sector taking into account its complexities in terms of nature of employment was by the task force on domestic work set up by the government in 2009, which defines domestic workers as "a person who is employed for remuneration whether in cash or kind, in any household through any agency or directly, either on a temporary or permanent, part time or full time basis to do the household work, but does not include any member of the family of an employer" (GOI 2011). This definition of domestic work has got wide acceptance among organizations and groups and had provided the basis for discussions on interventions both legislative and organizational.

The regulatory possibilities dominate the official definition of the sector internationally. ILO Domestic Workers Convention, 2011 (No. 189), defines "domestic workers" as (a) work performed in or for a household or households; (b) any person engaged in domestic work within an employment relationship. By doing so, ILO has left it to individual countries to define the sector, based on country specificities. The ILO definition of domestic worker has been a subject of concern given the social and gendered implications in the context of India. Domestic work as per the Convention comprises of workers across a range of tasks such as cooking, cleaning the house, washing and ironing the laundry, general housework, looking after children, the elderly or persons with disabilities, as well as maintaining the garden, guarding the house premises and driving the family car. [Domestic Workers Convention 2011 (C 189), Article 1]. The fact that this employment relation-based definition could negatively affect solidarity of workers given the gendered nature of these tasks marks the concern of organizations in India. The range of tasks that are clubbed under the category of domestic work and its social histories are important issues that need consideration, though all workers under these categories work in private households. In the existing understanding of the sector, gardeners, personal drivers and "watchmen"/guards are not treated as domestic workers who are mostly men. Organizations have mostly upheld the understanding of domestic workers as those who work in the household as against those for the household.

3.2 Legal Interventions: Half-Hearted Attempts

There have been many attempts to regulate the sector even before the ILO convention, in the current phase of the growth of the sector and its changing characteristics. The inclusion of domestic work in the Child Labour Act (Prohibition and Regulation), 1986 (through an amendment in 2006), and the Unorganised Social Security Act 2008 are important interventions in the regulation of domestic work. However, the most important initiative has been the drafting of a Bill on Domestic Workers in 2008 by the National Commission of Women (NCW),



Domestic Workers (Registration, Social Security and Welfare) Bill 2008. This was largely as a response to media reports of exploitations of domestic workers, especially of live-in workers who are mostly from tribal pockets. Though there have been multiple consultations and campaigns in the context of the bill, there have been differences among various stake holders on the specificity and details of the bill (UNRISD 2016). The differences among groups also resulted in the drafting of an alternative bill by interested groups.

The discussion around the ILO convention followed the NCW Bill. The setting up of the task force on domestic work by the Ministry of Labour and Employment in 2008, with ILO taking the lead role, as a preparation for the ILO convention can be seen as the forerunner to the legislative interventions that followed. The draft national policy on domestic workers formulated by the task force is an important marker in the attempts to regulate the sector. The framing of the need for a policy and the broad contours of the policy as laid down by the task force highlights the importance of a labour rights approach to the sector. To quote "A policy on domestic workers should be comprehensive, and should seek to formally establish the labour rights of domestic workers in line with the Indian Constitution and enable them to receive treatment that is not less favourable than that from which workers generally benefit under the national laws and regulations. The aspirations of all domestic workers to work with dignity, to engage in a meaningful work opportunity, to get remunerated with decent wages for the work performed, to have a voice and recognition of that voice, being able to balance work and family life, get opportunities and avenues for self-development and training leading to wage enhancement and career progression need to be promoted through appropriate policies, legislation and programs" (GOI 2011, p. 6).

Anchored in the labour rights' perspective, the policy set the context for inclusion of domestic workers into existing labour laws and social security schemes. The draft policy also makes the state responsible for required interventions to ensure mechanisms/institutions to address the specificity of the sector, including registration of workers, skill development, social security and grievance redressal. The Task Force urged the government to adopt the policy, and many rounds of consultations and discussions followed with groups/organizations and networks. Based on the recommendation by the Task Force, the then health insurance scheme, Rashtriya Swasthya Bima Yojana (RSBY) was extended to domestic workers on a pilot basis in select states. The draft policy after the endorsement by the Working Committee on Domestic Workers under the National Advisory Council headed by Sonia Gandhi was in the last stage of adoption before the change in the government in 2014.

Sexual exploitation of domestic workers is an issue that many organizations have raised, and the inclusion of domestic work in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 Act is surely an achievement for domestic workers. The inclusion owes largely to the campaigning by multiple organizations and networks of domestic workers around the issue. However, in the absence of setting up of required mechanisms such as local complaints' committee, inclusion of domestic workers has remained on paper without any benefits to workers.



