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Employer practices and perceptions on paid domestic work

Recruitment, employment relationships,
and social protection



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▶ **Employer practices and perceptions on paid domestic work**
Recruitment, employment relationships, and social protection

Dr Divya Ravindranath, Antara Rai Chowdhury, Rashee Mehra, Dr Gautam Bhan, Divij Sinha, Amruth Kiran, and Teja Malladi

Indian Institute for Human Settlements



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► List of abbreviations

BOCW	Building and Construction Workers
ESI	Employee's State Insurance
ID	Identity
MLA	Member of Legislative Assembly
PF	Provident Fund
RWA	Resident Welfare Association

► Research team

This report was authored by the Indian Institute for Human Settlements, India, for ILO. The team consisted of Dr Divya Ravindranath, Antara Rai Chowdhury, Rashee Mehra, Dr Gautam Bhan, Divij Sinha, Amruth

Kiran, and Teja Malladi. We would also like to acknowledge the contribution of Kinjal Sampat, also with IIHS during the early phases of this study.

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► Foreword

Declining female workforce participation rates in India has been an established cause for concern. According to an ILO Report on Care Work and Care Jobs for the Future of Decent Work (2018), family responsibilities were among the top reasons for women's inactivity in the labour market globally. Hence, understanding the dynamics of paid and unpaid domestic work within households is important to advance a decent work agenda in India and beyond. At the same time paid domestic work has become one of the growing areas of employment for women in India and elsewhere.

The ILO's 5R Framework for Decent Care Work to Recognise, Reduce, Redistribute unpaid care work, Reward care workers, and ensure Representation, access to social dialogue and collective bargaining for care workers offer guidance in measuring, identifying and addressing obstacles that inhibit access to paid work opportunities. They are all pertinent to advancing a decent work agenda for women workers belonging to different class and skill categories and making empowerment a reality.

Over the past decade, following the adoption of Convention No. 189 on Domestic Workers, research insights have emerged globally and in South Asia on working conditions of domestic workers and their role in the care economy of South Asia. These insights have translated into recommendations on the types of policy reforms that are needed towards formalisation and access to rights as workers. Yet we know very little about the paid and unpaid domestic work dynamics of household work and its influence on the employment relationship, beginning from mobility needed to meet the demand for jobs in the sector, recruitment, wage bargaining to working conditions, accessing social security, fundamental rights as workers and grievance redressal.

In South Asia, ILO's Work in Freedom programme has demonstrated successfully the use of a political economy lens to address forced labour conditions in vulnerable sectors, promote mobility for paid work with choice for women migrant workers and produce robust evidence to underpin policy efforts to push forward a decent work agenda. In India, the WIF programme

has extensively worked with ILO constituents, especially trade unions to address deficits in access to decent work for domestic workers.

This study report is an important contribution towards understanding the employers' perceptions and rationale and bases that underlie how employers in urban India engage, value and perceive domestic work and workers through a deeper qualitative archive based on interview data collected from 400 households. Drawing upon multiple rounds of survey targeting almost 10,000 households in Bengaluru and Chennai, the findings of this study will allow regulators to understand employer and worker motivations better, as well as how it allows worker organisations to better tune their advocacy strategies to the local and social realities of domestic workers' employers.

This study conducted by Indian Institute of Human Settlements complements a previous study conducted in 2016-17 by Institute for Human Development focusing on New Delhi and Mumbai. While similar questions have been posed to aid a comparative perspective, the IIHS study builds forward on the earlier methodology by using an innovative urban sampling technique and drawing the sample from households belonging to different income categories, as balancing paid and unpaid work at home is a challenge for women across different class categories. I sincerely appreciate the efforts put in by the IIHS research team to produce three exhaustive reports based on the study, despite several challenges posed by the COVID-19 pandemic in data collection and analysis and encourage readers to engage and reflect on the important findings.

I would also like to express deep appreciation for my colleagues' efforts, especially Dr. Neha Wadhawan, National Project Coordinator of ILO's WIF programme in India, and Mr. Igor Bosc the Chief Technical Adviser of the WIF programme for their initiative in conceiving, designing and overseeing the completion of the study with IIHS.

Ms Dagmar Walter

Director, ILO DWT South Asia/CO New Delhi

► Executive summary

The key question of this study is to ask: *What are the beliefs, motivations, and perceptions of employers toward recruitment, employment conditions, and social protection for domestic workers?*

To do so, in **section 3** we explore what are the demand side factors that influence how a worker is found and hired from the labour market. In **section 4**, we examine the terms of employment to understand how working conditions (wage determination, employment security, workplace facilities, and non-wage support) vary across employer households and what are the subjective notions of employer responsibility towards their worker. Lastly, in **section 5**, we probe employer perspectives and disposition to the notion of extending the legal ambit of labour laws and social protection to domestic workers, including their willingness to contribute to any social protection fund to this end.

We draw from personal interviews with 403 households in two large metropolitan Indian cities– Bengaluru and Chennai – with variations across socio-economic status, caste, neighbourhood type and across households with and without women working for wages. This Executive Summary outlines key findings and implications.

This report is the third of a three-part series, with the first report looking at the total number of paid and unpaid hours it takes to reproduce a household in urban India, and the second report looking at the quality of employment for paid domestic workers.

FINDINGS

3. Recruitment

3.1. Recruitment channels: Employers showed a high preference for hiring from neighbourhood networks for three main reasons: it implied some form of implicit verification had already taken place, thereby assuaging concerns of safety and trust; a pool of workers that lived in close proximity to employer's homes affirmed trustworthiness; the quality of work was assured as it had already been evaluated by other employers. In some high income employer

households, especially those living in older parts of the city, long term employment relationships were sustained as familiarity built over time was seen as deeper than trust, it also indicated dependability and loyalty. A small proportion of employers found workers through hiring agencies, but this was mostly in case of full time workers.

3.2. Recruitment preferences: Our report reaffirms that identity based parameters such as religion and caste play a key role in shaping recruitment preferences of employers. Other than evoking reasons of cleanliness and hygiene, the articulation of such preferences were spoken of as socio-cultural practices that elders in the household are at ease with. In addition, some employers showed a preference for workers that had similar regional background and language proficiency as them as it was critical for communicating tasks and building rapport. Employers preferred middle-aged workers as older workers would find the physical nature of domestic work too difficult. At the same time, they were suspicious of unmarried women and hesitant to hire those with very young children as she would need frequent leaves to attend to her children.

Employers highlighted a list of traits that they considered vital. They wanted workers who were punctual and willing to be flexible whether to take on an extra task or do more of a task on one odd day. Employers looked for workers that maintained bodily hygiene and cleanliness. In this case, employers had the power of making distinctions and qualifying whether someone was neat or not subjectively. The behaviour and attitude of workers was also considered to be important as non-argumentative workers were less likely to demand for other things such as leave, extra money and loans. Loyalty and commitment were considered a given in long-term employment engagements, but were also seen as less common today owing to the changing nature of the labour market where workers were not as committed as before. Since workers worked in the personal space of the employers' home, trust was considered to be the most overarching and important trait. To

retain trustworthy workers, employers were even willing to ascribe a monetary value in the form of higher wages. Employers' judgement of these traits in a worker were found to be highly subjective as their articulations on what each of these traits mean to them varied across the research.

4. Employment relationships

4.1. Wage determination: Employers determine wages by calibrating running rates in the neighbourhood for tasks or units of work, workers wage expectations as well as their own affordability. Further negotiation was based on the number of members in the household, number of rooms and size of the home, opening a slight window for negotiating around neighbourhood rates. We also find that employers were hesitant to pay more than the prevalent running rate so as not to attract any form of backlash for disturbing the existing rates in the neighbourhood.

4.2. Employment security: When asked about the quality of employment conditions of domestic workers in comparison to other informal workers, a repeated response was that domestic workers enjoyed more employment security than others. However, employers were willing to keep a worker as long as they followed instructions, noting that workers' employment security was not their responsibility.

4.3. Workplace facilities: While almost all houses provided access to drinking water, in several cases workers were asked to use separate utensils. When employers were asked about access to toilet facilities there was greater reluctance in letting workers use the facility within their homes, unless there was a separate toilet in the house. Employers felt that access to toilets in their homes was not necessary as workers worked there only for an hour, without acknowledging that workers worked across multiple employer homes throughout the day. Most preferred that the workers use outside toilets, common building complex toilets or public toilets. Several employers mentioned that they provided food to the domestic workers while they were at work, often articulating this as an extension of the wage that was being paid to the worker.

4.4. Non-wage support:

Paid and unpaid leaves. In daily wage work, workers are paid only if they show up at work. In contrast, even though domestic work is regular salaried work, most workers are not entitled to earned leave, and when they are, the terms of leave are unclear. Long absence was also a cause of concern for the employer as it also entailed a replacement cost - i.e. the employer would have to pay another worker to do the housework temporarily.

Medical support. In our interviews also employers mentioned looking after the health of their workers as their responsibility. One of the reasons cited for this was "*mutual dependence*", implying that while the workers looked to the employers for medical support, the latter also ought to ensure good health and wellbeing of the former on whose labour they depended on. Another reason repeatedly evoked by the employers was that they received medical care from their workplaces and hence thought it important to support their workers.

Maternity leave. While employers supported the idea of maternity leave, they reflected that in practice it would entail making complex arrangements at their household level. Most employers said that since it would be difficult for them to continue without a domestic worker, they would ask her to find a replacement and would not be able to afford regular payment to the former worker.

Childcare. Several employers empathised with the necessity of childcare for working mothers, but only some were willing to accommodate such needs occasionally, while most others were unwilling altogether. Even if employer households may act as additional childcare arrangements for occasional needs, they do not have suitable infrastructure or resources to attend to the child.

A large number of employers in our sample said that it was their responsibility to support the education of domestic workers' children, and they extended financial aid in the form of advance, interest free loan, or lump sum towards this end. Consequently, the positive orientation of the employers towards the need for supporting children's education can be leveraged in shaping contributory social protection schemes in this regard.

4.5. Subjective notions of employers responsibilities towards workers: We have created four emic themes under the rubric of employer responsibility: honouring verbal wage contract, being fair to workers, counselling and listening to workers, and safety of the workers. These patterns are not universal but provide a useful lexicon to think about employment relationships in this sector.

5. Legal coverage and social protection

We asked employers what they think of having a separate law and policy for domestic workers.

5.1. Employer unwillingness for any law or policy for domestic workers was articulated by employers through multiple reasonings. The first was that a law would lead to professionalising the domestic work sector, making it harder for domestic workers to negotiate wages. The second perspective was that if workers were taken care of by the employers and earned enough, a law was not needed. The third was a fear of the law being 'misused' by domestic workers against their employers. And the fourth was that employers would not be able to afford additional perks for the workers or that they themselves did not receive benefits such as pension therefore they would be unwilling to extend such support to their workers.

5.2. Employer positive outlook on social protection for domestic workers but mixed responses for contribution to it. Some employers reported that they already were providing benefits such as health insurance to their workers; Many articulated that salaries were not enough to meet all the needs of the workers and a law would allow them to live a life of dignity. Finally some employers felt that it should be the responsibility of the government to provide the welfare for domestic workers.

Implications

The principal aim of this report is to offer an archive that details the motivations and thinking of employers of paid domestic workers in urban India. This contributes further to the understanding of the dynamics behind the empirical patterns established in the first two reports of this series. In this third report we draw key highlights to reflect on possible pathways for policy and practice that such a qualitative archive offers.

1. Valuation and dignity of work. This will require not just new policy mechanisms but other means to challenge the pathways such as current valuation of work, and the social dynamics of caste, class and gender that pervade them. Valuation of work is currently determined by three factors: neighborhood channels that control labour markets by deciding wages, segmented nature of work where identity of the worker determines who gets to do what type of work, and the gendered nature of domestic work. Employers seek workers with specific skills and traits and any worker who is unable to keep up with this composite set of requirements is considered to be undesirable or untrustworthy. This class stereotype dents the dignity of work. It is only through detailed qualitative assessments that the precise articulation of such stereotypes can be assessed.

2. Formulating regulation and redressal mechanisms to improve quality of work. Even though urban domestic worker unions have pioneered the use of "rate cards", we found that employers engineered their own versions of rate cards thereby disproportionately shaping actual practices in neighborhoods. Considering this, state or city-level wage rates are impractical due to socio-economic differences that exist in Indian cities. Thus, any conversation around regulation towards fair wages must be located at a spatial scale of the neighborhood level as a negotiation between the employers, workers and workers' organizations. In the absence of regulation of wages or workplace conditions, it is critical to have redressal mechanisms to protect workers from decent work deficits. This includes non-payment of wages, absence of paid leave, unsafe work conditions and insecure income, arbitrary firing and complaints of theft. A robust redressal mechanism with a third party arbitrator such as workers' organizations or a welfare board will hold employers accountable for creating a dignified work environment with better working conditions and access to workplace facilities like toilets and water.

3. Social protection is critical to move the power balance towards the workers. Domestic workers encounter precarity as a consequence of poor wages and employment insecurity. social protection plays an important role in providing safety nets, preventing deprivation and providing protection from uncertainties. When no other source of income or credit is available, workers are inherently dependent on employers to meet

their additional needs. Our data suggests that even though employers provide various forms of support, it is highly variable, uneven and reduces the workers' power of bargaining. Our research finds that workers must be able to demand non-wage support as an entitlement and not be forced to see themselves as passive recipients of employer benevolence. For this to happen it is paramount that state-led social protection is strengthened.

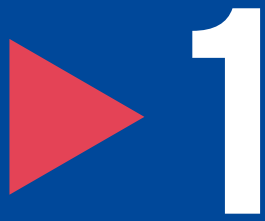
4. Employer hesitancy on policy can be directed towards contributions to social protection

Employer's hesitation to regulation was anchored in reluctance to bring wage levels under legal purview. Presently domestic workers have no legally enforceable ways to hold employers responsible for material needs. In our study it was clear that households were eager to keep their costs towards the workers low. However, they acknowledge the need for social protection for domestic workers. Considering this, the non-wage support they provided their workers could be leveraged as a justification for making indirect contributions instead.

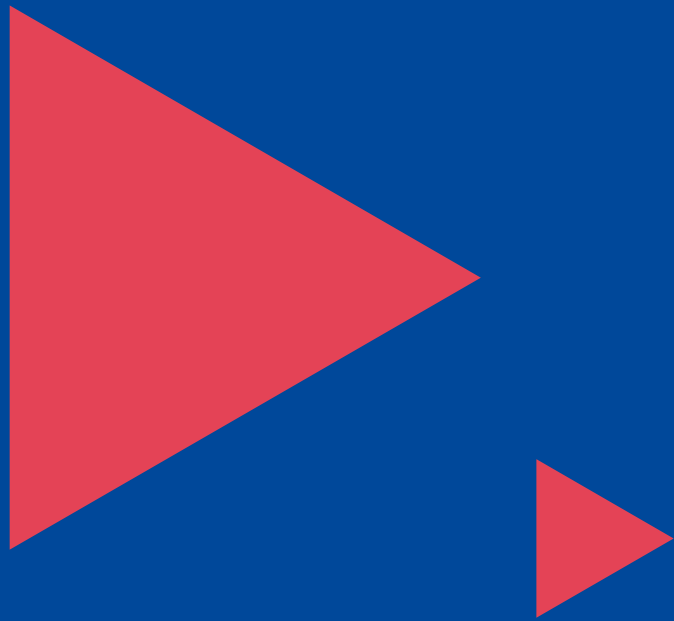
5. Scrutinizing socio-cultural discriminatory practices in the employment relationship.

Our data presents an archive of the ways in which employer attitude towards workers

belonging to a certain class, gender, caste identity shapes their interactions as well as work and working conditions. Employers' positionality (vis a vis workers' identity) leads to particular patterns of discrimination: Employers seek workers that are quiet, non-demanding or non-argumentative, and show attributes such as deference, obedience and submission, thereby invisibilizing the physical presence of the worker at the workplace. In seeking trustworthy workers that do not 'flick or steal' household possessions and taking precautions to avoid possible theft, employers keep alive a class stereotype at both individual and group level that dents the dignity of workers. Even though employers often use the language of care while describing the various forms of support they provide the worker, they exercise considerable control over workers movements and access to workplace facilities such as water or sanitation. During the COVID-19 pandemic, personal hygiene took on a newer meaning. Employers worried about their workers carrying infection into their house and to their children. However, they did not mention that, as employers, they could also affect the worker. This archive articulates that crucial norms and belief systems that must be challenged outside changes to policy and regulation.



Introduction



Housework, as an expansive term, includes all the work required to reproduce the household – whether paid or unpaid. Domestic workers perform this work for remuneration, and that is commonly known as ‘paid domestic work’ or just ‘domestic work.’ In the literature, this sector is studied using either a task-based approach or a space-based approach. A task-based approach tends to focus on the dynamics of one or more types of services such as cooking, cleaning or care work. A space-based approach, on the other hand, focuses on the place of work. The International Labour Organisation (hereafter, ILO) foregrounds the latter approach in defining domestic work in its [Domestic Workers Convention, 2011 \(No. 189\)](#) as the activities and tasks undertaken by a domestic worker may be different between different societies and change over time but the employer’s home as a place of work continues to be a defining characteristic.

The employment relationship in domestic work presents a “messy intimacy” as workers and employers negotiate the two realms of home and work (Kabeer, 2018). Several studies that have been cited in this report tell us about workers’ points of view, focusing on their challenges, vulnerabilities and the sense of isolation and injustice they experience at their site of work. In particular, this scholarship points to the following features of domestic work: First, in the absence of clear legal recognition of domestic workers and regulation of domestic work, the sector continues to be informal. Consequently, it does not fall under the ambit of existing labour laws and social protection policies or any sector-based codes. Second, wages in this sector continue to remain low. Socio-cultural construction of housework is such that it is viewed as a natural function of “feminine domesticity” (Barua, 2021). Consequently, domestic work is considered to be unskilled work and the largely feminized workforce remains undervalued and invisible even when they offer a paid service.

Third, alongside gender, caste is another reason for the undervaluation of the work and the worker. The nature of domestic work is such that it continues to reinforce caste-based divisions of labour, with those from certain castes being compelled to do the most menial work such as cleaning. Fourth, urban geographies shape the sector in particular ways. A significant proportion of the total female employment in urban areas is engaged in domestic work. There is an increasing

demand for domestic workers owing to a class of employers who are able to afford these services and a class of surplus workers who are looking for work.

Each of these features outlined above explain the everyday lives of domestic workers and the conditions under which they perform their work. Furthermore, our understanding of the sector has deepened from the work undertaken by workers’ organisations that have played an important role in mobilising and collectivising workers in different parts of the country. Such advocacy has been critical for attaining dignified and decent working conditions for the workers and challenging inequalities that exist in the sector.

However, to sustain the momentum in advocacy across diverse settings it is necessary to engage with all stakeholders. In this regard, as a way to achieve decent work, the ILO places emphasis on social dialogue “to include all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers and workers, on issues of common interest relating to economic and social policy” (Domestic Workers Convention, 2011 (No. 189)).