One of the most important legal interventions by the central government, coinciding the ILO convention, has been the inclusion of domestic work into the list of scheduled employment under the Minimum Wages Act 1948 (Neetha, 2015). The pressure on the central government to include the sector under the Act needs to be seen in the context of Ministry of Labour (MoL), Government of India writing to chief secretaries of all state governments in July 2010 to extend the scope of the Act to cover domestic workers (GOI 2011, p. 58). In Karnataka and Andhra Pradesh, the Act was extended to domestic workers before this intervention. Many state government responded to the MoL directive though not immediately. State after state included domestic workers in the list of scheduled employment, and there were only few states like Delhi and Maharashtra where domestic workers were not covered by the Act, before the labour codes took over the regulatory scene in 2020. Though the Act was extended to cover domestic workers, differences across states in defining the sector, method of wage calculation and its enforcement have been a matter of much concern (Neetha 2019).

3.3 Current Phase of Uncertainty

With the change in political power at the central level in 2014, uncertainty on the fate of the earlier national policy prevailed. Though there have been much discussion and mobilization for the policy after 2014, leading to its revision in 2015 and the statement of the labour minister in March 2016, that the matter is "under active consideration, there has been no positive developments. The demand for the ratification of the ILO convention by the organization was also not positively responded with the excuse of want of a policy on the sector. This is mostly seen by domestic worker organizations as an excuse for delaying the ratification, given the larger context of labour law reforms. In August 2016, Employees' State Insurance (ESI) was extended to domestic workers arbitrarily based on discriminatory principles" (Neetha 2017).

On 10 October 2017, the Ministry of Labour and Employment issued a public notice informing that the Ministry is considering formulation of a fresh national policy for domestic workers. After laying down the broad areas of its scope, a public notice for inviting responses was put up by the concerned Ministry. The broad areas for which inputs were sought included definition of terms such as part-time workers, full-time workers, live-in workers, placement agencies; expanding the scope of existing legislations to cover domestic workers including organizational possibilities; setting up of institutional mechanisms to provide social security, protection from abuse/harassment and violence, fair recruitment, grievance redressal and dispute resolution; provision of registration for domestic workers with state labour department or through other mechanisms as workers; enhancing skills through skill development programmes and establishing a model contract for employment. Unions/organizations and groups of domestic workers did respond to this notice and also had put forward their demand of a national legislation instead of a policy on domestic workers given the delay and also considering the complexity and specificity of the sector.



Moreover, there was also a demand to recognize and register private households who employ domestic workers and subject employers to scrutiny for ensuring safe and dignified working conditions for domestic workers. With the discussions on labour reforms and the new labour codes taking central stage, there has not been much follow-up on the policy from domestic workers groups, who have by then shifted their demand to a comprehensive legislation on domestic workers.

In the public debates on the 2018 trafficking bill migration/trafficking for domestic work was marked. Young migrant domestic workers, who are most vulnerable to sexual stigma, were the point of discussion in this context. Activists and scholars, supporting the freedom of mobility of women for employment, have pointed out the need to regulate the sector to address issues of trafficking. It was highlighted that it is the unfree terms and conditions of work that makes women workers prone to issues of trafficking and exploitation. Given the thin line between migration for work and trafficking, regulation of working conditions was emphasized as the required intervention and the need for a comprehensive legislation on domestic work was reiterated.

After a long silence, to a question on the policy for domestic workers raised in the Parliament in the Lok Sabha, the Union Minister of State (I/C) for Labour and Employment on 24 June 2019 informed the house that the concerned ministry is considering drafting such a policy. However, no further information regarding the same has been notified. The fact that the policy has not seen the light of the day even now shows how the state prefers to ignore the demand of these workers.

3.4 Domestic Workers in Labour Codes

With the coming up of various labour codes repealing and replacing some 30 labour laws, there is much uncertainty about its impact on the sector. The wage code is one of the most important concerns, as domestic workers in many states had already fought for their inclusion in the Minimum Wages Act and have been largely successful. The Code on Wages (CoW) has done away with the list of scheduled employments as against the Minimum Wages Act 1948. Many would argue that this would favour all workers irrespective of their sectoral location, as there is no exclusion resulting from a listing of sectors as was the case in the earlier law. However, there are issues when one examines the definitions. It defines an employee or a worker only in relation to the establishment or industry, and one is left to argue whether private households will be considered as an establishment or an industry. This was the same issue as to why many of the earlier labour laws were not applicable to domestic workers. It means that unless interpreted otherwise the CoW disentitles domestic workers from the purview of this law, thus disenfranchising those who have made a significant dent through their inclusion in the minimum wage schedules in multiple states. If domestic workers are not able to fight for their inclusion, they are also disentitled to other provisions in the CoW such as equal remuneration, mechanisms to ensure payment of wages, and entitlement to bonus (Mazumdar et al. 2020).



Thus, CoW adds neither universality, nor clarity, let alone any additional benefit for domestic workers, and it is left to domestic workers to demand for these rights through struggles.

Occupational Safety, Health and Working Conditions Code (OSHWCC) highlights possible issues arising out of complexities of specific sectors/industries. It excludes private households and thus regulations regarding safety, health, or working conditions (weekly and daily working hours, leave, overtime, night shifts, etc.) are not applicable to domestic workers and for that matter to other workers unless mentioned specifically whose workplaces are homes. The code, an amalgamation of 13 laws meant to address diverse issues including that of contract workers and interstate migrants, has no applicability for women domestic workers. Omission of the Sexual Harassment Act as an occupational health issue reiterates the ongoing difficulty of accepting the issue within the ambit of labour laws. This has been one of the reasons for the lack of any unified mechanism and systems for its implementation in sectors like domestic work, though the sector is one where many cases of sexual exploitation have been noted.

While the CoW and OSHWCC do not explicitly mention domestic workers, the Code on social security in the initial rounds included domestic workers alongside construction workers and home-based workers in its definition of "wage worker" as well as "unorganized worker". However, in the final bill which was passed by the government, domestic workers are excluded which raises anxiety in terms of coverage of domestic workers under this labour code also. All schemes listed under various social security provisions are to be framed, and it is not clear whether the eligibility criteria that the individual state lays down will ensure these provisions to include domestic workers or not. Even if domestic workers are covered, the code does not recognize social security as a right and is based on a differentiated approach with provisioning based on a range of thresholds of applicability. As regards the basic right of maternity benefits, no criteria for calculation of maternity assistance is spelt out, which is surely going to lead to differential provisions that may affect domestic workers adversely. Further, the code does not define social security and only mandates the central government to frame and notify suitable welfare schemes. Funding is also left ambiguous, with contributions through Corporate Social Responsibility and contributions collected from beneficiaries also being options. Given the poor wages and employer's reluctance to accept domestic workers, registering and contributing to any social security fund by employers remain a concern. The registration process is also restrictive, with Aadhar being made mandatory, and this has implications for migrant domestic workers. There are no mechanisms in the code to ensure whether workers are registered and covered by the schemes, putting all the responsibilities onto the worker.

To sum up, the various state interventions, which have been haphazard, are no way sufficient measures to address the complexities of the sector. Since, none of the labour legislations take into account the specificity of the sector, a comprehensive labour legislation which accounts for the specificities of domestic work is argued to be essential to regulate the conditions of domestic work and to ensure social security provisions. With the pandemic, many of the gains that a section of domestic workers who were organized made in terms of their rights seems to be disappearing. Lack



of adequate employment and wage cuts are reported from many states, and many are forced to migrate to their villages as they are unable to sustain cost of living in the cities from the meagre income that they are managing to fetch from limited work available. Considering the health and economic crises unleashed by the pandemic, special protections for domestic workers ought to have been made by the state government, but as before the sector and its workers are left to the mercy of their employers once again.

4 Skill Development and Professionalization: The New Focus

The understanding that lack of skill is one of the major issues that has resulted in poor employment outcomes including low work force participation of women underlines the state initiatives on skill development. The mismatch between supply and demand of skilled manpower has been a concern and spelt out in various documents of the government especially with changes in the economic order in the 1990s. A pronounced turn towards promoting employment through the larger agenda of skill development has been part of the state policies since 1990s, but domestic work was not a focus area in these initial efforts. It was only in 2011, with the draft report of the task force on domestic workers that the skill development front of the sector received state attention. However, organizations working among domestic workers have been involved in skill development and training programs much before the concerted efforts from the part of the state.