For meaningful social dialogue to occur it is necessary to understand how each of these stakeholders contribute, affect, shape and drive the sector. While much has been written from the workers’ standpoint, there is a significant gap in scrutinising the role of the employer even though they exercise disproportionate power in determining terms of employment, wages and working conditions. In this report, we thus turn our gaze to employers. This is essential to understand the contours of the demand and working conditions of the sector, to draw out employers’ behaviour, practices, and orientation that can be leveraged or at least need to be managed for regulation and policy for domestic work.

Part of the Work in Freedom programme at the ILO, this study is the third of a series of reports on paid and unpaid work within the household. All three examine the nature of housework and domestic work in two large Indian metropolitan regions in southern India – Bengaluru and Chennai. The first report in this series called “Reproducing a Household: Recognising and Assessing Paid and Unpaid Housework in Urban India” is a large sample survey-based study

of nearly 10,000 households that looks at the empirical distribution of paid and unpaid work in the two cities in order to understand what it takes to reproduce a household (ILO-IIHS, 2022). The second report, called “Deficits in Decent Work: Employer perspectives and practices on the Quality of Employment in Domestic Work in Urban India,” draws from a subset of the same data but turns our attention to the quality of employment when households engage paid domestic workers outside the household (ILO-IIHS 2022).

In this third report, using employer perspectives, we seek to go beyond an empirical description of existing practices within the employer-employee relationship to offer a deeper qualitative archive that explores the perceptions, rationale and bases that underlie how employers in urban India engage, value and perceive domestic work and workers. The three reports thus build on each other even though each is designed to be read independently to an extent. This report, in particular, details insights into empirical patterns established by the first two and we refer to them as the ‘first’ and ‘second’ report in this text.

Structure of the report

To locate domestic work within the wider ambit of the political economy of informal work, it is critical to pay attention to **what this form of work entails and where it takes place**. In this report we enter this discussion on domestic work from the perspective of the employers to understand the following three aspects:

A. **Recruitment:** Recruitment channels and preferences

We explore what are the demand side factors that influence how a worker is found and

hired from the labour market. That is, what recruitment channels do employers use and what are their hiring preferences in terms of the workers social identity and skills or traits?

B. **Employment relationship:** Working conditions and employer responsibilities towards workers

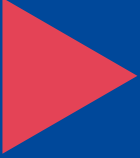
We examine the terms of employment to understand how working conditions (wage determination, employment security, workplace facilities, and non-wage support) vary across employer households and what are the subjective notions of employer responsibility towards their workers.

C. **Employers’ outlook towards legal coverage for domestic workers:** Employer perspectives on having any law or policy and social protection for domestic workers.

We probe employer perspectives and disposition to the notion of extending the legal ambit of labour laws and social protection to domestic workers, including their willingness to contribute to any social protection fund to this end.

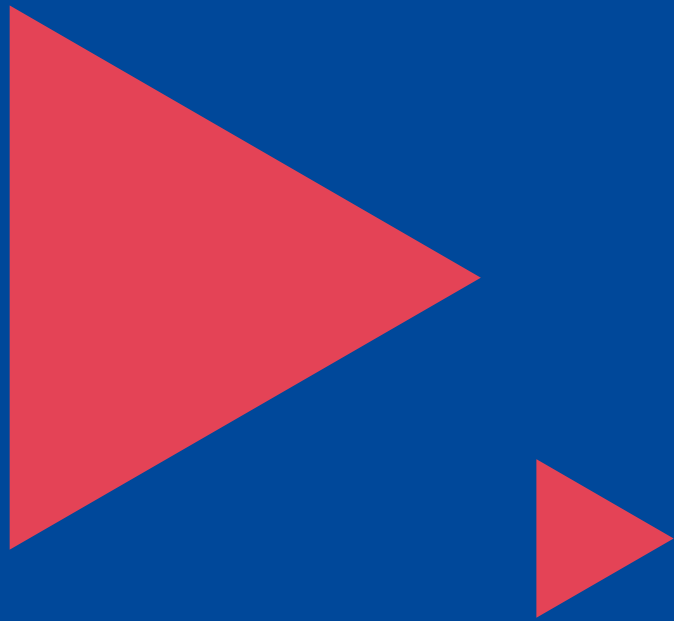
We have defined, in detail, our understanding of housework, unpaid care work and paid domestic work within the home in our first report including its division into domestic services and care-giving services (ILO-IIHS, 2022). For this report, it is important to note that we predominantly focus on part-time, live-out domestic workers who engage in cleaning services including tasks such as sweeping, mopping and washing clothes and utensils. In some specific sections, we draw comparison to other forms of work undertaken in the household such as cooking or caregiving services for children or elderly.





2

Methodology and sampling



This report is based on interview data from 403 households from 16 different neighbourhoods across Bengaluru and Chennai. We specifically reached out to households that had hired a paid domestic worker at the time of the interview. These households were selected from the clusters of high, medium, and low-income neighbourhoods in Bengaluru and Chennai identified in our first report. We refer readers to that report for a detailed explanation of our sampling strategy.

The personal interviews were conducted using a semi-structured interview schedule designed by the authors at Indian Institute for Human Settlements (IIHS). The interview schedule was divided into four broad sections: recruitment, valuation of domestic work and terms of employment, employer responsibilities and employer outlook on social protection and regulation in the sector.

The personal interviews were conducted by the authors and eight other trained interviewers between December 2021 and May 2022, barring a two-month disruption in early 2022 due to the rising cases of COVID-19 in India and the consequent lockdowns instated by the state governments of Karnataka and Tamil Nadu. The interviews took between twenty to sixty minutes, and were conducted in a language that was common to the interviewer and the interviewee (English, Hindi, Tamil, Telugu, Kannada and Malayalam). The interviews were later transcribed into English by the interviewers.

Authors coded the interviews based on a shared codebook to organize the data for analysis. We used a combination of a priori coding (based

on previous literature and our first two reports) and emergent coding (codes that emerged from within our data). The analysis primarily focused on identifying common patterns and dominant trends where possible, but we were also sensitive to presenting diversity in responses. In order to create a public archive of employer voices and language on many of these subjects, we have chosen to keep excerpts from the transcripts verbatim in the report.

Sample

The final sample we had had 194 households from Bengaluru and 209 households from Chennai from 16 different city neighbourhoods across the two cities. As expected for a sample of employers, the household income levels are mostly medium income (300000-800000 Indian rupees per annum) and high income (800000 rupees or higher per annum) households, using the same income classifications as our first report. We had a few low income (300000 rupees per annum or less) households in Bangalore (8) and Chennai (24).

Of our sample, nearly 39 per cent of households had female employers who themselves worked for wages outside the household. The sample has more representation of households that identify as Hindu across both the cities. In Bangalore, however, there are several Christian households as well (30) as one of the interviewers used churches and related institutions for setting up interviews. Table 1 summarizes.

In the analysis, we do not present disaggregated data for both the cities as there were similar patterns and trends across them. Where

► Table 1. Sample description

City	<i>Bangalore</i>	48.14%	194
	<i>Chennai</i>	51.86%	209
Household Income Categories	<i>High (Greater than 8LPA)</i>	40.69%	164
	<i>Medium Income (3LPA to 8LPA)</i>	32.01%	129
	<i>Low Income (Less than 3LPA)</i>	8.19%	33
	<i>Did not disclose</i>	13.90%	56
Current employment status of female head of the household	<i>Employed</i>	38.46%	155
	<i>Not Employed(including retired individuals)</i>	59.06%	238
	<i>Not applicable</i>	2.48%	10

N=403

Source: Author's analysis

necessary, we mark out the differences in households by income categories. Detailed disaggregated empirical analysis by income and city have already been presented in the first two reports.

Challenges

The interviewers on an average faced more than 50 per cent rejection rate. For example, one of the interviewers alone recorded a 75 per cent rejection rate, rejected 206 times in 259 attempts. It was consistently difficult to access households across the two cities. Households were generally suspicious of being interviewed and especially on the subject of domestic workers. This was unlike what one faces in low-income neighbourhoods. Households categorically did not want to speak of 'household affairs'. Sometimes even if an individual was interested, the 'household' was suspicious.

The large plotted houses and bungalows had several layers of security which made it difficult to access them. Negotiating with apartment complexes for entry was also challenging, especially with the subject matter. Even when one could access them, it was relatively time consuming. Some of these challenges had considerable effect on the final sample. Our sample has fewer representation from very high-income households, or 'elite households' and more representation of medium and high-income households living in flats in

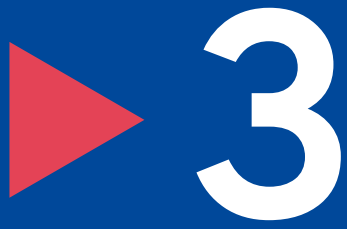
single-building apartment complexes or independent plot houses.

We also had a challenge with representing more low-income households, but the reasons for this were different. The lower likelihood of hiring a domestic among such households made it challenging to identify such households within the cluster, unlike the experience in medium income and high-income clusters.

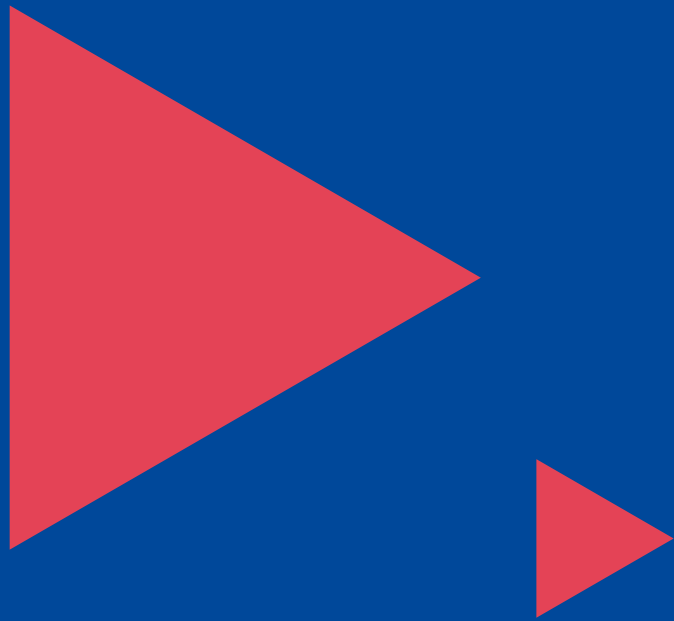
It was relatively easier to access neighbourhood networks and apartment complexes through a known individual or organisation. However there were mixed observations on how approaching with or without prior contact affects the data.

It is critical to reflect on the challenges faced during the data collection process for this study as it significantly determined the sample and interpretation of the data. Further, it is also a reflection of why it is important for studies that aim to study employer households to be supported with adequate resources so as to have the space and time to adapt the conventional research methods to this distinctly different context. Finally, we note studying elite households is a stark reminder of their ability to refuse being subjects rather than agents of research and knowledge production, and highlights the importance of more studies of elite urban households rather than only of domestic workers.





Recruitment



Fair and non-discriminatory recruitment is a key aspect of decent work. Recruitment of part-time domestic workers is known to occur in highly informalized and localized labour markets. Previous literature has shown that domestic workers live in clusters in close proximity to residential areas and resettlement colonies where “clustering reflects the significance of social networks in embedding them in work and community life” (Neetha, 2019). On the other hand, employers undertake reference-based hiring from their own informal and local network to find “suitable” and “desirable” workers.

In our second report, we found that informal and local networks dominate recruitment in both the cities (Bengaluru and Chennai), while hiring agencies and new platform companies were also used but to a significantly lesser extent (IIHS-ILO, 2022). We also noted that employer preferences of certain social factors, skills and traits continued to shape demand. In this report, we extend this line of enquiry further. We disaggregate data by recruitment channel to understand why employers use these particular channels for finding and hiring workers. Next, we build a more in-depth account of the key factors— whether in terms of the workers’ identity or her skills and attributes— that employers consider while hiring.

3.1 Recruitment channels

Even though domestic workers have a wide presence in most neighbourhoods of the city, from the employers perspective there exists an information gap in accessing the labour market. To elucidate: the labour market for domestic work is spatially clustered but the workers are dispersed because they work in the private homes of various employers. Consequently, without a reference (whether from informal or formal channels), employers seem to find it difficult to reach workers. Reference-based hiring then is a common mechanism through which employers connect with employees. In this section, we look at each of these channels more closely.

3.1.1 Neighbourhood networks

In our second report, half of the employers in our sample reported “hiring workers working in the same area.” Neighbourhood networks were

the most important channel of recruitment of domestic workers, as they proved to be the first point of contact between the employer and the employee.

During our interviews we found that these networks mostly consisted of those living in the vicinity including family, friends, acquaintances, and neighbours. In recent years, Whatsapp groups in apartment complexes or housing societies that are used to disseminate information to residents have also emerged as an important channel for recruitment of a worker. One key difference in using this latter mode was that it expanded the composition and scope of the employers’ neighbourhood contacts to include even those individuals that are not known directly. The only familiarity here is that of a common location.

Interviewer (I): And how did you find your domestic worker?

*Respondent (R): **Through my common friend. She’s been working for many years...** Then I just asked her to help me, and she agreed.*

*R: She was working with one of our neighbours. **So they recommended her to us, and now we have kept her.** So now I think it’s been close to 10 years she’s working with us.*

*R: I live in an apartment complex, **we have a WhatsApp group, I said I wanted somebody, and somebody said their maid is looking for work, that’s how I got her.***

We also found that employers reached out to other forms of place-based local contacts in the neighbourhood such as gardeners, shopkeepers, carpenters and other service providers.

*R: Like you see, **there are shops nearby, so if we need a domestic worker, we go and tell them our requirements.** So the domestic workers who visit the shop ask the shopkeeper if there’s any job and then the shopkeeper gives the contacts, thus we got this person.*

We also found, consistent with what we have noted in our second report, that employers reached out to other domestic workers already working in the neighbourhood to help find them workers. This provides a significant opportunity to reflect on how unions¹ can mobilize domestic

¹ In this report we use the terms unions, federations and workers’ organisations interchangeably, following the practice of workers speaking across contexts and languages, as long as they refer to organisations where domestic workers themselves are members.

workers working in a particular neighbourhood and expand their influence over recruitment channels and wage negotiations.

*R: They know each other. I mean, you know, all of them are domestic workers. **In her area, they're all domestic workers. Right? So if you ask one, you get references of another one.***

As one employer pointed out, using local networks to find a worker was such a common practice that several employers "couldn't think of what other ways there could be."

As a follow up, we asked employers, apart from ease of contact, what other reasons prompted them to use these channels of recruitment. The first and most prominent reason mentioned by employers was *trust* and *safety*. Employers sought someone whom they could trust. Finding a worker through a reference implied that some form of implicit verification had already taken place, thereby assuaging concerns of safety.

In the second report, we described how employers used various forms of formal verification before hiring a domestic worker. During our interviews, we found that apart from documentary verification, employers relied on neighbourhood networks for the same reason. A worker already working in the neighbourhood was likely to have been vetted by one or more employers.

*R: **We didn't do any formal background check, but we had a common acquaintance, so through them like they have been having those maids for quite some time, so through them we had some referral checks. That's all.***

For employers, having a worker come into their private home space was a potential threat to their 'safety'. Safety had several meanings. Some spoke of safety from physical harm while others spoke of safety from theft, safety from information on their personal lives going public, while others spoke of safety for the dependent members in the house.

*R: **This was a new place for me, so I felt somebody who knew her would have been appropriate rather than go in search of somebody because it's not trustworthy to call somebody inside and you ask them because you never know the situation.***

*R: Many times, I go out for work so many times **we want to leave the house keys also with the domestic worker. So there needs to be a dependency on whom we are doing that with.** So that's the reason why you go with the reference from neighbours. So they have experienced how dependable they are, so that the idea is that we don't look at them typically as a maid, we treat them as a family member. So that's the reason why we typically check with our neighbours where people have been working, and we would like to take somebody only based on reference.*

*R: **There is risk in hiring unfamiliar people.** It is better to hire domestic workers who are familiar and well known to us and the neighbourhood.*

These concerns for safety shaped the employer's emphasis when seeking trustworthy workers. One of the means to affirm trustworthiness was spatial proximity of the worker's living places to that of the employer's homes. Employers drew from a similar pool of workers that lived in the vicinity as it was easier to verify their address.

R: No, we don't, because it is all about trust, so they are coming from nearby, so haven't checked any social backgrounds.

*R: **Her house is nearby. It is important to know such things.** But she is a good person. She would never touch any jewellery or valuables in the house.*

Physical proximity and knowing where the workers' lived reassured the employers that they could access the domestic workers in their own neighbourhood in case of any possible misappropriation as hinted in the excerpt above.

The other reason for depending on a reference was the assurance of quality of work. Employers were likely to hire workers whose work they had already seen and considered good enough or whose work had already been evaluated by another employer.

*R: **Because I saw her working at my sister's house and she used to do it very neatly.** So I like the way she works. So that is the reason I wanted her in my household.*

*R: **Because that is the most reliable method because we see them. We also see the result. They work well in neighbours' houses. When neighbours give assurance that the***

workers are good, it won't be necessary to invest time to go through other sources.

Once the neighbours tell, we see and that's it. They are close by also right.

R: Because since she's working there, like, you know, I know my neighbours for long years, so their feedback would be definitely helpful for me with regard to trust and with regard to the way of working and all, I don't have to really search for someone outside and when she's free and then even she is finding another job for a couple of hours and even I required that, so it would be easy for me, isn't it? Coordination between two houses will be easy for her and even for me, That's how I choose.

Along with quality of work, employers also spoke about the idea of a "good worker". However, this phrase was used without further explanation of what specific characteristics entailed a good worker. It was implied as a generic composite term that captured some combination of trust, background, quality of work or some other trait. In report 2, employers had often described this as 'reputation.' We discuss this further in section 3.2 on recruitment preferences.

R: We verify through other senior maids who work in the neighbourhood and they refer to some people they know. If they give a good certificate we take them in or else we do not hire if the certificate is bad.

R: I found this lady through the building security, it's through the network of people who work here. One lady tells another lady that someone is looking for work and then you find it. Usually recommendation is better when there's someone in the building who suggests someone else, you know, that they're a little more trustworthy, they're a little more, you know, someone who doesn't believe a person is a good worker will not recommend them to someone else.

The use of different channels of recruitment were also strategic when employers had specific requirements. For instance, in the excerpt below the employer used different contacts from her network to hire different types of workers. Here, the carpenter helped the employer find a "dependable" worker from her village for full-time housekeeping of a hostel that her household runs; the security guard introduced her to a Nepali worker for cleaning the house and a city

local who was familiar with their cuisine for cooking. Using these various points of contacts enabled the employers to tap into a different and wider pool of workers that could provide certain services.

R: It is all word of mouth. Opposite our house there is a high-end carpenter, he has a workshop here. So he has some of his helpers, his mother in law happened to be a lady from our hometown so he told her there is one family, you will be comfortable working there so why don't you come. so through him we got her.