Though a separate department/division/council was created to understand and address the skill mismatch, it was in 2013 that a separate ministry, Ministry of Skill Development and Entrepreneurship was created with a view to focus on skill development and its possibilities. With the launch of Skill Mission by the Prime Minister in July 2015 and the coming up of a Ministry for Skill Development & Entrepreneurship (MSDE), skill development has become one of the central state interventions. At present, under the National Skill Development Council of the Ministry there are 38 Sector Skill Councils. As per the information given in concerned Ministry official website, the objective of Sector Skill Councils is "to create occupational standards and qualification bodies, develop competency framework, conduct training and trainer programs, conduct skill gap studies and assess and certify trainees on the curriculum aligned to National Occupational Standards developed by them". Apart from different centralized institutions undertaking skill development, a range of similar skill and placement schemes are now open to NGOs and other partners including of apprenticeship under the skill development mission.

4.1 Domestic Workers Sector Skill Council (DWSSC)

One of the earlier interventions by the state for skilling domestic workers was in 2009, when the Ministry of Labour and Employment (MoLE), Government of India, the Delhi government (Department of Training and Technical Education and Higher Education), and the ILO initiated a pilot training programme. This was in line with



the recommendation of the task force and the draft National Policy on Domestic Work, which emphasized the need for training and skill development to address the issue of low wages for domestic work.

A skill-mapping survey alongside curriculum for training domestic workers and career path for workers was developed as part of this initiative. Workers from Delhi and Noida were drawn for imparting training with help from various organizations and covered women who were already working as domestic workers. Trainees who completed the programme were given a National Certificate of Vocational Training. A skill Card system was also initiated to mark skilled workers. However, the initiative did not succeed, and one important reason, as pointed out by the organizer of one domestic worker organization associated with the programme, was its failure to address low wages and working conditions. Thus, though the training was found useful by the workers and employers appreciated better knowledge and improved ability to carry out assigned work by these workers, the training could not fetch workers better conditions of work.

Following this training in 2011, the Delhi government announced plans to put together a course to train domestic workers under the Delhi Skill Development Mission and organizations such as PRAYAS were drawn into for providing training. However, a systematic documentation of these efforts is not available in the public for evaluating these attempts, which were dispersed. KPMG Advisory Services, an MNC, was hired by National Skills Development Corporation (NSDC) in 2013 to undertake a study of various informal sector occupations from the perspective of skill development possibilities. The Sector Skill Gap study undertaken by KPMG included domestic work among many other sectors, and the report was the basis for the setting up of the Domestic Workers Sector Skill Council (DWSSC). The report documents and highlights the initiatives of the commercial organizations such as private agencies/companies and underlines the scope of skill development initiatives in the private sector recommending the need to come out with a scalable business model for imparting skills. Huge opportunities for the sector through skill development is spelt out in the report. To quote, "Several other companies are expected to enter the market since there is huge demand and cheap labour from rural areas of the country is easily available" (NSDC 2014). Apart from emphasizing the need for developing a customized training programme, the need to establish an agency at the national level to lead the skill development initiative, both in terms of standardizing and accrediting the training imparted, giving credibility to the sector could be tracked as one of the reasons for the establishment of the Domestic Workers Sector Skill Council in 2013. Domestic Workers Sector Skill Council (DWSSC), the national-level agency formed by the Ministry, is registered under the Companies Act, 2013 with the broad objective of professionalizing domestic work and enabling career progression in the sector. The skill development movement took a different turn with changes in the government and the priority that was given to the issue. In 2014, a National Consultation on Domestic Workers Sector Skills Council was organized by the ILO at the behest of the Ministry of Labour and employment and NSDC, which was attended by many organizations, including trade unions, NGOs and placement agencies to follow up on skilling workers.



It took 2 years for the council to formally establish and has been active since 2015. As per the official website, the specific objectives of the Council are to: "to define key sectors wherein Domestic Workers can find employment and to identify critical roles and associated skill gaps". There are also detailed accounts of the various objectives which includes defining job roles and setting up occupation standards, career progression maps and functional maps; standardization of the processes of accreditation, assessment and certification of domestic workers through the national network of placement agencies. Towards achieving these objectives, DWSSC, as given in the website, foresees to conduct 20 Training of Trainers Programmes training 1050 trainers, accredit 525 Training Organizations and certifying 25,56,600 persons as trained workers by 2026.

Though many years have passed after this initiative, no study on the working of the initiative is available in the public domain to evaluate the effort. While there are not much data or information on the specific programs, the various job roles and the manuals are available online and an analysis of these would help in locating the attempts in the context of the sector and its specificities. In the following section, an analysis of the larger approach of the Council to the sector is examined through an analysis of the training offered, type of training demand that exists from various skill imparting organizations and the course modules developed which are provided in the official website of the mission.

4.1.1 Training Demand Limited to Traditional Tasks of Cleaning and Cooking

Under the DWSSC, there are eight job roles for domestic work, which are already in place, and training is offered in all these different trades. However, the details of training that has been conducted by partner training organizations across states clearly reflect the training partners' understanding of the nature of demand for workers in the sector. Of the eight job roles that exist only five are offered by training centres. Though the number of training centres differs across various states as per the data available, general housekeeper and housekeeper cum cook are the two

Table 1 Training centres and job roles offered

Job roles	Training centres offering the job role	Proportion to total training	
Housekeeper cum cook	192	51.89	
General housekeeper	107	28.92	
Child care taker (non-clinical)	42	11.35	
Elderly care taker (non-clinical)	27	7.30	
Household services (general)	2	0.54	
Total	370	100.00	

Source Based on information available at http://dwsscindia.in/affil iation-as-training-partner-with-domestic-workers-sector-skill-counc il-dwssc/list-of-dwssc-training-centers/, accessed on 10 December 2020



major job roles that are offered in large numbers accounting for more than 80% of the total training offered as is evident from Table 1.

The Council has also compiled the training demand from placement organizations for various kinds of job roles, which supports and reinforces the focus on traditional skill tasks among training centres. About 44% of demand is for general housekeeping and 21% for housekeeper cum cook, which together accounts for 65% of the total (Table 2). Demand for specialized skills occupies only for a small proportion of the total projected demand. Partner placement organization in the initiative is mostly in the private sector who cater mostly to the elite and upper-middle-class households, and if the projected demand for specialized skills is not high even among these households, the overall demand for such services is likely to be a negligible proportion of the total demand. As is clear from various studies, most households employing domestic workers are not looking for workers with specialized skills but an all in one worker who can manage various routine tasks if required. The ability to perform multiple household tasks, be it physical or emotional work, is assumed to be inborne in all women and thus if needed could be evoked. This understanding guides such preference for a worker with general housework skill, which is evident from the demand profile of these placement agencies.

4.1.2 Training Manual: Reproducing the Stereotype with Submissiveness

As discussed there are various trades that are offered and for each of these job roles, model curriculum for trainers and qualification packs on various jobs are available, which details out eligibility, various training modules (Performance Criteria) and grading systems. In the following section, two job roles which are the most demanded, general housekeeping and housekeeping cum cook, are taken up for detailed discussion to understand the specificity of these courses. The minimum qualification for the trainee for both these job roles is class 3, though 5th standard is the preferred level with 18 years of age. The cover page of the qualification pack for general housekeeping is of a happy young woman wearing an apron and gloves

lable 2	Demand 10	or training	across J	ob roles (mered
Specific	tasks				

Specific tasks	Total demand	Share to total	
Gen. housekeeper	80,900	44.18	
Housekeeper cum cook	37,650	20.56	
Child caretaker (non-clinical)	18,650	10.19	
Elderly caretaker (non-clinical)	20,950	11.44	
Home cook	2650	1.45	
Caregiver (mother & new born) -(non-clinical)	6050	3.30	
Household multi-purpose executive	9800	5.35	
Baby caregiver (non-clinical)	6450	3.52	
Total	183,100	100	

Source Based on information available at http://dwsscindia.in/demand-aggregation/, accessed on 10 December 2020



cleaning kitchen slabs, which is far from the reality of everyday life of domestic workers. The manual gives detailed job descriptions for sweeping, dusting, laundry, cleaning of utensils, bathroom and toilets and garbage disposal. The personal attributes of the trainee are also defined where apart from physical fitness, adaptability and loyalty to the employer are emphasized. The following table (Table 3) gives an outline of the various National Occupational Standards (NOS), its corresponding number of modules (Performance Criteria) and corresponding grades across theory and practical. There are seven modules for general housekeeping and nine for housekeeper cum cook. The difference between general housekeeping and housekeeper cum cook is the additional two modules related to cooking for the second job role.

To be qualified for the job role, the trainee is supposed to get a minimum of 50% in every NOS. The first four modules are on the physical tasks that the worker is expected to perform, all set in context of an upper-middle-class household. The first module after the details on the activity is divided into two broad themes: 1. understanding basic healthcare and emergency procedures at home and 2. self-awareness, ethical behaviour and time management. Thus, apart from the physical aspects of these tasks and the details of how these need to be performed, the module talks about satisfying employer expectations in terms of maintaining discipline, establishing positive relationship with employers and thus making workers ready for required submissiveness. While the module emphasizes the importance of being firm and the need to assert oneself, the worker is also required to, as the module states; create a positive impression of oneself in the household. The details clearly reveal the imbalance, favouring the employer, whereby the worker is required to dress up appropriately and remain calm in case of a conflicting or stressful situation though she/he is to assert himself/herself after some time. The worker is also required to maintain channels of communication with a positive demeanour and smile and is also burdened with the responsibility of bridging the cultural differences with the employer. The worker is also bestowed with the responsibility of planning and organizing the work, "so that the tasks can be completed efficiently and in minimum time".