We found this form of dependence on neighbourhood networks to be the same in Bangalore and Chennai across income categories. In the next section (3.2) on recruitment preferences, we reflect on how these neighbourhood channels maintain employer-employee relationships such that they reproduce segmented labour markets and certain identity-based hiring practices. For the workers, while concentration of labour in particular neighbourhoods might provide opportunity to mobilize for collective bargaining, being under constant eye view of a group employers who are in the same location can also create obstacles to unionisation.

3.1.2 Long term relationships with worker's family

There were also employers who reported having a long-term relationship with domestic workers' families. This was seen in three forms - the employers had known someone in the domestic workers' family over a long period of time; the same worker had worked with multiple generations of the employers' family; the worker had replaced someone from her own family.

We found that long term relationships were more sustained among high income employer households, especially those living in older parts of the two cities. This was because they had settled roots in certain neighbourhoods and also had the resources to hire and sustain domestic workers over a period of time. The excerpt below presents one such example.

I: Do you remember how you hired them?

R: The cleaning maid I have known since I was very young, I was in class 3 or 4. She worked at my home for over a decade - we were out of the city and then came

back. The cleaning lady we got through my grandmother, she found her through word of mouth. It is pretty much word of mouth.

For the employer quoted below, long term association with a worker's family implied having direct access to a pool of labour they could trust. While it is visible that employers benefit from this association, it would be interesting to investigate what workers gain from it. Does long term residence in the city translate into having more negotiating power and would association with a particular set of employer households enable workers to access the employer's social capital? We have examined in the last section of this report how such long term relationships are considered important for employers to provide better social protection for the workers.

*R: Long time - the girls working with us - the cook and the house maid - **they used to come with their mothers as girls.** They have been trained in our house for work. Now as they have come back to Bangalore (after marriage) with responsibilities - they came back to work at our home and we took them. Everyone who works here knows what work has to be done, they have no trouble as they were trained as servants in our house.*

R: So we shifted houses. We used to live near the flyover, we used to live with the temple community. That house she and her sister served from say about 15-18 years somewhere from 2004-5 onwards. We left this area and went to another area and so she didn't come. But when we came back to this area she came back. After coming here also it has been seven years.

In some cases, familiarity - such as "I have known her since childhood. Her grandmother used to bring milk to our house"- built over time was seen as deeper than trust, it also indicated "dependability" and "loyalty" in the employers' worlds. We discuss this further under recruitment preferences where employers said that loyalty and commitment were essential traits in a worker. It is useful to reflect on the implications of pre-existing employer-employee relationships in older neighbourhoods. Is the entry and exit of workers more controlled in a saturated labour market? For instance, are newer workers able to enter these neighbourhoods for work and do older workers manage to leave considering their high dependence on the employer families. Workers who cannot leave face implications as

they are unable to negotiate for better salary and other benefits as they continue to abide by similar working conditions over a long period of time.

The excerpt below provides a contrast. When the long term relationship between the employer and employee did not sustain, it was attributed to the changing nature of the labour market. It also hints toward both more employment opportunities for domestic workers and a changing perception of the employment relationship among workers such that they do not feel obliged or constrained to work with the same employers.

R: They will be completing about a year or so. Initially when we were kids, when I was a kid, that cleaning lady was around for 20 years. My nanny was with me from birth to 22 years. I have had the same gardener, helper, and the same team for all this time and then they all grew old and moved in with their children. Ever since whoever we have had has stayed for a maximum of three years. That sense of loyalty is very different. Earlier people stuck with you for a long time and now for a difference of 500 rupees they can leave you anytime

Though employers expressed dissatisfaction with the movement of workers in the present day labour market, the ability to move out of a particular neighbourhood-based labour market to another could be beneficial for the workers. They may benefit from the contemporary practices in hiring, remuneration, skilling opportunities and other forms of support that are provided to domestic workers in upcoming high income neighbourhoods, particularly in newer and per-urban areas of expanding metropolitan regions. Such mobility from one neighbourhood to another could help workers break out of dependency on one set of employers and improve their scope for negotiations with another employer.

3.1.3 Hiring agencies

We would like to note here that while this report largely focuses on part-time, live-out domestic workers, in this section owing to the nature of recruitment through hiring agencies, we discuss some particularities of full-time work.

As discussed in the beginning of this section, the informal and local domestic workers' labour

market generally caters to employers who seek part-time workers. Among people we interviewed, hiring agencies were used as they had a network of migrant workers that were more likely to do live-in work or full-time work. A small proportion of employers in our sample preferred this channel of recruitment over informal networks precisely because it helped them find full-time workers.

I: How do you find them here?

R: We have somebody from Punjab, two girls that have come (as full-time workers), they are sisters, they will finish a year. If they want to continue, they continue or if they want to go home and get married or something, it is up to them.

Another reason shared by the employers was that the agencies, when they were good, provided continuity in services. If one domestic worker left, another was sent to the household as a replacement. Additionally, the agency assumed responsibility for training workers and as an employer said the payment was “fixed by the agency itself,” thus reducing their burden in having to do the same repeatedly.

R: The services of the agencies are absolutely fine because they have a very clear scope of work, what they deliver at what price, and it was easy for us, because we leave the skilling of the workers to them. So, they do the job for us and we are okay to pay them and we know exactly how much they are charging. So it's absolutely fine.

R: The rates are okay. All we need is satisfaction, the wages we pay are reasonable since they work for us. We need (work) satisfaction and they should live with us like a family member.

In contrast we also found that some employers were dissatisfied with hiring agencies. A common reason for this was lack of trust, both in the agency as well as on the worker as seen in the excerpt below.

*R: This agency didn't work at all... we didn't get a maid but still had a contract. I feel this is their game. **In the beginning they provide many odd maids, then finally they bring someone who is nice. This worker remains for some time. Then I think they switch this maid as well. So this one professional maid will go to every house after three or***

four replacements. And in the meantime, one month goes, we still have to pay for this month. And like this, a lot of maids don't come, four days, seven days, and we only do the work. So this is why this process was really difficult. Then we just quit that agent and then we just searched and found somebody through others.

Some employers reported that the agencies weren't transparent about the wages with the domestic workers, due to which workers moved on to other households. The excerpt below details one such employer perspective.

I: Is it because of trust issues?

*R: The company does not know them well. They just instruct the person and send them to homes for work. After a few months the workers jump somewhere else. This happens at the majority of places. Majority agencies for finding a house house maids are unsuccessful. **The company might be charging the employer around 15,000 rupees and might be paying the worker only half of that amount. After a few months the workers get to know that and they jump to some other place. In foreign countries the agencies have strict laws and regulations. The domestic workers, employers, and agencies cannot escape the laws whereas in India there are no laws regulating this sector.** The domestic worker, employer and agencies can do as they wish.*

Furthermore, some employers were dissatisfied with workers hired through agencies as they lacked flexibility. In other words, they refused to take on additional tasks or extra responsibilities, other than what was agreed upon.

R: When my mom was ill I have tried these agencies for finding caretakers, and they hardly do anything like, you know, as their own workload, they just do it like they are appointed for that particular work and rest of the things they don't touch. So they're not doing it selflessly. They're just doing it for the paid job. So that is the reason I prefer going through word of mouth through recommendations. I think that is better. Yeah.

As we write in section 3.2 employers considered flexibility to be an important trait among workers. But as workers moved from informal work - wherein tasks are loosely defined - to

formal employment via an agency where tasks and wages were more clearly defined, there was pushback from employers. It remains to be seen how employers and workers will resolve these dilemmas.

An additional finding in our data also signals toward newer forms of services, such as on-request cleaning services, being provided by hiring agencies to fulfil changing employer needs for upkeep and maintenance of their homes.

R: There are a lot of companies, there is a German company, pretty state of the art. We haven't felt the need so far. If we have a need for deep cleaning we have a contractor company - we google it and we see user reviews and we get them to come. That also we have used when we moved into the house otherwise we haven't felt the need.

There are also new online and offline firms coming up in urban markets such as Urban Clap, Dupont, Broomies, and more that work as recruitment and matching platforms for workers and employers. They offer services for hiring domestic workers for several segments of this sector such as part-time cleaners, cook, and care workers, and full-time workers. The mushrooming of such services show the continuing demand and dynamic nature of this sector in urbanising India. If there is a market for such firms online and offline, then the state must also take this opportunity to not only govern these firms but also to build such platforms that are led by the state and workers in consultation with employers to balance the unequal power in this employment relationship.

3.2 Recruitment preferences

A previous study commissioned by the ILO on employer preferences for hiring domestic workers in Delhi and Mumbai showed a shift in preferences from 'traditional factors'² such as caste, religion, region of origin to more work-related parameters such as efficiency, punctuality, tidiness and so on (ILO-IHD, 2017). However, in our first report in this series in Bengaluru and Chennai, we found that employers paid significant attention to both

identity-based parameters and skills and traits while making hiring decisions.

In this report, we explored this dynamic further by looking at employers' articulation of their recruitment preferences by asking two questions: do you consider the social background of the worker when hiring workers? What traits do you seek when hiring workers?

3.2.1 Identity-based parameters

We asked employers if they considered identities such as caste, religion, place of origin, age, language of the worker, and we found repeating patterns of these parameters impacting recruitment practices. Here we examine the employer's observations of which of these aspects matter to them and why.

3.2.1a Region of origin and language

Our findings show that employers prefer hiring domestic workers that have similar regional background and language proficiency as them. A large proportion of our sample wanted workers that spoke the language that the employer was also familiar with because it was critical for communicating tasks and building rapport.

*R: I mean, language barrier. Well. **Language is there for communication purposes and if I cannot communicate what needs to get done, then there is no point in having a person like this. Or I should know their language, then there is no issue. I would not recommend there being a language barrier between any worker and the employer...***

The importance of language is complex as it plays out in multiple ways. Some employers looked for workers that could speak the local language; some other employers who were migrants were interested in hiring workers that could speak their language or another common language.

*R: If it is a North Indian worker then there will definitely be a problem communicating. But since this worker has been here already, we never had to make the choice. **If it is a North***

² This study undertaken by the Institute for Human Development (IHD), also commissioned by the ILO, does comparable research in Delhi and Mumbai. In our reports, we have used the terms 'ascriptive identities' or 'identity-based parameters' and 'skills and traits' to denote what the ILO-IHD study categorizes as traditional factors and work-related parameters respectively.

Indian worker, it will also be difficult for Amma since she cannot speak Hindi.

R: I asked for language because I don't know Kannada. I know Tamil, Malayalam and Hindi. So that is what I asked her, and she knows Kannada, but I am picking up Kannada.

R: Only because I wanted to know, my husband does not know any of these languages, I asked her what languages you know, to make it easier, not for anything else.

Specifically the discussion around language is related to the larger discourse on migration and its implications for the demand and opportunities of domestic workers in the labour market. This is also seen in some employers' preference for workers from their region of origin. While language is an important consideration here, it is also tied to regional practices, such as cooking, and notions of trust and dependency with "having a worker from one's own village".

*R: We are Punjabi basically, our food is very different. We do eat south indian (food) but in limited capacity. So that flavour palette is our biggest issue. **We require people who can cook (regional cuisine) for the older members of the family, like my grandmother will have her paratha.***

3.2.1b Religion & caste

Our findings show that religion plays an important role especially in socio-cultural task allocation. Employers believed that a domestic worker from similar religious background would understand and adjust to the beliefs and practices of the employer household better.

We present an excerpt that elucidated this further. In the first case, the employer felt that their food culture was closely related to their religious identity and therefore they were particular about hiring domestic workers from similar religious backgrounds as them.

R: I am educated. I know it is wrong. But I prefer someone who is Muslim too. The cook especially should know how to make non vegetarian food. The taste of food made by others is different.

The excerpt below underlines that some employers who identified as religious preferred workers who practised the same religion as

them. And at the same time, the employer argued that the workers were also unwilling to undertake tasks that did not fit their religious practices.

*R: Language I don't mind because I know English, Hindi etc but religion wise, **I am a Hindu Brahmin I avoid Christian and Muslim.** My household will not be suitable for them **and I am very spiritual.** My father and Father In Law and all are very highly spiritual. **I employ only Hindu people.** Don't mistake me for that.*

I: You can be completely free (open in discussing)

*R: I have seen 2 -3 christian people. They come and talk to me about my household. The only thing is they don't put 'Kolam' (Tamil word for colourful traditional drawings on the floor in south India). They don't wash my pooja items. They won't be doing any sort of job, they choose the job. They say they will do this but not that. When it comes to bathroom cleaning those people will not be doing the commode cleaning. So many conditions they put. **So I usually avoid these types of people. I only go for Hindus.***

Here, the employer also pointed out that workers from certain religious identities refused to take up certain tasks, giving the example of cleaning toilets. While the employer alluded to this as a behaviour shaped by one's religion, it is known from studies on caste-based segregation of tasks that who does what is shaped by one's caste identity (Sharma, 2016). In this case, it also suggested that the employer had expectations that a certain category of workers will not refuse certain kinds of work that are refused by others.

A majority of those interviewed said they did not check the social background of their employees when hiring. However, we found that some talked about caste while expressing it as a regional and cultural preference.

R: There is a regional angle to it. A lot of my relatives are very conservative, conservative not in a bad way, they live by certain rules and systems when it comes to eating - like they don't eat onion and garlic and stuff. And they wouldn't be comfortable eating the food if anyone was cooking the food. She also comes from a different caste.

As seen in the literature and indicated in the our first two reports, our study reiterates that dominant caste households, in particular, continue to have discriminatory caste based practices in paid work within their homes (Neetha, 2009). We saw this in both Chennai and Bangalore. In the example below, the employer's statements reflect commonly held biases regarding certain types of workers and the prejudices associated with their caste location.

R: There are some folks who don't take a bath and come home, and we know it when they do this. We can tell them if they are the type to listen. We can tell them if they are friendly. In the case of my house, the worker comes home at 5:30 in the morning after taking a shower. She comes neat and clean. Some people, especially Brahmins, do not like it when people come into their kitchen without showering.

The intersection of caste and gender in the site of the employers' household played out in several ways. For instance, taboos around menstruation led to restrictions of entering the kitchen and the pooja rooms. One participant also emphasized that caste-based preferences and practices were still prevalent in her household because of the older family members who ensured that food was cooked by a person belonging to a certain caste or gender or had prejudices around cleanliness of certain castes and religious identities.

R: My father in law is a high caste Brahmin who can not eat food cooked by non Brahmins. In our home we also follow strict rules regarding not entering the pooja room and kitchen during periods. So we had to hire a male cook who is a Brahmin from Rajasthan. So our domestic worker comes and does the cleaning and when she is on her period she informs me and on those days I do the cleaning of the Kitchen too. The male cook also takes long leaves every year for a month or more when he visits his village in Rajasthan. That time it's very difficult for me to manage but between my husband and I we do it somehow.

While some employers were hesitant to talk about caste-based segregation, it was talked about indirectly, wittingly or unwittingly, invisibilising caste-based practices as practices rooted in preference for cleanliness or honouring the wishes of elders in the house— "Probably

my mother does (considers caste) it. Me, I think it doesn't matter"— or old traditions. In particular, we saw discriminatory practices to keep cooking work aside for only dominant caste workers because some members in the family were particular about the identity of the person who entered and cooked in their kitchen. Similarly, employers expected certain workers such as those belonging to marginalized castes to not reject cleaning of toilets. Thus, caste and religious discrimination continues to mark conditions of work of domestic workers. As the ILO also notes, "discrimination on the basis of differences or perceived differences can be another substantial driver of violence and harassment" (Beghini, Cattaneo & Pozzan, 2019).

3.2.1c Age and marital status

The age of the domestic worker was an important factor for many employers. They stated that they preferred young or middle-aged workers as older workers would find the physical nature of domestic work too difficult.

R: Our current worker is around 45 years old. If they are very old, they will also not be able to work.

In the excerpts above the employers associated the workers' age with efficiency, speed and quality of work.

R: Age, I prefer somebody who is young because you take an elderly person, she is not able to give such good quality of work.

R: Definitely yes because if they're too old, they will not be able to manage themselves or if they are not able to keep it clean, the energy, the time they should have to do the work on what they have been assigned. So anywhere between say 20 to 45-50, I think is good enough for us to be employing them.

R: No, because there are three bedrooms, 3 BHK, and cooking for 3 people, I wanted somebody this age, like 40 and 45, and quick.

The employers also spoke of the discomfort they felt around instructing elderly workers. It was because they would "feel bad" about asking someone older to carry out regular tasks that are physically strenuous or any additional tasks. In this they also implicitly admitted that domestic work was physically intensive.

R: One who is above 50 or 60 years of age. I cannot instruct them and all as I feel sorry

for them. I am sensitive by heart. **I avoid people who are aged because if there is some extra work I cannot trouble them with that.** It is difficult for them. Middle aged people can even do some extra work if we need them to do it for us.

R: I am not comfortable having aged people because I cannot ask them to do any job. I feel sympathy for them. So I employ the 30 to 45 age group. Mostly between 30-40.

R: My mother is particular about age. She does not prefer someone very young or very old. So we only look for people in middle age. When they are in middle age it is easy for us to communicate with them as we will not feel as if we are dominating over them.

These responses pointed to a possible early exit for domestic workers from this form of work. In several sectors of informal work, workers get to engage in the labour market only up to a certain age. While this is in part because of the nature of work that is physically demanding, older workers also find fewer employers. In another report, we found that after COVID-19, the elderly employers found it most difficult to rejoin or return to work (Sampat, Rai Chowdhury and Bhan, 2022).

Some employers who did have older domestic workers mentioned that they felt sorry for the older worker and felt compelled to hire them. The employer noted that if the worker was younger more paid work could have been given to her. Instead, the employer took on the work herself.

R: So actually it all happened too quickly so I did not look a lot. She is quite old, she is in her 60s and she does not speak hindi. And I speak hindi, not kannada. Those were actually non-criterion I had in my mind. When I met her I felt bad looking for someone else because I felt like she is old and she needs the work - I did not know anyone else to ask around - so it just happened like that. I feel like if I had found someone younger I would have asked them to help with my cooking work and all because they would be faster - or generally ask them to work in my house also if they were younger - it ended up happening that we had a face to face.

While inquiring about age as a parameter for hiring, we also came across concerns about young and unmarried women as domestic workers. Employers were more suspicious of

single, young women entering the households as workers as seen in the excerpts below.

R: No, No, I don't want young people because young people are very dangerous. If anything happens, it's too risky for me. So married people only I will keep.

R: We must be careful with the younger women as there are boys here. There are events where they are found guilty with boyfriends, even aged women and they both together stole money from the house owners, even murdered house owner for that, when the police enquired they said they were targeting gold and money in the house.

R: If other things are there - if she has a small baby that is a no no for me. When the baby is not well you can't be a tyrant and ask her to come. She may take more leaves. If you have more than one help then there is no worry - someone else will manage. But here she is one only.

Later in the report where we discuss maternity support (4.1.4 c) and childcare support (4.1.4 d), we also note that employers were careful about not hiring pregnant women or those with young children as they were more likely to be busy with their own domestic challenges. Such age-based criteria reflect bias in employment opportunities in the

3.2.2 Traits

We asked employers if they considered any traits while hiring domestic workers. In our second report, we presented data on recruitment preferences, in which the employers rated the importance of various traits on a quantitative and graded scale. We found several repeating patterns around punctuality and flexibility, behaviour and attitude, cleanliness and personal hygiene of the worker. Here we examine the employers' articulation of these aspects and why they mattered.

3.2.2a Punctuality and flexibility

Many employers mentioned punctuality and flexibility as traits that they looked for while hiring domestic workers. This expectation was often discussed with reference to employers' own working status and their need to leave home for work at a certain time.

I: Are there any specific qualities or traits while hiring a domestic worker?

R: We mainly stressed on time, like whatever time we say she should come and by 9 am everything should get over because we get to work. And if she comes late it will be difficult for us to manage.

*R: **Time. We wanted someone who was punctual because both my parents have to leave home at the same time for work.** And if the domestic worker gets delayed we can't wait for them for half an hour. And we will also insist that they must come on time and go on time. It's okay if they go earlier than expected but they must be punctual in arriving at the house. So punctuality was given more stress when we were hiring.*

Employers also mentioned that they expected timely communication if the worker was delayed due to some reason so as to ensure that their schedule related to housework and paid work commitments did not get affected.

*R: Punctuality matters...I expect them to show up when they say they are going to show up. So, if they need to come between 12 and two she needs to commit to it. If she's getting late to another house, I expect her to just call me and say ...So, I can plan my own things for that day. So, **punctuality matters and communication is very important because we all have things that you know sometimes change. But I don't want her to mess with our schedule.** So, communicate and be punctual.*

In the excerpt below, the employer recognized that domestic workers also tried to be on time as they had to go to multiple homes in a day for work. Since the workers worked multiple part-time jobs they had to maintain their own schedule in every employer's house.

*R: Punctuality matters to me. But they themselves are punctual because they have to earn and they have to go clean and work in more houses. So, in general, **I have not seen punctuality as a major issue in our apartment because most domestic workers have enough work and they have to finish it off, so they start and finish it at certain times.** If the person is dedicated and does the work, then rest of the things are taken care of, whether it is hygiene, commitment of work, so and so forth.*

*R: So, the time to do the work. **The thing is, because she's part time, they are***

***dependent on how much work they can complete in that time.** Because if she finishes up work in my house quickly, she can take on other work in other households and get paid more. So, time-wise she's really quick. The work she does, I would say, one to five as in five being the best, I would give her about maybe four, three and a half or four for the quality of her work.*

In the excerpts above, both the employer and the worker benefited from spatial centring of domestic work. The worker could move between employer homes easily and the employer was able to be assured that the worker was also in proximity most of the time.

Several employers noted that they wanted workers who were willing to be flexible whether to take on an extra task or do more of a task on one odd day.

*R: Flexibility in terms of on an odd day there are more vessels or an extra duty - one should not grumble or pull out a statement like I am not hired for doing this or blah blah! I have learnt after being alone for so many years - the person has to be flexible - the employee has to be flexible. Aisa nahi ki mujhe khana banana hain toh main khana hi banaungi. **There are some that if you ask them to make a cup of tea they will not do it, if you ask them to boil milk, they will not. That kind of rigidity is frowned upon, I don't enjoy that equation. So flexibility has to be there.** Minor consideration is salary. It has to commensurate with what kind of work you are doing.*

*R: **When I am telling these are the jobs and she tries to ask if it is three people or four people - all those are small triggers** and then I will not take her I will tell I have somebody else in mind. Somebody who will accept family as family - **my sister might come, my SIL may come. A little bit of flexibility.** I know she also has to earn and take home. If she is not flexible about the money that is no worry, I mean I think she has to be that she has to get what she deserves.*

In this situation, the employer expected the worker to be flexible and adjust to the varying workload in the household, for example when there were visitors from the family. This was also seen in many other interviews where flexibility was spoken about as the most critical factor,

more than even wage negotiation. The employer followed this up by noting her preference for someone who wouldn't have to take frequent leaves to attend to her family in an emergency, a young baby in this case in particular. It was interesting to note that while the employer expected the worker to be more flexible in her tasks, the workers' needs were expected to be kept at the minimum.

3.2.2b Cleanliness and hygiene

We repeatedly encountered responses where employers expected their domestic workers to be "neat", "clean", and "maintain personal hygiene".

R: Firstly, they should be hygienic, have a bath daily, and wear clean clothes and be presentable so that even at home, we can allow her to do the work. If not, I tell her to come tomorrow. Cleanliness is very important.

R: But she has to be very neat, they have to be very hygienic, it's a major thing. Like some people won't take a bath daily. That's an issue. Because there's kids here, the chances of getting an infection during these days is high.

During the COVID-19 pandemic, personal hygiene took newer meaning. Employers worried about their workers carrying infection into their house and to their children. However, they did not mention that, as employers, they could also affect the worker. In another study on domestic worker's experiences during the COVID-19, workers shared that it felt like a return to caste-based discriminatory practices under the garb of COVID-19 protocols (Bhan, Rai Chowdhury & Mehra, 2021). Employers justified segregated workplaces and facilities like use of toilets and utensils. As one worker put it in that study: "it feels as if all our progress to overcome untouchability has been undone. We feel a similar disregard today, as we felt under those practices." Yet what our findings in this report show is that COVID-19 protocols became ways to practice discrimination, in part, because of pre-existing dynamics and articulations of hygiene and cleanliness by employers of domestic workers that are rooted in caste, gender and religious structures.

Many employers said that even though they understood that maintaining cleanliness and personal hygiene was difficult for domestic

workers due to the nature of their work and the fact that they worked in multiple households, they wanted their workers to be presentable.

R: I prefer that she has be neat. Some of them come, you know. I know with the kind of work they do they can't always be neat but at least you know neat dress and at least they tie their hair properly and all. Neatness was one thing I preferred and how they do the work.

In the case below the employer suggested that the worker had to be educated on how she must conduct herself and her work. We discuss this further under the section on employer responsibility (4.2), where several employers noted that they routinely instructed, shared information and educated their employees on various aspects of their life including childcare, nutrition, doing work and presenting themselves.

R: They have to have some basic hygiene, but having said that, you know, my maid came from an extremely poor background when she had six children and her husband left her. So, when she initially came, she was absolutely not hygienic, but she was a pretty warm and nice person. We just helped and we kept her.....now she knows how to dress up, how to be clean, how to take care of the household work, I think they learn, if they are little committed and want to do the other things, that worked out.

R: She dresses up well and comes. I told her please have your bath. After the pandemic I told her to have two baths - in the second wave I told her - I am asking you to have a bath and come - you may carry virus from my place - take a bath and go. Like there are so many chances - maybe they have a common bath, she has to heat it, there will be no shower and not as easy as geyser and just having bath. Sometimes once or twice I have told her if you want to use our bath to wash hair you can, but she doesn't.

We found that in the way recruitment is presently organized, employers have the power of making distinctions and qualifying whether someone was neat or not subjectively. Literature suggests that idioms of hygiene and cleanliness used for domestic workers are based on caste ideals. It is used to affirm stereotypes associated with certain types of work and groups. Even though a large proportion of employers in our sample, across income levels and caste and religion

groups, reported that they did not consider caste as a criterion while hiring, the othering of the worker is couched in the “secular language” of traits, hygiene and neatness (Barua, Waldrop & Haukanes, 2017).

3.2.2c Behaviour and attitude

The behaviour and attitude of the domestic worker was reported to be important factors in hiring or firing of workers by the employers. Employers expressed that they wanted workers who were “not rude” and “didn’t speak loudly.”

R: What I usually say is I like silence, do not shout! Anything you want to say, say it lightly. No noise is one of the things that is not negotiable. In the beginning itself I say I let them know. I also try as much as possible to maintain it so she knows I expect her to do what I do. I don't raise my voice or have TV or radio very loud. If she does comment on something I am not comfortable - I tell her I am not comfortable. Let's keep to ourselves. How much ever you ask questions you cannot find out the background of a person. You continue to be nice for the first ten days as there is a facade then.

R: Honesty, and good manners. I recently sent away a lady who was working for me for seven years, because she was rude. I put up with it so many times. So then I said, enough is enough, Go.

Since domestic work occurs in the personal space of the employers, as seen in the excerpts above, the workers were expected to conduct themselves in certain ways such that they did not disrupt the environment of the employer household. While these traits may be a matter of subjective preference across different households, workers were expected to comply and fulfil these tacit requirements so as to avoid being fired from their work. Compliance is seen as part of the work. As seen in the quote below, some employers perceived that workers that were “polite”, “silent” and “submissive” were more likely to do their work efficiently.

R: Somebody who is a little bit submissive and takes on the work efficiently. Otherwise, some maids are in such a hurry doing so many jobs that they don't have time to finish their work. So, they do a haphazard job. So somebody who's got enough time

to dedicate to the house, who can do all the work in a specific time and do it well.

R: At the starting itself I instruct them clearly that they should not engage in any unnecessary talks or gossip. Her work is to come and do the job she has been hired for. That's it.

Employers also noted that non-argumentative workers were less likely to demand for other things such as leave, extra money and loans.

R: I don't want anybody who is very argumentative and takes too many holidays. I don't want the domestic worker to unnecessarily ask me for too many favours and all those things. So definitely that is the criteria I look into. They should not be greedy and be like, you know, give more, give more! I definitely don't like all these qualities.

Employers seemed to be looking for deference, obedience, and submission to maintain a power hierarchy. The need for a quiet domestic worker reflected two key points: one, households expected workers to carry on their work unnoticed. This is corollary to the manner in which housework is mostly an invisible chore, whether paid or unpaid, usually conducted in the backdrop without deliberation or disruption to the rest of the household. When gender and caste intersect there is a further expectation of the worker being subservient. Second, a silent worker was likely to be less argumentative, agree to what the employer offered, made no additional demands and adhered to the oral contract with the employer once it had been decided upon.

3.2.2d Loyalty, commitment and trust

Some employers used terms like “loyalty,” “commitment” and “trust” as if they were self-explanatory and interchangeable. On probing further, we found that these terms alluded to different kinds of expectations from the workers. Loyalty and commitment pointed to characteristics such as devotion and allegiance to the employer’s family as well as doing extra work to prove steadfastness to the employers. Trust, on the other hand, was more of an evocative articulation where employers felt that a worker had proved herself as worthy of being allowed as a non-family member to enter the space of the house .

To explain loyalty and commitment, we go back to what an employer we have quoted before in recruitment channels (3.1) said: “[a] sense of loyalty is very different.” In this statement the employer harkened back to an experience where workers were more loyal and committed to their employers. Loyalty was a reminiscence of the past when workers had long-term relationships and stayed with the same family of employers for several decades. It was seen as a contrast to today when workers changed employers every few years. Other employers talked about commitment as a form of motivation for doing the work without any supervision or reminders.

R: Mostly commitment, loyalty, they should, so we generally don't micromanage them so we want them to kind of fix their time and effort as per them so we don't have to over tell and over guide them. They learn and they do it so I think commitment and loyalty are two things, because these are not rocket science. So, it's mostly commitment.

R: I did not do a background check specifically. But I expect the person to be reliable. We can't constantly supervise them, right? They should be reliable.

Loyalty and commitment were often associated with long years of service of the worker with the employer. In a later section (5.3) we write that employers marked these factors as necessary both logistically and as well as a motivating factor to contribute towards resources for worker's welfare programmes. Employers felt such long-term engagements were less common today owing to the changing nature of the labour market where workers were not as committed as before.

R: But then since they have been with us for so long, we have to overlook, see you can't see that. Everyone gives their 100 per cent. But whatever work they do, Even if we have to make them repeat it, we have to cope with them because at this point when they have given so much of their lives in our house, we can't dispense with them also, at least they are loyal. So even if the work is not up to the mark, they are loyal.

Loyalty as a term was also used to signify trust. The employer quoted below suggested that since the worker at her house wouldn't steal anything from the house she deemed her loyal.

R: The positive side is she is very loyal. If you lose something she will bring it back to you. We have lost jewellery sets and she has found and given them to us...She is trustworthy and loyal, we can leave the keys with her and go back somewhere. We don't have to stay back and stuff like that. We as a family were going through a rough patch and she was sensitive about it. She didn't press the wrong button and say stuff that we didn't want to hear.

Employers were willing to pay higher than usual wage rates in exchange of trust. This hinted towards employers valuing trust, in particular, as a trait strongly enough for them to ascribe a monetary value to it. In general, it also tells us that employers were willing to slightly higher wage rates for looking for the right worker.

R: We wanted someone we can trust, that's why we referred (hired her through reference) and kept her. And that's why we are paying her 1500 every month.

R: Yes, we do. That is what I said, trust is the main thing. It is very important. If a person is not trustworthy it is not worth keeping anybody.

In those households where care workers were also hired, the meaning of trust in care work extended to the skills of the worker. The excerpt below was from a new mother who felt she could not trust people easily. Even though the worker's past work experience meant that she was familiar with the work assigned to her, the employer wanted to conduct her own observation to ensure she could be trusted to do the same. Here, the employer gained trust once the worker showcased her ability to do the specific work of caring for a child.

R: I wanted to be sure she was trustworthy. I am a first time mom, you don't trust people so easily. It was more of I got her she came to meet personally and then I had a small interview to check what she was doing earlier. She is not too old, she is 31. She has been doing this for the past 10-12 years...I wanted to make sure she has done this before and wanted to make sure she is loving and caring and not too harsh. Also some people don't like to change diapers and can't handle tantrums. It was more of a interview - I cannot go for background check as it was not a agency it

was more like observation since I had no prior information about her

The importance of trust was invoked not just during the discussion of recruitment preferences, it also came up during discussion on recruitment channels (A1) and wage determination (4.1.1). Trust was evoked as a preference, but it was primarily an overarching qualifier for considering someone as a potential worker.

In a later question, we further asked employers if they would leave their house keys with the worker as a way to enquire if they trusted the worker.

I: Do you feel you can trust your domestic worker to the keys of your home?

R: Yes. We have done in the past. We have had domestic workers for the past 25 years. Except for a few, all others were good. We have warned and removed a few in the past.

R: I have never left the key but I can say that. If I'm sitting here also I am 100 per cent sure that she will not touch anything. Even if it is a small thing she keeps those things back. And she also works in some other apartments too, where they leave the key.

R: Yeah, hundred per cent. I have left many times with her and gone, even without locking my cupboard also. So I trust her. Hundred per cent I trust her.

Some others mentioned that they are cautious to not create a situation where the worker might have the opportunity or be tempted to do anything wrong.

R: Because there'll be no cash or there's no, you know, nothing like that will be left open. So all the rest of the house is there, they anyways handle the whole house. So there's no problem.

R: Yes, I think there should be, because there are incidents where there has been a lot of stealing and the police were involved. Sometimes I feel it is very brutal because why do you tempt the poor house maid, why do you keep your money there? And say that she should not steal it. She is after all a human being.

In another situation, the employer noted that while his worker took things from the house, he was willing to overlook it as he knew it was never meant to do any serious harm.

R: In our house there are only two things we are looking for - integrity and hygiene. Because we are not here the entire time.

Cook...you know...how do I put it...she is a bit attracted to almonds and cashew nuts and all...we know she takes it home and we don't make a fuss of it because we know exactly what she takes. Alia (name changed) has been with family for 13 years. She loves my son...she's been around since he was 4 or 5, she has seen him grow up and knows what he likes and not. So we can ignore small oversights - perks of the job - it's fine. With her we don't share the password of the house. She has had a reputation for flicking small things. So that's the reason one of us has to be around when she comes. But with my maid, absolutely sterling and zero...if she finds a 50 paise also she will put it aside. She's like that. She has the password to the home. The cook told her herself that she doesn't want to come when we aren't there as she has a bad reputation.

Several employers also mentioned that the workers themselves were wary of coming to the home in the employer's absence as she "did not want to be in a situation where she was blamed for any missing household possessions." While several of these employers said they trusted their current worker, a large number of employers also disagreed with this proposition calling it "risky". A few employers underlined it with a bad experience where something in the house was actually stolen.

*R: **With the keys, I'm not sure.** Maybe, but I'm not really, I have not taken that risk at all.*

R: The answer is that the previous maid started lying and stealing, particularly food. If you look at it from a bird's view you empathize, why do you fire someone for stealing food. But it is about principles. You want to ask and tell them that if you are hungry or don't have enough, you will be served and provided for. But it is unethical to just flick food like that, that is not done, you are setting a bad precedent and a bad example.

Such experiences were often extended to the whole class of workers in general. This was reflected in the quotes below.

R: Because we allow them into our personal space without knowing their background. So it's a matter of trust and what kind of mentality that the interpersonal relationship that they share with the household. This is going to matter, you know, deciding how lenient they can be and such things. But in apartments, like my friends have even given them, they'll give the keys because they don't have any other option. Husband and wife both are working so.

R: But in apartments they are gated communities and they are not allowed to carry any bags in and out. So it is quite transparent.

R: They must be trustworthy and they should not steal any items or money and such things. Whatever we keep, it will be there only in our house. She is such a person and that's why we don't let her go at all.

Employers casually used statements such as “they shouldn't be involved in any bad habits like stealing.” The common and acceptable use of this language of finding a worker one can trust and taking precautions against possible theft, at both individual and group level, kept alive the idea of a domestic worker as someone who could “flick or steal” household possessions. It also reflected on the assumption of domestic workers belonging to an untrustworthy class of workers. From actual experiences of workers and worker organisations, it is known that the system of grievance redressal in case of a complaint for theft is found to favour employers. On the other hand, the protection against false allegations of stealing is one of the key motivations for workers to be part of collectives who can defend their dignity.

It is not our aim here to come to a conclusion on if there was any objective basis for the employers to consider domestic workers as untrustworthy unless proven otherwise. What we observe in our interviews is that there was certainly a cultural bias against workers, it was revealed in the near-universal articulation of seeking a trustworthy

worker among the pool of workers. This employer attitude of being vigilant or suspecting workers is a critical challenge to having dignified working conditions in this sector.