The underlining tone of the modules is that of corporate work place where workers are expected to keep the client at the centre thus expects the poor worker "to manage relationships with employers who may be stressed, frustrated, confused, or angry". The importance of following customer-centric approach is not only hidden across the modules but also explicit. The worker is also required "to think through if there is a problem, evaluate the possible solution(s) and suggest an optimum/best possible one". The worker, thus, is required to have market-defined behavioural skills suiting the requirements of the employer.

Domestic work relations are complex and are marked by gender, class and caste relations even now. Anyone who is familiar with the sector know-how futile, it is to expect the worker to have and also to use these skills in an unequal power relationship defined both by class, gender and often caste. Caste and its association with cleaning tasks, alongside the poor economic status and the gender of the worker, have structured domestic work relations and are being reproduced on an everyday basis. This intersectionality leads to overlapping vulnerabilities and is noted in daily household practices with insidious processes of class-, caste- and gender-based discrimination (Gothoskar, 2013; ILO 2017).



Table 3 National occupational standards (NOS), no.	, no. of training modules and assessment			
National occupational standards	No. of modules	Total	Marks	

National occupational standards	No. of modules performance criteria (PC)	Total marks	Marks— Theory	Marks— Practical
General housekeeping				
Carry out basic housekeeping services	13	40	16	24
Carry out basic laundry and making of beds	9	30	11	19
Prepare and maintain routine cleaning of the kitchen	4	40	16	24
Garbage disposal and clean environment	6	30	13	17
Maintain healthy, safe and positive relationship at workplace	7	20	8	12
Create a positive impression of oneself in the household	5	50	20	30
Managing self, money and dignity at workplace	7	70	26	44
General housekeeping cum cooking-additional modules				
Carry out basic domestic cooking services for the house	18	86	36	50
Provide basic table service during meal time	8	40	17	23

Source Based on information available at https://dwsscindia.in/qualification-packs/, accessed on 10 December 2020

Apart from the challenges involved in an abstract understanding of training for domestic work, cut-off from the realities of the sector, the reservation that many trade unions and domestic workers group have is due to the dilution of the worker rights' perspective. Though there is mention about exercising one's own rights and benefits, there are no detailing of these rights and how these are expected to be realized. One of the objectives of domestic worker groups has been to create worker consciousness among domestic workers, which would enable them to translate their skills to negotiate their space as workers. In the absence of worker consciousness whatever be their professional skills, whether they will be able to claim their status as workers will remain an issue.

Having laid down a broad picture of the skill development initiative under the Council, it is imperative to locate the discussion within existing experiences of organization that have taken up skill development initiatives in the sector as this would give further insights into the larger issues of this approach.

4.2 Initiatives by Organizations of Domestic Workers: How Successful it has been?

There were many organizations and private players in the sector who have been involved in the placement of domestic workers and have taken up skill development as part of their engagement with workers. With the growth in the sector, there has been an increase in the number of placement agencies, which are largely into placing live-in domestic workers. These organizations and agencies represent huge



diversity—at the one end there are unions like SEWA and the other end is represented by pure commercial agencies. The discussions in this section are largely based on the author's previous work since 2010 and specifically the study that was conducted for the ILO on select organizations/cooperatives of domestic workers in 2018 (Neetha 2018).

The initial efforts of placement were not modelled in a commercial framework and were led by organizations working for domestic worker's rights. However, there has been a move towards commercialization of placement services over time. One of the recent developments is the growth of agencies that are modelled as professional organizations based on the market philosophy of client/customer relationship. These agencies apart from placing domestic workers for general housework may also cater to care requirements such as child care or elderly care, mostly non-specialized. Provision of skilled and professional workers has been the claims of these business organizations, and their service charges are normally high and vary like any other market-based services. The relationship of the organization with the worker is limited to their placement on agreed terms of employment negotiated with the employers unlike the ones which are part of workers' organizations. As mentioned before, one of the vantage points of the business model-based placement agencies is their focus on training and skilling of workers which ensures employers' availability of trained and professional workers.