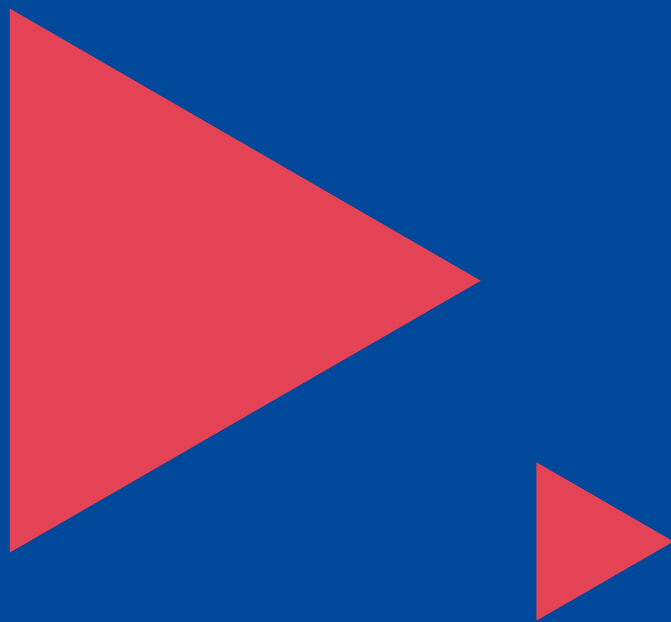
3.3 Conclusion

In section 3.1, we posited that informal networks in neighbourhoods worked as an important channel of recruitment. When the findings of that section are juxtaposed with what has been discussed under identity-based parameters (3.2.1), we find that recruitment channels reinforce identity-based hiring. We have argued in our first two reports that, in urban centres, where neighbourhoods are often segregated on the basis of class, caste and religion, when employers hire based on references and verification of other employers or other workers doing similar jobs, they pick from the same pool of workers that have already been trained or working for different tasks such as cleaning or cooking based on their identities. Reference-based hiring within one's networks keeps the labour market segmented by tasks and identities just as it brings residential spatial segregation into labour market practices.

Reference-based hiring also makes the reputation of a worker critical to their standing in the labour market. Following our discussions on both hiring preferences around identity (3.2.1) and traits (3.2.2), but primarily traits, we observe that workers were expected to have a stringent work ethic based on a number of employer set criteria. In such a situation having “good reputation” is a subjective judgement on the part of the employer, putting a worker is a difficult situation to please the employer's subjective and perhaps changing preferences. Keeping both of these consequences of reference-based hiring in mind, we suggest that it is crucial that we pay close attention to the influence of this recruitment channel or process as the primary mode of recruitment, so that the inequalities created by employer expectations can be challenged in the labour market.

▶ 4

Employment relationship in domestic work



The ILO defines an employment relationship as “the legal link between employers and employees. It exists when a person performs work or services under certain conditions in return for remuneration.”³ Employment relationship is the key point of reference for determining the nature and extent of employers’ rights and obligations towards their workers.

In domestic work, the employment relationship showcases certain unique features. Unlike in other types of informal work, where one employer manages several workers, in domestic work, it is the worker who engages with multiple employers simultaneously. Employment relationships across employer households tend to vary in terms of working conditions (wages, employment security, workplace facilities, and non-wage benefits) as well as employers’ notion of what is their responsibility toward their workers.

In this section, we examine these aforementioned aspects in more detail. While undertaking this analysis, we keep in mind the basic principles and rights at work laid out in the ILO Domestic Workers Convention, 20 (no.189) that seek to ensure that domestic workers, like workers generally, enjoy fair terms of employment as well as decent working conditions.

4.1 Working conditions

Working conditions are vital to paid work and employment relationships. We describe employer practices and notions around four key aspects of working conditions: wage determination, employment security, workplace facilities and non-wage support.

4.1.1 Wage determination

Wages are among the most important conditions of work. Despite being informal in nature, domestic work is regular salaried work, which implies that wages are mostly paid monthly by the employer. Wage setting is a core element of social dialogue where negotiations occur between the employers, workers and the state. However, in the absence of active state intervention, in domestic work, wage rates are

negotiated between the employer and workers in the local labour market.

Extant literature has noted that wages continue to remain low in domestic work despite a high demand for domestic services in urban areas. Wages in this sector are shaped by two factors: domestic work, which is considered to be an extension of unpaid housework, continues to be undervalued even when paid; supply side factors tilt the balance of power in favour of employers while negotiating wage rates (Neetha & Palriwala, 2011).

In our second report, we asked how employers determined wages. A large proportion of employers reported calculating wages based on the number of tasks undertaken, the hours at work and the neighbourhood rates. This is consistent with the existing knowledge on wages in this sector (Gudibande & Jacob, 2020). In this report, we delve deeper to understand the reasons and process of using these factors for wage determination. We asked employers: How did you decide the wages for the current worker? Why did you do it this way?

We found that even if employers used tasks and hours as units for wages, the unit price was based on running rates in the neighbourhood. Employers sought out the running rates in the neighbourhood by asking other employers how much they paid their domestic workers for various tasks as well as the workers how much they expected for each of these tasks. They then decided the wages, calibrating between the neighbourhood rates and workers expectations as well as their own ability to afford this wage. This was the case in both the cities, across households of different income categories in our data.

I: How did you decide the wages for the current workers?

R: I generally asked others, how much they are paying for the similar kind of work in the building. And that is how I decide. I first ask the person. And then I ask the domestic worker, how much are you expecting? Today only, I asked somebody, how much do you expect for this work? She gave me a number. So I told her, okay, tomorrow when

³ See ILO summary page and report archive on ‘Employment Relationship,’ available at: https://ilo.org/ifpdial/areas-of-work/labour-law/WCMS_CON_TXT_IFPDIAL_EMPREL_EN/lang--en/index.htm

you come, I will confirm it. In the meantime, I'll ask a few people how much they are paying.

*R: Normally, they quote the amount, and if it is moderate, we can say okay. **We say that we can pay only so and so, and maybe negotiate for an extra 100 rupees.** If they say okay, they may come home to work. Otherwise we can find someone else. Sometimes they end up leaving and come back six months later. **I can pay only what I can afford.***

In the quote above, the employer used affordability as a basis of wage determination. This is a cause of concern for workers' organisations who emphasize that the service of domestic workers is a professional service, not a right of the employers. Hence, if one chooses to hire a worker the services must be adequately compensated for (Agarwala & Saha, 2018).

We found that even if the employer could afford higher wages, however, they capped it as per neighbourhood rate which worked as a wage ceiling. Employers were hesitant to pay more than the prevalent running rate so as not to attract any form of backlash for disturbing the existing rates in the neighbourhood.

*R: We don't want to end up paying more than others, similarly others don't want to pay more because we pay more. Because **the moment you pay more the word spreads** and then other people will say *arre waha pe jyada salary dete hain* (they are giving more salary). There is generally a going rate. Every year or two it goes up by a little bit and it goes up for everyone. The word of mouth maintains the rates - the moment someone is paying more somewhere the word spreads.*

*R: Ideally yes. But as I said if this particular maid is good then we add a few more jobs and add some money to it...They will ask how much you are paying? Why are you paying so much? So kind of you have to balance that. **The neighbours will say why are you spoiling the market.***

While employers used neighbourhood rates as a reference point, there was a second layer of negotiation. Employers suggested this was based on "number of members in the household, the number of bedrooms in the house and how many times you ask them to come and do the work". This opens a window for the workers to slightly

negotiate with the neighbourhood rates at a household level.

In the excerpt below, the employer noted that the worker was also conscious of the quantum of work she was doing. Studies have also shown that like their employers, workers and workers' unions often mobilize using internal information channels to peg wage rates in neighbourhoods for various tasks and number of hours (Neetha, 2019).

R: Some are paying 1500, some are paying 2000, depending on the work that they do. Nowadays even the maids are also becoming very smart and what are they doing? You know if you tell them to wash only that amount of vessels, they will wash, and they say I was asked to wash only that much of vessels.

If read together, the sections on recruitment channels (3.1) and wage determination (4.1.1) in this report shows that informal networks at the neighbourhood level become an important channel for circulation of information on workers as well as wage rates.

In the past few decades, there have been several efforts to collectivize the largely feminized domestic workforce to demand better wages. While some states like Rajasthan, Karnataka, Kerala, Bihar and Andhra Pradesh have notified a minimum wage for domestic workers, studies have shown that these legislations undervalue domestic work and are ambiguous about the methods used for fixing wages in the sector. That apart, regulating wages is challenging because households are not legally deemed as employers nor are their private homes considered to be workplaces. In some sectors of informal work, wages are easier to determine as it can be quantified based on the production or sale of certain goods (Neetha, 2009). In domestic work, each worker is likely to perform the work differently and each employer is likely to use a subjective assessment of the quality of work differently.

Our analysis has shown neighbourhoods are an important unit at which such negotiations around hiring and wages actually occur. Hence, any form of social dialogue between the tripartite - state, employer and worker - must take into account the dispersed and segmented nature of the domestic workers' labour market to account for the weight of neighbourhood level

negotiations and logics of arrangements to affect the overall conditions.

4.1.2 Employment security

Stability and security of work is one of the indicators of decent work. Employment security against arbitrary and short-notice dismissal remains a key challenge to decent working conditions among domestic workers. In our second report, we looked at employment security in terms of the conditions of termination or dismissal due to injury. We saw that while there was a practice of giving some notice period before dismissal, it was most likely limited to a month. It also varied highly between the cities, with Chennai reporting much higher rates of dismissal without notice period. The practice of any payment akin to severance was rarely part of the arrangement. While employment security emerges as a crucial deficit in working conditions for workers, these observations were hinting that employer's do not perceive it to be important.

In this section, we build on this, by drawing out the employer's notion of employment security in general from different threads of conversations that came up during the course of the interviews. Our emphasis is underlined by two reasons: employment security is directly tied to income security and it is a subjective indicator of assured employment continuity in absence of any legal mandate.

When asked what they perceived as their duties as an employer, even though employment security did not emerge as a major theme, a few employers acknowledged that domestic workers were vulnerable to arbitrary termination of their employment due to lack of formal contracts.

One employer shared that to remedy this at a household level they felt that making a worker feel secure about their job was one of their primary responsibilities.

*R: They have no job security and safety. In a lot of households the employers have no sympathy. They just treat these people without compassion. These people work very hard for a living thus **they need to get protection which they need.***

R: Maybe the employment style is different but we both are the same and making them feel secure, making them feel happy, giving a good environment and you know, giving them financial security and job security.

***They should not feel like maybe she may be thrown out of the job tomorrow.** There is absolutely, there is nothing in writing that there is no contract also. Right? So it's all depending upon mutual understanding. So as long as you work the way I want, there is nothing to worry about job security.*

Without a grievance redressal mechanism where a worker can contest arbitrary dismissal such individual promises for employment security hold little meaning in practice. In fact, the employer in the above excerpt ends her statement with a condition that '*as long as you work the way I want, there is nothing to worry about job security*'. As we have described in section 3.2.2 on recruitment preference, employers' expectations from a worker are subjective and varied. Under such circumstances wherein workers are expected to match a set of notional requirements, it is difficult for them to know what provokes an employer to terminate their employment.

Employment security appeared several times as a point of discussion in another question. When asked about the quality of employment conditions of domestic workers in comparison to other informal workers, a repeated response was that domestic workers enjoyed more employment security than others.

*R: In terms of salary construction workers are doing well but it is not guaranteed work. **There is no job security whereas domestic work is more reliable as this is a guaranteed work for 365 days all round the year.** Construction workers will get only 20 days of work out of 30 days in a month... They might or might not find consistent work. If it rains etc they suffer but **domestic work is 100 per cent guaranteed like a government job** (laughs).*

This, however, doesn't nullify the threat of termination. As seen in studies of the impact of COVID-19 on domestic worker's employment, the workers were *en masse* vulnerable to arbitrary dismissal or refusal to pay when it was in the interest of the employer (Chowdhury, Bhan, Sampat & RMKU, 2020).

4.1.3 Workplace facilities

In order to maintain good working conditions, workplaces must provide a safe and healthy environment for workers and take care of their

welfare needs. This includes facilities that are necessary for the well-being of workers.⁴ We asked employers if their workers had access to any facilities while they were working. Here we report three of the most commonly reported workplace facilities - access to toilets, drinking water, and food provision.

4.1.3a Access to toilet and drinking water

The responses below show myriad employer attitudes toward provision of these facilities to workers. Almost all employers noted that they did not stop workers from accessing drinking water at their place.

*R: Never say like, you know, our drinking water, **she can use my drinking water and many a times, you know in her house, if she doesn't get the proper water rather like I will tell her to fill because I have water filter, she gets 2 to 3 bottles she will fill and she takes. I have no objection to that. I feel it is a humanitarian approach.***

I: Is there a separate tumbler kept for her?

R: That might have been the case 20 years ago, not now.

*R: She can drink water, **we give her a glass and a plate meant for her.***

While most did not delve into practices around it, a few employers, like the one quoted above, admitted that they had separate utensils for the domestic workers. It was interesting to see the difference between allowing domestic workers access to drinking water vis a vis discomfort in their use of toilets at the employers home. Water was provided, sometimes by separating the utensils workers used, but employers expressed a reluctance especially when outside toilets, common building complex toilets or public toilets were unavailable as seen in the excerpts below.

Very few employers reported that they allowed the workers to use the same toilet as them.

*R1: **No separate toilets, we are also using the same(toilets) here.***

*R: I don't know about it, **although there's a lot of chances for her using the inside toilet. We don't have a toilet outside anyway, so probably she will use it.***

*R: No no, **there is no restriction, she can use it, we feel it is okay. It is her workplace, we don't put any restrictions.***

*R: **They can use the drinking water facilities and the toilets, like the caretaker is staying at the home for hours, she can use whatever things we can. And for the maid also, they can use that, even if I am offering them food, tea, coffee or whatever we eat, we will offer.***

Some employers shared that they had separate toilets inside or outside their houses for the workers. In apartment complexes there were separate common toilets and resting areas for all workers of the apartments. Even in large houses, flats or bungalows, there were toilets that were marked for use by workers or guests. By virtue of larger spaces, several high-income households were able to provide toilet facilities maintaining segregation in facilities between the households and the workers.

I: She can use the inside toilet?

*R: Yeah, yeah. But I mean, **we have a toilet outside for outsiders, so let them use that.***

*R: In my house? No, **No. We have three toilets, two toilets are used by us and one toilet is used by the house help, the nanny. The other two use the washroom in our society that is provided.***

*R: **They have their own toilet outside. And they cannot come freely anywhere they are not required, especially when husband and visitors are there, they're not allowed anywhere. They don't have freedom to move around.***

A corollary of this is reflected in the excerpt below. The employer felt that they had small apartments and therefore they could not segregate areas where domestic workers could use these facilities.

*R: **No there are no restrictions but ours is a very small apartment. So the common area is also not very big. So there is nothing specific for them as such, like you know, this cannot be used by them or this can even be used by somebody else. So in that sense, it is quite fair. But the reason also could be***

⁴ See ILO summary page and report archive on 'Workplaces' available at: <https://www.ilo.org/global/topics/labour-administration-inspection/resources-library/publications/guide-for-labour-inspectors/workplaces/lang--en/index.htm>

that because it's a smaller apartment, we don't have a place to segregate as well.

So there are a couple of common toilets, which anybody can use. It is located on the basement/ground floor. So common toilets are located there and eating and resting area, there's really not much space. So the empty parking spaces actually become their eating and resting area.

Many employers also stated that instead of allowing workers to use the toilets inside their homes, they encouraged them to use public toilets near their houses if required.

*No, that we do not allow. When we were out of the country and we left her here, she **was using it otherwise we would not allow it. There is a toilet at a walkable distance. She uses that.***

With reference to water and access to toilets, employers often said that workers did not feel the need to use it as they worked in their house only for a few hours.

R: Because she comes only for one and half an hour, I have not personally restricted her from the use of drinking water. She doesn't usually drink it. Only when she's really tired, she drinks water. But she picks up the cup that we use. I've told her she can pick up the cup, take the water that we drink, and she can drink, with absolutely no restrictions for her. And also, we have a toilet. But of course, we have a common toilet. I asked her to use that if she wants and restrictions as such, nothing, no nothing else. For one and half hours, what does she need, so no other restrictions.

Here it is important to note that even if the employers see the part time nature of domestic work, they do not consider that the workers go to multiple homes over the course of the day. This points to the individualized understanding of the work conditions of the worker, where the responsibility for provision of these facilities is unclear. This also points to the existence of a large floating population that have no access to toilets - neither in the employers' homes nor in the residential areas (when common facilities are not provided) since public toilets are not usually constructed there.

When we asked how domestic workers' lives compared to other informal workers, a large proportion of employers asserted that domestic

workers were better placed as they had direct access to facilities at their workplace. Yet, from the quotes above it is clear that many households were uncomfortable with the idea of the domestic workers using the toilets in their private homes. In the excerpt below, the employer reflected on this:

*R: As I told you there are many people in this building. **I know that domestic workers are not allowed to use their toilets.** They have to go down to the common toilets and where they can pick up any UTI. But if you ask how the living conditions are, **if I compare the living conditions of my domestic workers in my house to that of a construction worker, I think they are much better.***

*R: **They have a resting place, they have a toilet, resting place, and then a very responsible employer, and then giving knowledge to her or comforting her or supporting her whenever it is required. Definitely those things will not be there with the construction workers.***

With regard to access to toilets in this sector there are no physical constraints, which is to say that availability of toilets is not a challenge in the workplace (employer's households) unlike it is for street vendors or construction workers. However, our data suggests that uneven access to toilets was a factor of employer attitude rooted in discriminatory practices.

R: I don't think there should be a separation. People are probably hesitant to share because they might be wondering if the worker is clean enough. Otherwise, it is okay to use in case of emergency. Once the toilet outside got blocked. At the time a vegetable vendor had come and asked if she could use the toilet. But we had to refuse because the one outside was not working. We do not know if the vegetable vendor is a clean person but I felt bad for refusing. But I feel that if the toilet did not have a blockage I would not have refused. This happens to us also when we go outside, similarly they would also feel it.

We have shown in this report so far that domestic work and workers are stigmatized and undervalued particularly using the language of hygiene and cleanliness rooted in a gender and caste based social structure. We have shown how these impact recruitment and the determination

of wages, and, now are able to show how they shape working conditions and access to workplace infrastructure. These norms find a particular manifestation within domestic work as the worker is located in the “interstice between the two realms of home and work” (Barua, Waldrop & Haukanes, 2017) and herein lies the employer’s discomfort in ensuring workplace facilities at their homes. While employers may think access itself can be resolved with a public infrastructure intervention such as public toilets, there is also a necessity to scrutinize their discriminatory practices to move towards a more dignified employment relationship. This is critical to maintain a safe and healthy work environment for the worker.

4.1.3b Provision of food

The principle of working conditions does not explicitly include provision of cooked during working hours as a necessary condition. But in our interviews, we saw that several employers mentioned that they provided food to the domestic workers while they were at work. In a large number of households, both in Bangalore and Chennai, employers noted this was a responsibility that they had taken on. Some other households saw it as an extra support that supplemented the domestic worker’s household food needs. Employers occasionally also purchased groceries or ensured a steady supply of food items to the workers family.

R: Unless you provide them food it is not reasonable. Not many people provide food. We provide food. We made a rule that they have to take food from here. They as well as we are comfortable with each other.

R: I keep food for her and her family. Whenever I cook, I cook a bit extra so that she can warm it up for dinner and that makes her really happy.

R: If they don’t give them food and water to drink the workers will look for someone else because salary alone is not enough.

When asked if their workers were paid a fair wage, as seen in the excerpts below, the employers said yes and were quick to include that the provision of food was an extension of the wage that was being paid to the worker. The blurriness in thinking of food as an extension of the wage as in the case above or as a form of support as previously discussed complicates the

process of wage negotiation. While employers may think it is an important part of their transaction with the worker, it overrides the workers ability to negotiate for a higher wage to afford a healthy and nutritious meal on their own terms.

I: How do you decide the wages to pay?

R1: Demand supply

I: Do they tell you this is my rate?

R1: You know what your neighbour is paying. You pay the same

R2: It is for an hour. Morning they come for two hour it is 4000, if they come another extra two hours in the afternoon it is 2000.

R1: We feed them also.

I: Do you think that she’s well paid compared to the, you know, depending on the work that she performs?

*R: Depending upon the work she performs. She’s paid for what she works. **Actually, we also provide her food**, we also provide her sometimes clothes and all these things, and you know, additional would be there. So we look after her as a member in our family.*

I: Do you feel 1500 is a fair amount for the work that she does?

*R: We feel it’s fair only. **We give food one time a day.***

As seen in the excerpts below, the employers were candid about asking the workers to take home leftover food instead of “letting it go waste.”

*R: She’ll take the food and go. I don’t mind. **Instead of throwing the food, give it to others, let them eat.***

*R: **Cook also takes leftover food to her home.** It is not stale food but fresh food she comes back and gets it from here. Also, if she doesn’t have breakfast, she can have it here. If she wants tea she can have, we give all that freedom.*

*R: Ya. It is not even an arrangement. **It is an extension - if you are eating and she is cleaning your plate you better share your food with her.** In fact my earlier maid made sure - we would never keep our food outside - she would take the food to her children. We would keep it in the fridge so shelf life is increased, and we keep it in until she leaves.*

But this lady no no no no, I told her this is rice and it is a 70 rupees purchase. She is throwing it in the waste bin - it goes to the landfill. If you don't want it, give it to anybody in the way where you fill this will fill their tummy. The way we process it stays alright. Then she started putting it in a milk packet and taking it with her - if you are taking it take some rasam or curd with it whoever is a person will have a meal - even if it is not a full meal - only rice you can't take it. If there is nothing I add a pickle - I make it an edible kind of packet. The rest of it she throws. It has been hard. I am also learning composting.

Here in the same breath the employer moves the conversation from food as an extension to wages to it being wasted, throughout pointing to her own selflessness. In general, we found that giving workers food or other household items like used clothes, utensils, furniture or electronic items was put across as an act of altruism, but it also was the most convenient way to deal with what was not needed or used by the employer's household. However these interactions and the language used to describe this transaction continued to reaffirm the hierarchy between the employer (who affirmed their capacity to be kind) and the worker (who willingly or unwillingly was cajoled into accepting).

In looking at workplace facilities, we come across the duality of the language of control and care that the employers used while talking about their relationship with the workers. On one hand, employers controlled the workers' access to a basic facility like toilets in their homes, on the other hand used the language of care while talking about food provision to workers. In both these cases, the employers narrative showed examples of discrimination and socio-cultural stereotypes that were being reproduced through everyday interactions.

4.1.4 Non wage support

Non-wage support includes benefits and support employers provide to workers to supplement wages. This support may be referred to as non-wage benefits in other places. In formal employment relationships, such support is mandatory or recommended to provide social protection against vulnerability of old-age, disability, medical needs and during maternity. The informal employment relationship in paid

domestic work is unique among other informal sectors as there is wide practice of employers extending some of these forms of support even in absence of any legal mandate. However, the type and nature of the support is contingent on the employer's outlook and relationship with the worker and therefore not uniform across the sector. This makes it essential to better understand why employers provide some non-wage benefits and not others, and why some employers provide them and others don't.

This question takes a particular importance in the case of domestic work because the intimate nature of the employer-employee relationship is such that many employers provide non-wage support to their workers, as shown in our empirical findings in the first and second reports. Unlike construction workers or street vendors who do not have direct interactions with their principal employers, domestic workers are closely associated with their employers since the latter's homes are their workplace.

Across our sample, we found several such examples which are described in this section. While some of these were explicitly noted by employers' as their responsibility towards their workers, others came up when we asked how employers supported their employees. There are several overlaps between social protection benefits envisaged in employment relationships and the non-wage support described here. We discuss the overlap of non-wage benefits with forms of social protection in-depth in section 5.

4.1.4a Paid and unpaid leaves

In the formal sector, non-wage benefits include weekly off, paid sick leave, annual leaves, festival leaves, and personal or earned leave. This has been one of the longest standing demands of domestic workers' unions and federations as a right of employment. However, our data suggests that in the absence of clear labour market norms in this regard, employers tended to respond to it in different ways and opined it was a form of non-wage support – rather than a work-based entitlements – that they provided their workers.

In general, since housework like cleaning utensils and floors was done everyday, domestic workers who were hired to do these activities were expected to work all days of the week. However, some employers were assertive about the need

to give their workers leave for rest as a way to support worker's health.

R: Making sure that she gets the leaves properly. We should not lead to any problem in her health. Taking care of her health and paying her proper salary is the only concern.

However, in the absence of the worker it was the women of the house that ended up taking on the additional work or burden because in most households the responsibility wasn't shared by all members of the employer's household, as evidenced by the gendered distribution of housework we showed in our first report. Such unequal and gendered transfer of responsibilities was one of the main reasons for female employer's hesitation to give leave.

R: Not really. Of course, See I'm talking from that side also (her house maids). Sometimes they take leave suddenly and then my work gets affected. So then I tell them why don't you inform me earlier so that I can be prepared. I just can't just get out of my desk and start doing housework. So you have to inform me. So many times that has happened, but still again I cool it out like because I won't get anybody else to replace them.

I: Take leave?

R: Yes, many leaves. In a month she takes around 5 leaves.

I: Who does the work then?

R: Oh! Those days I get a headache. I have to apply some oil, even now I have to put oil on. My wheezing increases when I put my hands in water.

In our second report, we find that even when there was scope for paid leave, many workers would not take it. As the employer shared in the excerpt below a part of this structural hesitancy could be due to lack of clarity on leave policy from the employer. To avoid retribution from the employer in terms of wage cuts or building a bad reputation, they avoided taking "too many leaves".

R: And I think to also make sure she is not overworked, when she is unwell she is not working... when she is unwell she does not ask for leave - she will show up. I think it has got to do with this feeling that if I take too much when I am sick either she will be

blamed - or that I can work when I am sick. The employer must make sure that they don't work when they are sick, that they get the rest they need. At the moment this is what I can think of.

Employers distinguished between paid and unpaid leave as seen in the two excerpts below. In the first, the employer paid the worker full amount even when the family did not use the services of the worker because it was determined by the absence of the employer's household. In the second case, the employer was willing to give paid sick leave but treated other long absences as unpaid leave. Employers used their own rationalisation to determine whether to pay a worker full salary or withhold part or all of it based on their attendance.

R: No. Not only that but we go on a vacation for one or two months and that time we also pay the full amount for her because it's not she who is stopping work but it is us, we are going out so we will pay her whatever it is for those vacation days also.

R: If she takes one month leave, only then we will not give. One month when she goes to her native that time full month we don't pay her. And otherwise when she takes leave if she is not well and all we do not cut. We tell her that we will deduct the salary but we feel that she has children and we give her full salary. I say 100 rupees nothing will happen so just pay her, it's okay.

Long absence was a cause of concern for the employer as it also entailed a replacement cost - i.e. the employer would have to pay another worker to do the housework temporarily. In daily wage work, workers are paid only if they show up at work. In contrast, even though domestic work is regular salaried work, most workers are not entitled to earned leave, and when they are, the terms of leave are unclear even, as we showed above, to employers.

4.1.4b Medical support

It is known that employers often help domestic workers with their health concerns and our second report showed that payment for medical expenses was remarkably high as a form of non-wage support. In our interviews also employers mentioned looking after the health of their workers as their responsibility. One of the reasons cited for this was "mutual dependence," implying that

while the workers looked to the employers for medical support, the latter also ought to ensure good health and wellbeing of the former on whose labour they depended. Another reason repeatedly evoked by the employers was that they received medical care from their workplaces and hence thought it important to support their workers.

*R: My duty is to ensure that I pay her, **I take care of her health** and ensure that she's happy... and then make sure that she is well nourished and she's good.*

They perceived their responsibility in various ways- putting the worker in touch with right medical help or helping them financially. As we have noticed in wage determination, employer affordability underlined what was extended as support here as well. We repeatedly heard statements like "as much as we can afford, I will have to reach out to her".

*R: **If they're falling ill or something like that it is our duty to help them find appropriate medical help** alright, and if they have children, then direct them towards benefits, government benefits that they can derive scholarships, free ships. Yeah, those are things that we as employers can do, **tell them about facilities available and draw them to make use of them.***

*R: Definitely **her safety and her wellbeing in terms of her health, and financially, whenever she needs my support,** because a lot of times, like you've mentioned already, they don't have insurance of any sort.*

Some employers also perceived giving adequate leaves for rest as a way to support worker's health. This has been discussed in the previous section on paid and unpaid leave already. However, if the workers were in need of a longer break due to medical reasons, employers thought it was "not practical" to give paid leave and also pay another worker to replace them meanwhile. In such cases, they were willing to give only unpaid leave.

Employers outlook on medical support were further elucidated when they were asked: what did you do when your worker faced a medical emergency or any other illnesses? Here, financial support was the most recurring mode for supporting health-related issues, given in the form of an advance from the salary, interest-free loan or even a one-time additional payment with

no obligation to pay it back. This form of support was also given keeping in mind the fact that workers lacked medical insurance.

*R: **She always keeps asking for a loan so we keep giving her.** Financial support **she asked because she gets sick, and somebody dies in the house.** All the time, she comes and she says, give 3000, 5,000. So, we have always supported her.*

*R: Sometimes **we pay salary in advance or sometimes loan and she will sometimes pay back with salary.** I just deduct her salary and then she'll pay it back.*

I: what were the reasons that she said for taking the loan or something?

*R: **Her emergency was maybe medical or something...She will tell mostly medical.***

The financial help was meted out for buying medicines, visiting a doctor, or for a medical procedure and, in our interviews, it usually ranged from 100 rupees to 5000 rupees. Thus employers covered out-of-pocket expenses, but large expenses were supported only partially or in the form of loans. In one case, where the employers paid for hospital expenses up to 80,000 rupees without any expectation for receiving it back, the worker continued to feel obligated to work at a subsidized rate for the employers for several years after the incident.

*R: **I paid the hospital bill and it was quite a large amount.** She is a very decent person. She has got huge self respect, massive self respect and dignity. She feels very odd asking for money. **Since that time she has been telling me 'don't pay salary but I will come'.** I continued to pay salary but she will not take the full salary - she will only take half or 500. I told her you don't need to come everyday. **She feels she should come and work for me because she feels obligated because of the medical payments I made for her but I do not believe she should feel that way.** I had no expectations she was going to pay me back, she won't be able to. I am perfectly okay with that. If she comes it is good for me only because it saves me from having to do all that.*

Some employers also supported the worker and their family with direct medical counselling when there was a doctor in the household or among

their close acquaintances. In some cases this was extended to the worker's families as well.

R: In the past, when I have had people a while back, we have supported them to any health. One of my worker's husbands had contracted TB. So, we did take care of all the treatment, isolation, child's vaccines, all these kinds of things. So yeah, we do support people.

During COVID-19 pandemic, some Resident Welfare Associations (RWAs) played a role in getting vaccination and other facilities to domestic workers. This was done to safeguard employers' own homes but also with the understanding that domestic workers were often the only earning members of their families and hence must be protected from the virus. One employer noted:

R: Yes, during covid her husband was down with fever. I asked her to take 10 days off to care for her husband. I asked her to get vaccinated for her good... She has a daughter as well. I gave her 2 days off when she took the vaccine.

R: In fact, for all the vaccinations during COVID, we had organized for all the maids we had got them vaccinated free of cost in our apartment. Okay, so all that is those welfare measures as far as whenever we do...They all come from respectable families, they are treated as respected pretty well.

As data in our second report indicated, therefore, many employer families extended some form of support in case of medical need. This decision to help was shaped by several factors. Some of the complexities were revealed when employers shared the discussions underlying their final decisions. Firstly, there could be disagreement within the household on what was the 'right' degree of involvement and support that should be extended to workers. Among other things, this was also shaped by the primary decision maker's perception and actual constraints of affordability regarding such non-wage support.

4.1.4c Maternity support

Across our sample in this report as well, there was wide acknowledgement that workers needed to be given leave during pregnancy and childbirth.

R: Yes, sure. If they are about to deliver, of course they have to leave. We can't extract any work out of them.

Since not too many employers had domestic workers who had needed or taken maternity leave or support, we asked the employers a hypothetical question to understand their perception on this subject. We asked: How many months of leave would you provide the domestic worker during pregnancy and after childbirth? When the domestic worker goes on maternity leave how will the work be done?

While employers theoretically supported the idea of maternity leave, they reflected that in practice it would entail making complex arrangements at their household level. Most employers said that since it would be difficult for them to continue without a domestic worker, they would ask her to find a replacement. If the worker was valued by the employer, they would be willing to take her back when she returned from the break. The duration of the break and how it would be split during childbirth and post pregnancy varied from a few weeks to 3-4 months.

I: So in such a situation - the worker is on leave due to pregnancy - you would do the work yourself rather than finding a replacement.

*R: Maybe I will find somebody in the interim to do some of the work - or do it less frequently. If it is hurting me financially I would figure it out, I don't know. **Knowing the amount of time it takes I would get someone to do some work in the interim or ask them to find someone who can do the work for a while.***

R: I would just find someone else until the delivery. And if I really like the worker, I would ask her to come back after she has given birth.

Another employer reflected on how she would decide on the kind of support she must give. In the excerpt below, the employer hinted that she would check with others on what was the right thing to do before deciding on maternity leave. This affirms, as suggested in our second report, that social norms like those prevalent in neighbourhoods or official norms can help set a benchmark on what is an employer's responsibility, even if it is not enforceable. The employer also reiterated that the ability to provide any form of support depended on

affordability. Also as seen in our second report, it was the high income households that were more likely to provide leave with full or partial salary payment because they could afford it.

R: I don't know. I will find from other people what is the correct thing to do with maternity leave to give as an official thing also. I would definitely continue paying her, that's something I would do. The thing is I know I would be able to do it - I don't know if others will be able to do it. I am now at a position where I would be able to pay for maternity leave, I would be able to do that. I would be willing to do it. I also know many who have domestic help who may not be able to pay that, especially because they would have to hire another one during the same period. I am also young, I can do certain amounts of work myself - although it takes time to do the certain kinds of work we do.

In the following excerpt, an employer noted that while in her personal capacity she would be willing to support the worker during her maternity leave, this was not a decision she could make alone. Very often in the employer household, the person who finds, hires and manages the worker is not the same as the primary financial decision maker. Hence, there could be a discrepancy in the intention of the individual employer and the actual action of the household.

R: It has never happened in my memory - I cannot speak for the family. If it was just me I wouldn't have any problem - I would just ask how long they need and it's fine to take how much time they need and provide for that. I wouldn't have any issues giving them as much time as they need.

What is important to learn from this is that the conditions for paid maternity leave of adequate length was contingent on too many variable factors, making it highly inconsistent across employer households. Employers tended to choose from a combination of the following options: unpaid leave, partial support or hiring a different worker as seen in the excerpt below.

R: I haven't come across such a situation. But yes, I would give her some time. I mean, I would not call it maternity leave, but she can take some rest. Maybe I would hire someone else. The government can

give maternity leave which is paid, but we would not be able to do that much. But we can provide some support during this time. (Further interruptions from the elderly house owner)

On a different note, an employer also quoted in the excerpt below said she would perhaps hire a different worker because she would be wary of frequent leaves a new mother would need.

*R: 3-4 months leave I give them but once they join back they take frequent leave citing so many reasons but that is understood because I was working with 2 kids and I know the difficulties faced by women. So I just let them. I: So if they can't continue you get another one?
R: Yes.*

While in section 3.2 employers spoke about their hesitation of hiring an elderly worker or a young unmarried woman, here we see how being a new mother or having young kids could also be a red flag for employers. This once again reiterates the point that domestic workers have a short window of opportunity in the labour market in which employers place multiple qualifiers before hiring a worker: "we try to find someone who is somewhat aged, not too aged, but will never hire someone who's too young." How workers deal with such age-based constraints needs to be studied more closely. Do women move to other types and sectors of work? And what are its implications from the point of view of various schemes - from maternity benefits to pension schemes?

In India, women working in the formal sector are entitled to six-months of paid maternity leave. In our second report, we found that a majority of employer households believed that either paid or unpaid maternity leave was ideal. However, only a small proportion of employers suggested that the legally mandated leave of six months was the appropriate length. A large majority said 2-4 months was ideal. Similarly, in terms of compensation during maternity leave, only 26 per cent of employer households said they would try to compensate for maternity leave with partial or full payment.

On ground, apart from employer support, what kinds of benefits can women in the informal economy avail? The Pradhan Mantri Matru Vandana Yojana, under the National Food Security Act, provides some form of maternity benefits as compensation for wage loss during

pregnancy and childbirth. For domestic workers, the programme is only partly beneficial as it does not take into account the mechanics of the sector. First, the compensation of 5,000 rupees spread across six months is too low for domestic workers who tend to bring home more income in a single month; second, it does not guarantee employment in the same employer household when the domestic worker returns from pregnancy and childbirth. In other types of informal work where one is self-employed such as street vending, women have the opportunity to determine (albeit household economic conditions permitting) how long they can afford to stay away from work. In domestic work, the employer is likely to find a replacement or a substitute jeopardising already existing networks of employment that the worker enjoys. Consequently, workers may be compelled to return to work early or have to negotiate with newer employers if they lose their jobs or work in less than optimal conditions simply to maintain their employment status. In conclusion, we would like to note that maternity support - benefits or leave - must be sensitive to these bearings of specific labour markets.

4.1.4d Childcare support

Apart from maternity support, informal workers also lack stable access to childcare. In order to understand employer's willingness to provide childcare support to their workers, we asked: what do you think about domestic workers bringing their children to your house when they come to work? The responses were mixed.

A set of employers were not comfortable with the workers bringing their children to work. They were upfront that children tended to be "messy", "shabby" or "undisciplined" - all of which required the employers to be alert.

R: No... the worker can't work, they will touch everything, be everywhere, and perhaps break things.

*R: No that I don't agree because I had faced situations. See children are children. They're very innocent, they're very ignorant. And it all depends on how they are taught and brought up at home so when they come here, you know. One person brought a child into work, I would make him sit on one side but then the children will not sit him you know, **they want to move around and when they feel something nice they want to touch, they***

want to see, they want to do all kinds of things, steps that they want to climb up and climb in place, they put their hands on the wall and like him, try to make marks on the walls, and like it's kind of a problem.