In contrast to these agencies, many organizations of domestic workers who are into placement as part of their organizing work are also involved in skill development of workers. Skill development/training for domestic work with a view to question its understanding as being unskilled alongside visibilizing this form of paid work has been critical to many of these initiatives. An analysis of some of the initiatives by these organizations is explored to understand the challenges in the professionalization of the sector, which is now the major focus of the state.

SEWA is one of the pioneers in the training and skill development of domestic workers and has been placing domestic workers since late 1990s in Trivandrum, the capital of Kerala. Swasraya Sewa Mahila Sangh (SMSS) is a registered organization of SEWA and all domestic workers, recruited through SEWA, Kerala, are members of this organization. Training is one of the important markers of SEWA workers and has been a strong point of SEWA's placement services as is clear from this quote: "the workers need to maintain the good name of SEWA and the training is given to maintain it. (Sheena, SMSS coordinator, as quoted in Neetha 2018).

SEWA, in the beginning, in 1996 only undertook specialized care services and routine housework such as cleaning and cooking was kept out, as general house work was thought to devalue women domestic workers' services, because of its social understanding. What makes SEWA's skill development initiative, especially in the beginning years, different is the social component as noted by many studies (Devika et al. 2011). However, gradually normal housework also entered, which necessitated many changes in the training imparted. Number of training days saw a gradual decline from 3 weeks to 10 days, and now it is 6 days with follow-up sessions and supervision after placement. Over time, the social component of women's workers' sensitization and collectivization has seen a gradual decline and the larger question of skills and professionalization of work has acquired importance. Professionalism



is now the key dimension of SEWA's approach to training women workers and is defined as: "knowledge of the job to be done; punctuality at work; good personal hygiene; using a uniform; respecting the privacy of the home; and being honest and diligent in one's work" (George 2013). This turn in the approach to the training of workers was due to the changing market for domestic workers and competition from other placement agencies. Though there is a market edge for trained workers from SEWA, SEWA's insistence on workers taking up only agreed work and better wages are concerns of many employers. This is evident in the words of the SEWA coordinator, "now employers have started saying that if rest of the agencies are allowing domestic workers to do any work that the employer wants, then why should we go to SEWA" (as quoted in Neetha 2018). This has affected the initiative and membership of SMSS has not been increasing though the organization is now present in other districts in the state. Even in Trivandrum, new workers are not joining SEWA as there are other competing agencies.

After the success in Kerala, SEWA expanded its engagement with domestic workers to other states. Bihar and Delhi are the two states that were taken up by SEWA for skill development with the support of ILO. The SEWA Sangini Programme to organize domestic workers was initiated in Patna in 2014. However, training and placement of domestic workers were initiated only in 2016. As per information shared by the managing trustee of the organization, about 1000 women were given training till 2018. However, there have been issues with regard to placing trained workers. In the beginning, based on the Kerala experience, nursing and patient care were given focus, but it did not succeed as there was not much demand for semispecialized patient care services and the wage offered by the employers was also found very low. Imparting training in patient care was also reported to be difficult due to the poor educational backgrounds of potential workers. Then, there was shift to house work, especially cleaning work. Not all those who are trained by the organization are part of the SEWA placement services and many are into informal systems like any other untrained domestic worker. It needs to be noted that trained workers are not able to establish an edge over other workers in terms of wages or other conditions of work (Neetha, 2018).

The SEWA Sangini programme in Delhi, initiated in 2015, has been a failure as it was called off in a year after difficulty in placing workers. Like the Patna initiative, following the Kerala model, training was imparted on nursing and patient care. Most of the workers who were part of the training programme were domestic workers engaged in part-time cleaning work. The purpose was to train these workers on patient care so that they need to work only in one house for the whole day, which would enable them to have a fixed wage and would reduce the physical exertion. Ninety-seven domestic workers were given training; however, only 15 women were placed. Some workers who were placed left the job within 10 days and some within 15 days of their placement because of various reasons. Only one worker worked for about 8 months and eventually everyone left. One of the important reasons was low wages; as employers were not willing to pay more than Rs. 10,000–11,000 per month for 8–10 h of work. Some workers were already getting a higher wage from their previous part-time work when converted to hourly wages. Further, they were working for less number of hours even though were hired by multiple households.



Further, informal arrangements to which they were used to provided flexibility to workers in terms of time and other conditions of work. The organization did not take up training for routine house work, realizing that most employers in Delhi prefer to recruit domestic workers through informal contracts at low wages.