*R: I am not interested in bringing children to my house. Because **they come and do some dirty things**, also sometimes they take things and make them shabby. So normally we don't allow it, but some people bring their kids, what can we do? We have to consider it as human beings.*

Some other employers said that they "did not mind" if the children accompanied the workers to work. It was their way of "doing good" or "helping the worker."

*R: Yes, she does. **When there is no one to take care of her children, she gets them here. They sit here with me while she works.***

*R: I don't mind. I would encourage, **if they can't, where will they take the children if they have to work and they have children, I don't mind if they come and play in my garden or sit in my house and talk to us and play with us. I really don't mind***

*R: Yes, they can bring. **I am fine/comfortable with that. It will be a timepass for me. They have come.***

*R: No problem. In fact **her kids do come home. We are all humans and we have to see others as humans too.***

However, among the other employers who seemed agreeable to the idea, they put forth a set of clauses - it was "okay occasionally" or "only if the child is older". In each of these cases, even though the employers empathized that the worker needed help, they were clear that as a household they could not take responsibility or care for the child as it was done in formal childcare centres. It reflected their own lack of capacity and was also an additional burden for the worker who would have to clean up after the child.

*R: Bringing children, um, **I have no problem, she has brought them once in a way. But if it's a daily practice, it depends on the child. Because if a child is unable to sit still and needs to move around. Then it's difficult to like, you know, there is no child care process in our house isn't it. So it will***

be difficult for me, it's a tin, it's a smaller apartment, definitely can't manage. It's not child proof. Because I personally don't have kids myself. So it would be difficult, and I would have to tell her not to do it on a daily basis. But if she has grown up children who are, you know, sitting quietly, then it's not at all a problem.

R: Yeah I've had maids bringing in their children. That's okay. It's a pleasure to have them at home. I mean, because it's not every day. So long as they're not creating a problem. It's okay.

Our data suggests that employers encountered a number of objective constraints in providing childcare support. In a situation when the worker brought her child to work, it required someone to stay alert to attend to the child's needs and activities while the worker was busy with work. Further, unlike a childcare centre, an employer household is not designed to meet the needs of child safety or activity. These conditions tell us that while employer households may act as additional childcare arrangements for occasional needs, they do not have suitable infrastructure, such as a full-time carer or space designed for child play, for a more sustainable arrangement.

R: And then we cannot continuously monitor the child. And they cannot continuously discipline the child to sit in while we feel guilty, making the child sit in the corner and not allowing him to move, creating a scare and all, that kind of thing I don't like so after that, I stopped entertaining children.

R: Yeah she has kids, sometimes she brings them too, so we took care of it, not a baby it will have to be an age of 3 or 4. We don't have any problem with that.

Childcare is an important consideration while thinking about decent work. For women in the informal economy, childcare - especially when the child is young - is a major cause of concern. In the absence of subsidized childcare options, women are compelled to depend on family, others in the neighbourhood or even compromise safety and leave the child unattended for a few hours. Even if they continue to remain in the labour force, they have the added stress of worrying if the child is safe and cared for.

Childcare support is known to have a positive impact on female labour force participation and

is also key to creating decent work conditions. Typically, while policies aimed at reconciling women's work and childcare support include the involvement of the employer in building workplace solutions, in this case, it is an arduous proposition. First, it poses logistical challenges for the employer as described above. Second, as the worker works across multiple households in a single or double shift throughout the day it becomes impracticable for her to carry the child. It is also challenging for a child to get accustomed to such a hectic regime involving various places and people. Given this and the fact that domestic workers tend to live in clusters that are in close proximity to the employers homes (section 3.1), childcare provision must be spatially imagined at a wider scale beyond the workplace.

4.1.4 e Supporting children's education

A large number of employers in our sample said that it was their responsibility to support the education of domestic workers' children. Much like the sections before and the ones that follow, employers exercised a lot of personal discretion on how they extended this support to their workers.

One set of employers paid for the education without expecting the worker to return the money.

R: Support the education also. She has two kids. I support their education, everything. Lot of things we do. She wants money, we give, we won't ask them back.

R: Not really but yeah once in a while...They do take loans from us, like our cook takes every year for something or the other, which he needs because he has a child who is in college, in his village. So, they take loans sometimes, some part of the loan they pay, some part we just let it go.

Some employers also shared that they gave loans to their workers for the child's education. To recover the sum, they either deducted the money from the workers monthly salary or the worker returned the whole amount in one go.

R: I look after all her children's fees, okay. And I've been doing that for whenever I compare to my businesses, so I do look after her children's education fees and stuff like that, and whenever they are in trouble, I do give them a loan, obviously, they pay back the loan.

In the excerpt below the employer stressed on the fact that the worker did not have to pay an interest on the loaned amount was in itself a big support for the worker.

*R: At times they ask for some **soft loan of around 10,000 rupees to 20,000 rupees to pay for their children's education. We don't charge any interest.** Either it is deducted from the salary or they pay back a lump sum. **Never we ask for interest and extend such small help***

The employer quoted below was cognizant that the worker could organize the required amount from various households that she worked in. Consequently, she offered only a partial amount to cover the school fees.

*R: **I help with their children's school fees. Not the full amount though.** Maybe a small part of it. It is just to help. **And they go to other houses, so I am sure they will get money from there too.** We do what we can. There is a category of workers without a husband or with an alcoholic husband. And these workers would come and ask for help with school fees. There is nothing wrong with helping this category of workers.*

In contrast, some other employers were willing to help but were also suspicious of the workers' intentions of asking for education loans or doubted the ability of the children to continue their studies. Some also said that they would first judge the worker's situation and only if they felt 'moved' by their plight would they offer a loan.

*R: We used to give education loans. One of them asked for support for her son's education. She wanted to get him into medicine. If they want then they should study well. **They don't study. Just cannot say that she wants to put her son into medical college.** We will support them if they do well. There is no use. They don't listen.*

*R: **They always come up with some stories, you know, they have to pay the fees for my child.** I don't have money. I asked this one, I asked that one, and like they only gave so much so much. Please help me. I'll pay you back. And anyway, I'm working here and all these kinds of things, then I see the person. **Depending on that, you know, if I'm moved to pay something, I give them just to support the child.** Basically, I don't want a child to lose education.*

In the later sections on social protection, we discuss this form of support again, talking about how employers reiterated that one of the forms of social protection that the government must ensure to domestic workers was by way of providing scholarships, loans, and subsidies for education. In an exemplary example of social protection model for informal workers, the Build and Other Construction Workers Board (BOCW) already entitles the children of registered workers to benefits such as scholarships, stipend, and cycles to help them pursue their education. Consequently, the positive orientation of the employers towards the need for supporting children's education can be leveraged in shaping contributory social protection schemes in this regard.

4.1.4f Other financial support

Apart from medical care and children's education, employers occasionally extended need-based financial support to the domestic worker and her family for various other reasons. This included family events such as weddings and funerals, festivals, house construction, small business, long distance travel, and other personal expenses for children. Counselling on financial matters was also taken up by employers.

R: In fact we have tried to tell them to turn away from it. So many times we have told them to not invest in Chit Fund. Go put it in the bank or buy gold but don't do this Chit business.

*R: I do not think giving money directly is a good idea. **I would rather use my expertise to help them learn about loans and insurance schemes they can avail.** I have done so in the past.*

In the excerpts below, the employers recognized that workers found it difficult to get loans from formal sources. Seeking help from local money lenders would further jeopardize their economic condition as they would have to mortgage an asset or pay higher interest rates. Hence, it was their responsibility to provide financial assistance in any way that they could.

*R: Yes, they do because **for them getting a loan from a bank is very difficult because nobody is going to stand as a collateral, they don't have anything to show to the bank as a security.** So about this, I*

*remember I had a huge discussion with the person who said, why should I give loans to this people all the time? because **they don't have anyone else to go to otherwise**, they will go to the local money lender and take money from them, so we are the only people because we are the employers.*

R: Once she took a loan from a lender, by mortgaging her only gold chain she had. I gave her money to take it back. She might have mortgaged it back for the education expense of her children or something, but I did not ask her about it later because she might feel uncomfortable.

Before providing help, employers relied on previous experience of lending money to the worker and their promptness in repaying the same and gauged if the workers reason for seeking a loan was legitimate.

*R: If I have extra provisions, I give it to them. I get ration items, right? I give all of it entirely to them. They are also in a state where they cannot buy certain things. **Now I can't really help with weddings and all since I am also a little weak financially. I can only do what I can.***

*R:...after a certain point in time **my grandma started getting a little suspicious** (about the reason for asking for a loan) because she (the worker) said something that didn't make sense and over time she just started refusing and saying no. There was a buildup to it before there was a refusal.*

Those employers that had a long term relationship with the workers also felt responsible about sustaining them in their old age, whether through some form of pension or helping them find a place to stay. The excerpt below provides one such example. We did not find a case where one could arrange this.

R: Housing even post retirement - I have to take care of them as long as they are there. I have to also look into providing them with a home or retirement home, or stay in our home.

Our data showed that the household decision to support their workers depended on their actual financial resources and their sense of affordability. Thus, high income households were more likely to extend such financial support than medium and low income households who also

had competing economic demands. With this in mind, workers organisations have long argued that employers cannot be the only source of non-wage benefits and support for the workers. Tripartite organisations as in the case of the BOCW, public services, subsidies and welfare schemes play a greater role in covering the financial gap workers face due to low 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.

4.2 Subjective notions of employers' responsibilities towards workers

Standard employment relationships entail a focus on working conditions. This includes a range of factors which have been comprehensively discussed in the previous section. When employers of domestic workers were asked what they thought were their duties and responsibilities towards their workers, we also found several subjective responses that reflected the nature of the employment relationship in domestic work.

Some parts of what employer's thought of as their responsibility has already been discussed under non-wage support (section 4.1.4). Here we provide a more qualitative understanding of what employers thought was their responsibility towards their workers. We asked employers: what do you think are your duties and responsibilities towards your workers? We would like to note here that in the analysis we have only used those responses that overtly talked about their sense of responsibility as an employer. This is not universal but provides a useful lexicon to think about employment relationships in this sector. In this section, we have created new emic themes in order to stay close to the language used by the employers.

4.2.1 Honouring the verbal wage contract

In domestic work, there is a heterogeneity in employer relationships as workers engage with multiple employers on the basis of individual verbal contracts encompassing primarily negotiations around wages, bonus, and other

terms of payment. It was striking to find that a large proportion of employers in our sample placed significant emphasis on their responsibility in honouring this verbal wage contract. This emphasis perhaps emerged from the fact that there were many unfair practices in other employer households.

As seen in the excerpt below, an employer suggested that “*paying on time*” was her responsibility as she was cognizant that the worker had other financial obligations linked to it. She also pointed out that other employer households held back payment of full salaries or were irregular about payments.

*R: I don't think the employment conditions of the domestic workers are very good. Not everyone treats them well. **Not everyone pays them a proper salary on time. These domestic workers have to run from door to door for their salary.** Overall I don't think the conditions of maids today are very good. Only some houses are compensating them for the work they do. **There are some houses where they have balance to be given to these workers.** 50 per cent of the employers support whereas the other half does not. Most of the domestic workers do not have husbands who take up the responsibility of their household, some of them do not have their husbands. They have to pay their home rent, pay their children's school fees etc. **The pay they get is not enough.***

R: Let her know with clarity what her job is, and how we would like it to be done, and to pay her on time.

R: Pay their salaries on time. You need to be professional about this. If you are showing them that level of professionalism in terms of ... and giving them respect and admiration - and giving them the society that they deserve whether it is monetarily or socially they should reciprocate and they should toe the line and they should also respond equally - ok I have a boss who is paying me on time, giving me my respect, giving me all the possible things that I get that I probably do not deserve so I need to ensure that I am loyal to him and equally sincere equally professional and equally communicative.

In the above excerpt, the employer noted that she expected a “*professional attitude*” from the worker and in return was ready to take on

a professional attitude himself. By which he meant - paying on time, treating the worker with respect, and giving other non-wage benefits.

Many employers shared that they gave bonuses to the workers, usually around festivals of significance to the employer household or the worker. The bonuses given were not the same across the board and varied from employer to employer. While some employers calculated bonuses as 50 per cent to 75 per cent of the workers monthly salary, others reported paying extra money without necessarily calculating it in relation to wages. Some employers also paid bonuses in kind instead of cash such as buying clothes, sweets or a household item for the workers.

*R: Yes, **half of their salary.** See, because **we pay them a bonus for Christmas and other Hindu people they give them for Diwali.** One thing in the apartment is because they work in such big apartments, they are being well looked after is what I see. Of course, sometimes they are pressured with a lot of work, but again at the end of the day, they are given bonuses. I don't think the private servants that work outside get all these bonuses. **So their bonus is their whole month salary or maybe 75 per cent of their whole salary.***

*R: **I give a bonus during Deepavali,** then any other help she wants I give her. then **for most of the festivals, whenever I feel like buying a clothes or anything, I usually do all those things also.***

R: Now it is Ramzan time and I would get a new cooker for our home. I would get one for her as well. Last Ramzan we got her a new electric stove (induction/hot plate). Yesterday she told me that she remembers me every time she drinks water as we had given her the induction. It has been helpful for her as she is advised to have hot water and she heats the water on the induction for bath as well. We have given her an idli cooker and many other household items that she needs

R: We are Christians, so when we make sweets for Christmas we share it with her, same for Pongal and Diwali.

R: Bonus is not discussed. Whenever there is a festival...so in our place when diwali comes we give them an amount - some money - it is not a fixed amount we just give them whatever

*we are happy with. It is just a certain amount, maybe 500 or something, it is not a discussed thing. **It's not a contract right so we give them whatever we are happy with.***

This variation in bonuses was explained succinctly by the employer quoted above who said that domestic workers and their employers were not bound by a contract and therefore the employer could pay (bonuses) as they deemed fit.

Some employers specified that they recognized and compensated their domestic worker for any extra work or overtime that was undertaken by her. This compensation for work that was over and above her daily duties was given in the form of money and even as ration items.

*R: We should not overburden them with work. When she goes, if she says that she is too tired because of too much work, then I feel bad and I take care that I don't give her too much work... take care that I don't give any extra work out of the chores that we have hired her for. **If at all I give her extra work then I pay her extra for that work accordingly.***

R: If they work some extra time we pay them extra. Some ration rice and all we give.

This recognition that additional work done by the worker has to be compensated for by the employer and was seen as their responsibility. The compensation itself vastly varied from household to household.

Some employers also shared that they increased the wages of the workers, usually annually. This increment as it was either expected by the worker or to keep the workers satisfied and happy. An employer also noted that as the cost of living increases rapidly, the salaries of workers must reflect this change.

R: Every year we increase her wages by 500 rupees

R: Frankly speaking, she does not have to demand because on periodic times, when there is a festival or when there is celebration in our house or anything like that, her salary is raised every year. So, she rarely asks and the need to ask.

R: The cost of living is increasing. The pay does not cater to all her needs. So sometimes she asks for some extra pay. Accordingly we consider her request and add some extra pay.

With respect to increments employers did not follow a logic of cost adjusted to inflation. Most employers also did not share what logics of increments were used by them and how they translate these into wage raises vis a vis the wage currently being paid. Some employers shared they paid a little extra and some shared an amount of money that was added to the existing wage of the worker.

In conclusion, our data points towards the cognizance of some of what constitutes income security for the workers, covering several key aspects of it. However, the currently existing pecuniary benefits are highly variable in nature. As these benefits are presently dependent on employer perspectives, it is a matter of chance for the domestic worker to end up with an employer who would see all or some of these aspects as their responsibility. There were also no patterns to suggest that there was a worker-oriented rationale to decide bonuses, wage increments, or overtime by employers even if they chose to offer these benefits to their workers.

4.2.2 Safety

Occupational Health and Safety more broadly also includes maintenance of healthy working conditions at the workplace. Safety is a central piece in this. We write about it in this section because it came up as a major theme under employer responsibility repeatedly. Recognizing their homes as a place of work, employers noted that it was their responsibility to ensure the safety of workers. Employers routinely cautioned workers to work “carefully” to prevent falls, cuts and injuries. In case of such an event, they also thought it was their duty to provide first aid or required health assistance to the worker.

*R: My responsibility is to **ensure her safety while she works in my home.** She works in my home for half an hour so while she is in my home, she should not face any problem.*

*R: Something happens like **she has a cut in her while cleaning it is our responsibility to take care of her, give medication or like whatever the first aid** or if is more of like you know, if she falls and like has a fracture or something, it's our responsibility to take her to the hospital and things like that.*

*R: **During the work time whatever happens to them is our responsibility. If they have a***

fall or slip off at our home we need to take care of them. I tell her to be careful when she walks around doing the work because if they have a fall it is our responsibility.

The conversation on safety however centred around exceptional occurrences of incidents or accidents. Some were clear that because domestic work occurred within the setting of a household, it did not entail “risks” as in other sectors of informal work.

R: Construction work involves a lot of hard labour and they have no safety standards. If they have a fall or something there is nothing to cater to their safety. They work on heights and they have no safety kits provided to them. Domestic workers have safety when it comes to their work space.

However, domestic workers can be vulnerable as their work involves repetitive tasks which may lead to adverse health outcomes on reproductive health and musco-skeletal issues (Jebaraj et al., 2022). Slow deterioration of the body of a worker has economic implications as it impairs their ability to seek and undertake work, while simultaneously having to bear the burden of medical treatment.

The ILO Convention C15 on occupational safety and health broadly lays out the employer’s responsibilities towards ensuring a safe workplace for workers: “Employers must ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and work processes under their control are safe and without risk to health”. Thus, a recognition from employers of worker’s safety at the workplace as their responsibility marks that there is an existing basis for formal recognition of it.

The same convention also identifies risk assessment in participation with the workers as one of the first steps toward achieving it. It is here that one will need to build new consensus and practices. Domestic worker’s federation like IDWF and WIEGO have initiated the work on laying out the employer responsibilities toward OSH particular to the sector of domestic work. It is also listed as one of the duties of employers in the proposed bill for Domestic Workers in 2008 by the National Campaign Committee for Unorganized Workers, unlike the other proposed bills such as. However, a rapid review of OSH practices in domestic work during COVID-19 revealed that participatory risk assessment and

management was largely missing (Bhan, Rai Chowdhury & Mehra, 2021).

Some employers also noted that they felt responsible about supporting the worker when she encountered violence or harassment at home or on the street. Female employers may have seen this with reference to their own notions of safety in larger society.

R: Being a woman I think it comes naturally to me that you safeguard the modesty and safety aspect (within workers’ household and employer household).

In the interview responses, while physical safety in the course of undertaking work was discussed amply, sexual harassment or violence at the workplace was not recorded as a safety concern. Such an inquiry is more likely to be addressed in worker interviews. The susceptibility of domestic workers to harassment at the workplace is well documented through various activist scholarship. It was due to these efforts that one of the first legal recognitions for domestic workers as workers was under the The Prevention of Sexual Harassment in Workplace Act.