Apart from SEWA, National Domestic Workers Movement has also been into mobilizing and training of domestic workers in different states. In Jharkhand, training for domestic work was initiated in collaboration with ILO and the initiative also faced multiple challenges, the most important being poor demand and low wages. Initially the plan of the organization was to approach residential apartments, hospitality institutions and industrial/commercial organizations where many workers could be placed. Most workers who were trained have taken up part-time domestic work at their individual level. Few workers though worked in a hotel for a year left the job as they were not offered good wages. The fact that there is not much difference in the earnings of trained workers as compared to other workers is a reality. Since the market is favourable to the employers with workers competing amongst themselves, it was reported difficult to negotiate wage increases and better working conditions even if the workers are trained and have specialized skills.

Apart from these worker-based organizations, as discussed earlier, skill training is part of many commercial placement agencies. Whatever information is available from the growing number of commercial agencies suggests variations across organizations in terms of importance and content of training. Organizations mostly combine specific skills for undertaking various housework and care functions with that of basic behavioural skills orienting the workers about appropriate ways of speaking and conducting themselves ensuring required submissiveness and acceptance of power hierarchy. Hard skill training in most cases is towards orienting them to kitchen and other home appliances unless there are specific care requirements. In the absence of adequate studies looking at these organizations and workers placed by these organizations, it is difficult to arrive at any conclusive analysis of the training and its impact. However, the fact that market models are mostly clearing houses for employment, based on a customer/client relationship with workers and employers, concerns about better wages and conditions of work are not of much relevance unlike that of organizations such as SEWA.

The above insights from various organizations reveal that organizations are finding it difficult to place trained workers at higher wages and with better conditions of work. Even in Kerala, the advantage that SEWA workers had it over many years is under threat with competition from commercial agencies leading to unemployment of existing workers. In the absence of supporting legislation to protect workers from exploitation even if training is imparted, the gains are only for employers who may get trained workers for low wages. If training is to benefit both workers and employers, it is essential to have a level playing field which can be ensured only if a comprehensive legislation is enacted.

In the context of the COVID-19 pandemic, these issues have got amplified (Khullar, 2020). Studies have revealed the devastating effect of the pandemic on domestic workers with unseen economic hardships as many employers stopped hiring and if hired are hiring fewer workers (ISST 2020). Large-scale migration to the villages were noted, especially during the first wave of the pandemic, but many have returned



to the urban areas for lack of work in rural areas. Dismissal without any notice and wage cuts defines domestic workers lives now and works are also being harassed as they are often seen as carriers of the virus emanating from their class and caste position. Those who are back in employment are overworked due to heightened cleanliness and the increased demand put on them without any increase in pay. Maintaining the pre-pandemic working conditions is itself a challenge for workers, given the overall distress among the poor which is leading to a further reduction in wages. Workers are forced to undercut wages to get employed even when they have better skills and many years of experience.

5 Conclusion

In India, though there has been significant interventions and positive changes in ensuring rights of domestic workers, they are still to acquire rights as workers, having been excluded from many labour regulations and their inclusion in the new set of labour codes is still a matter of concern. An analysis of the sector shows that there has been a change in the state's approach to the sector over time. The initial period of feminization of the sector suggests complete state apathy and neglects at large though there have been some attempts to recognize the sector. The second phase marked by attention at the international level, with preparatory process for the ILO convention happening in different countries, there is a forceful response from the state, evident in the setting up of the task force and an attempt to cover the sector under the Minimum Wages Act. Draft National Policy on Domestic work and its revisions and the ratification of ILO convention are all part of this phase, which could be referred to as the golden phase with its labour rights approach.

In the current phase, there has been an erosion of labour rights framework in the state's approach to the sector, evident in the resistance to adopt a national policy on domestic work and increased emphasis on skill development and employability concerns. Existing approach of skill development and professionalization at the most has merits at an individual level for hand full of workers, while for the majority the work life is a struggle. Apart from behavioural orientation keeping the requirements of employers, awareness on workers' rights or specific issues of women workers are ignored in such an approach. Paid domestic work is not a good employment option, if one looks at wages or other conditions of work in the sector, but it is a sought sector as it is the only option for poor women. Market-based solutions cannot solve the inherent issues of the sector where private homes are workplaces and personal relations dominate employment conditions. Unless and until domestic workers are given labour rights and are able to collectively make claims to alter their working conditions, skill development initiatives will remain as a programme which is far away from the realities of the sector. Recessionary trends in the economy and crises situations like the current pandemic have led to contraction in the demand for domestic workers and the worsening of employment conditions as has been reported by field studies. This points to the need to go beyond the existing limited framing of domestic work as any other sector and uncritically extending policies.



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