4.2.3 Being fair to workers

In our interviews, there were a few employers who mentioned that being ‘fair’ towards domestic workers was one of their main responsibilities as an employer. The notion of fairness appeared to take different forms in different houses. Here, we look at three such articulations: treating workers with dignity and respect, acknowledging their work and time, being non-discriminatory in everyday interactions.

R: That I treat them with dignity, that I look after her.

R: We should not be rude towards them. They are human beings like us and we should respect them. They have a family and home as well. I do not take authority or demand them. My sons have grown up now and we actually do not need domestic help but still we have her because I really like her a lot. We share a good bond and I don’t want that bond to break. She really takes good care of us and our home. We do not have a typical employer-employee relationship.

In the excerpt below the employer particularly refers to their sense of responsibility to be respectful toward elderly workers.

*R: My responsibilities are supporting them at every moment of their life, **being respectful towards them, which is very, very important I feel.** We have to give them the dignity which they deserve. **We as employers have a huge responsibility of looking after them even when they become old and they cannot serve us anymore, they have given their best of their years to us** without fault, without taking a break. I know many domestic workers who do not even get one day leave. So whether they like it or not, every day in the morning, they have to get up and come to our house, without taking care of their own household, they are giving that time to take care of this household.*

*R: We take care of them like our family members. There are some employers who dominate because they pay money. **When we are kind to them, they continue with us for years.** They don't leave. Unless you say no, they don't leave. You have to maintain your standards. You cannot just blackmail anybody these days.*

As a way to dignify the employer-employee relationship, employers often used expressions like "my family member" or "like a sisterly connection" to refer to their domestic workers. This was also seen in a separate question where we asked employers about their households' relationship with the domestic worker. Previous studies have shown that usage of such phrases that showcase a type of familial closeness to the worker conceal the real power in employer-employee relationships. In reality, it is only the employer who has the power to shift between contractual and familial attributions depending on what suits them (Anderson, 2001).

A few employers also noted that it was important to acknowledge the physical labour put in by domestic workers as well as respect their time. As one employer noted, during the pandemic as they were forced to take up household chores without any form of assistance, it visibilized the work done by domestic workers. It also exhibited the precarity encountered by domestic workers. Given that many employers had similar conditions it is expected that it stirred such affective responses in many.

*R: **One is to respect their time.** I know the maid who comes in also does other houses so it is important to not get her delayed.*

*R: I think **that was an eye-opener for many, many people, including me, that kind of exhaustion,** I knew that she does a lot for this household, but **the kind of exhaustion that is there in doing all these household works one after another.** It was eye-opener for all of us. And I think my respect for them has gone up like anything after that. And also I've understood from the stories that I have heard about other domestic workers, that the precarious condition, of the uncertainty with which they will survive, because I'm not talking about my domestic workers, but there are many domestic workers in this building who have lost their jobs. They were not paid during that time. So you understand they're at the mercy of their employers completely. They don't have anyone to even complain and even raise their issues with.*

Several employers noted that it was important to be non-discriminatory in everyday interactions with the workers which included the way they were spoken to or treated and even allowed to use basic facilities at the house of the employer.

*R: **I take care of my words and behaviour** while she is in my home. I make her sit on the same chair or sofa where we sit and **I serve her tea/coffee in the same cup which we use. I do not discriminate.** She is the first one to drink tea in our home early in the morning before any of us. **Neighbours here where this same worker works treat her differently.** They have a separate cup for her and she is not allowed to enter their home from the main entrance, she has to come through the back gate. They do not allow her inside the home. They dump the used utensils/dishes to be washed in the courtyard/backyard and she has to wash them there itself. I am not like them. If the breakfast gets cooked before she leaves, I give her some as well.*

R: We don't actually exploit or harm them. I give full freedom and treat them properly. I show humanitarian respect to them and they get all the benefits. I don't treat them as servants.

In the following excerpt, the employer articulates that they feel responsible to treat

a worker with respect in exchange for them meeting the employer's expectations. It underlines that the employer did not think of respectful behaviour toward workers obvious in the employment relationship in this sector.

*R: My responsibility is to firstly treat them right with respect. They are also human beings. **I do not like to restrict them by saying do not go here/there, do not touch this/that etc. They should also know their responsibilities and meet our expectations.** There was a philosopher in Tamil Nadu, he did not have any grey hair. Paole asked him why his hair did not get grey? He replied that his expectations are met without him saying them out. His domestic help met all his expectations without him mentioning them. Thus I have no chances of doubting or getting upset with my domestic help as she does her work properly and our expectations are met.*

It is important to note here that the notions of 'dignity, respect and fairness' were specifically brought up by a set of employers as a form of responsibility towards their workers. Such categorical mention is also an evidence of the absence of these terms as norms in a usual employment relationship within domestic work, which, as our first two reports amply show empirically, is highly unequal and one that is deeply entrenched in societal hierarchies around caste, work and gender.

4.2.4 Listening and counselling the worker

By virtue of their position in the employment relationship employers thought of themselves as qualified to advise and counsel their workers on financial matters, children's education, health and overall wellbeing.

In the excerpt below, the employer had known the worker for several years.

*R: The intelligent employer is taking interest in the worker's children's education - asking them about what they are currently pursuing and what they plan to pursue further. They will say they haven't thought much about it, they will get the girl married once she is 16. We will say no...Slowly over time we have talked and come to this understanding with both the maid-servant and the driver that they have realized that they don't get the girl married early and educate her...**They need***

***to have a vision and act on it. Reading and what not is zero, so awareness of what is happening is zero.** Maid-servant has been living in bombay but for her bombay is the chawl she lives in and the house she works at.*

As discussed before, employers frequently spoke of domestic workers as an intimate part of their family. Due to close and direct interaction, employers perceived that their role as a "good employer" entailed being a "patient listener". It was good to maintain "friendly relations" as even the workers "want someone to speak to them well." In the excerpts below, the employers reached out to the workers in various ways.

R: I feel I am responsible for her even when she needs the financial support or when she needs a family support, like if she needs emotional support, you know, even when she lost her sister, I was there for her. I feel all the support that is needed as a human being.

I: Would you prefer a more professional relationship or would you prefer to be friends?

R: I would like to be close only because that is when we come to know about their issues and they speak out. Otherwise we may not know. They will have some issue and not explain it to us. So I do not want that between us and the househelp.

R: I used to ask her, so that she can have an outlet to ventilate her feelings, but she just mentions, never elaborates. I ask about her children, her son is in his adolescence...he needs to be really careful about adolescent son, he can even follow his fathers foot footsteps to be an alcoholic, so she need to extra careful about her son. I used to send flowers for her autistic daughter. She is a small girl and loves those small gifts from me , they makes her happy.

In most households, the worker assisted or even replaced the female employer in sustaining, maintaining and upkeep of the house. And hence it was often the female employer who took the onus of managing communication with the worker. In the process, they initiated regular personal conversations with the workers, and sometimes even shared their own stories.

R: I keep interacting with her. I tell her everything that happens in my home and she shares her home stories as well. We even

share about the conflicts/fights we have with our husbands

Through this bond employers grew more sensitive to the needs and challenges of their domestic workers. However, this intimacy also created a conundrum for the employers: they tried to be friendly and supportive in personal capacity, and simultaneously had to negotiate on behalf of the household which required disciplining the worker.

In contrast, some employers feared that the workers were privy to their personal lives because of the close interaction and worried that it would be spoken about outside. In these scenarios employers preferred a worker who would keep to themselves.

R: At the starting itself I instructed them clearly that they should not engage in any unnecessary talks or gossip. Her work is to come and do the job she has been hired for. That's it.

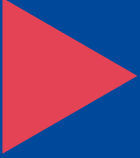
R: I don't like gossip, telling them what happens here in my home and telling me what happens in those homes. I scolded her for this. She did this once, she gossiped about me to another woman in another household. The other woman knows me well and we have known each other for years so she informed me about the same. I scolded my worker for doing that and I warned her to not repeat the same

In our interviews we found that a certain degree of intimate friendship between the employer, especially the female employer, and employee

was inevitable. However, such close interaction also blurred unstated boundaries of friendship and hierarchy as employers and employees sought to negotiate "spatial and emotional intimacy with class distance" (Dickey, 2000). The question to ask is how does this fuzziness affect the worker and the work, when both closeness and distance are employer defined parameters of interaction.

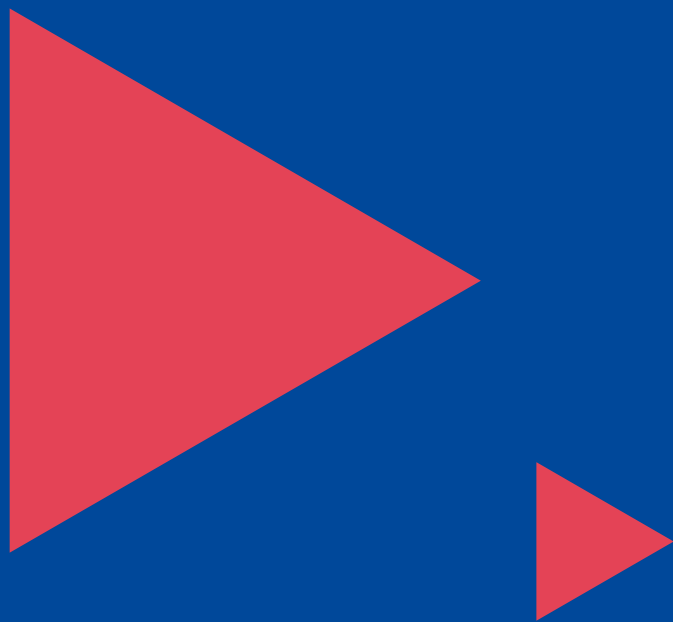
4.3 Conclusion

Under employment relationships we capture a wide range of responses on working conditions and employers' subjective notions of their responsibilities. We found that both these aspects are contingent on employer attitude, given the informal employment relationship and still-absent legal recognition in this sector. The scholarship on employment relationships in domestic work shows that it is shifting away from a relationship of only servitude and benefits-as-care to one where there is a constant negotiation between the employer and the employee (Qayum & Ray, 2003). However, as we see in this section, these forms of support are non-standard and vary across employer households and workers still have no legally enforceable way to hold employers accountable for their material needs. The objective of this overall section was to have a charter of employer responsibilities from the best of employer intentions based on existing social contracts. This can contribute toward the creation of a model contract in dialogue with workers and the state.



5

Employers' outlook towards legal coverage for domestic workers



The Decent Work Programme for domestic workers charts out key challenges and milestones toward empowerment of domestic workers. Three key milestones identified toward this objective are: (a) to include domestic workers under labour laws and social protection policies and laws (b) to close implementation gaps where domestic workers are covered under relevant laws and policies (c) to ensure that domestic workers have access to effective social protection for their empowerment. The first step on this is improved social dialogue among workers, employers, and state. Studies like this, among many other methods, try to understand the employer's outlook. Legal recognition of domestic workers and coverage under social protection is considered to be among crucial strategies to ensure decent work for domestic workers. In this section, we assess the employer's outlook towards both these aspects.

5.1 Employer perspectives on having any law or policy for domestic workers

Over several decades, workers organisations have been consistently advocating for the dignity of domestic workers, and their right to be protected under law. Before the most recent labour codes were put into action, there was minor progress on this in several states of the country, which were beginning to include domestic workers under various state specific legislations. To understand employers' perceptions on this, we asked them: what do you think of having a separate law and policy for domestic workers?

The interview data from these responses make two important contributions: It creates an archive of employer outlook and language on the question of regulating the sector and offers: (a) a perspective that is understudied and underreported due to the challenges of pursuing interviews with employers in any sector; and (b) a categorization of employer outlooks that can guide strategic communication plans for inclusion of willing and ambivalent employers into the platform for social dialogue for a meaningful negotiation.

Here, we present data under three themes based on their proclivity to support any legal intervention in the sector. The subheadings use direct quotes from the interviews to reflect how employers reject, seem hesitant or ambivalent,

or support the idea of laws and policies for domestic workers.

5.1.1 "There cannot be a law"

Employers not in favour of having a separate law or policy for domestic workers articulated several wide ranging reasons for this from fearing an increase in wages to workers becoming more demanding.

Employers' rejection of such an idea stemmed from a host of perceptions they held regarding domestic work and domestic workers. For instance, one employer perceived this work as something domestic workers did to meet their needs, and not necessarily a sector of work that warranted such legal intervention. Another employer said domestic workers hardly "*worked for 10-15 minutes only*," as a way to suggest they did not work as much as construction workers were not as much in need of support or protection as construction workers. On one hand, to deflect any responsibility towards their workers, employers considered domestic workers only to be part-time workers that did not warrant legal coverage. This view ignored the fact that workers worked long hours across multiple employers' households. At the same time employer opinions diverged, as seen below they thought workers did not need to be covered under minimum wages precisely because they worked across multiple homes and earned large remuneration and benefits. This is perhaps at the core of the dilemma in providing legal coverage to domestic workers. Who takes responsibility when there are multiple employers of a single employee?

For a larger set of employers, the introduction of law or policy implied wage regulation, but in a way that disfavoured the employers as it would bring upward revision of wages rates. From their perspective, employers considered the present rates "reasonable." In our second report, we have seen that such a stance was the majority view even in larger empirical samples. Close to half the employers in our sample perceived that the wages they were paying were generous.

What we see in the excerpt below emerged repeatedly in the interviews. The employers felt that the wages earned by a majority of workers were already decent, earning 10,000 rupees or more as they worked in multiple homes. And hence, they did not need to be covered under minimum wages law separately.

R: Everybody is giving a reasonable wage and they will surely ask for it and in this area people give like 1500 to 2500 rupees for the domestic worker on monthly, but they aren't working for one house, they are working for at least 3 or 5 houses. So by calculating they are receiving around 10,000 and above as salary. Although setting a minimum wage will be good. They are also in need, right? But we are giving salaries on the basis of their demand. Like they are demanding a wage and we have to pay that.

Another employer said that any such upward revision of wages would negatively affect the domestic workers, as their services would become unaffordable for a large number of employers. This again sits uncomfortably against the worker's standpoint that challenges prevalent employer attitudes of having a domestic worker's service as a right and paying fair wages is negotiated based on one's "affordability". We discuss this earlier in the section on wage determination (4.1) as well.

R: So even as an organized sector, if someone's working part time, it's also about affordability, right? So, if the rate goes up because it's now organized, there will be many people who may not be able to afford the services of the domestic worker. And then the domestic workers themselves lose out because now people can't afford their services. There are many people who may not be earning well but need the support from the domestic worker. So, let's say, I pay 3000 for my domestic worker for an hour, there might be others who can afford to pay only 1000 but still need the support of the domestic worker coming in to do the sweeping and mopping. But if that goes up to a one rate, one size fits all, then many people will actually discontinue to go for domestic workers.

We can see here that employers try to find different words to articulate, perhaps out of discomfort, their own worries of having to pay higher wages for this service and losing negotiating power that has been unregulated for decades.

The second reason for rejecting the proposition of law or policy was that workers would become "demanding". In the excerpt below, the employer worried that the work would draw boundaries

around the kinds of work and tasks they would take on.

R: If we have a separate law, they will speak a lot and they won't come for work. They will order us. If they have a law, they will order us. Even though we are doing a lot of things, they will talk to us like "I won't do this and I won't do that!" They set up their own law! If the government gives some other law, they will order us. That is my opinion actually.

R: That would actually be very good provided the domestic workers stick to the rules, but right now you're talking about everything related to their support and their benefit and their security, but they need to meet the standard of the working condition for the people working in an organisation they are expected to do... to come on time, do the job. If four days you go late, you'll get questioned but here people if we question them and they are a little bossy, they say, we don't even need your job. So that means we need to draw line in policy, which is between the employer and the employee, and they can bring in rules so that both parties are not affected, it will not be only one-sided rule...The domestic worker cannot become very demanding and commanding

In the above excerpt, the employer was categorical that with law and policy workers were likely to get more demanding. Hence, any law or policy must be drafted balancing such that it does not neglect the employer's interests while safeguarding the worker's interest. The assumption here was that the latter would be given primary importance. Paradoxically, a recent study on the pending action toward having legal recognition for domestic workers highlights that in India it has been repeatedly impeded due to employer interests.

Employers also brought up the rhetoric of implementation gaps in laws and policies, focusing primarily on challenges of inspection and penalising. The employers wanted to know if a new law could help address everyday employer challenges like "workers not coming to work on time" or "workers discontinuing work if wages are not increased" or "cutting corners." As seen here, the employer was more interested in law enforcement to forward the employer's benefits and not as much to protect the rights of the workers.

*R: Definitely it is a very welcome gesture... But **having a law is not a big deal but how far the laws are implemented** like you know how far it is successful and implemented and in case **if somebody doesn't follow the rules, whether anybody takes the responsibility to be penalize them, is a big question...** There must be a strict implementation and there must be an authority to see it you know so all of these things have taken care, otherwise the law will be in a paper, it will be another law book, beyond that nothing.*

In the same vein, other unreasonable concerns were also raised like seen in the excerpt below, where the employer thought workers would have to pay taxes and therefore the law would not benefit them.

*R: **It is an unregulated market right and also that kind of helps them in a way.** So say somebody who is drawing 20, 30k month, **she is not accountable for any taxation.** I know a particular maid who was drawing close to 50k a month... Whereas somebody in another profession who is drawing 50k would be accountable for a certain amount of taxation. how many of them would be interested, how many of them are actually educated enough to be involved themselves in this. **You need to be educated to know your rights and to demand certain things.** Tomorrow you have a law like this and you don't know your rights but somebody else, sitting in the middlemen, a bureaucrat or some politician is enjoying the benefits that you are getting, it doesn't reach the last person to whom it is due... How do you bridge the gap and let them know this is your entitlement and this is what you're supposed to get?*

If anything, as seen in the excerpt above, employers made several presumptions regarding the lived realities of domestic workers, how much they earned and their ability to participate effectively in laws and policies that may be made for them.

As seen in the excerpt below, some employers commented that they would have to think twice about hiring domestic workers if they were forced to take on the additional task of registration, and especially if they would come under the legal purview and be accountable to fulfil employer responsibilities.

*R: Right. So depending on a person's needs, I don't really see this getting regularized. There are certain aspects, policies the government could look into and formulate something, but how are you going to implement it? I'm not sure because who are your people, who are going to get into all this documentation. **If you're going to regularize this market, then I am accountable in a certain policy way. So I need to register myself. And then become accountable for something right. There is certain accountability, there are certain submissions, there are certain, like, if I'm like, I run a business, right?...Tomorrow, you put that on my head for my maid, I may not be interested. I'll say, Okay, forget it, I'll just buy a dishwasher. Maybe once in a while, I'll call someone over here from some Urban Club (Company) or something and clean up the house...** many others who would think that way too. And also the small households, the lower middle class income households who are just keeping ki chalo ok the woman has worked so much. So a particular job will be looked after by a domestic help, she just comes in to chop the vegetables or just comes to do outside the house to sweep. So all those things will fall off from these people's hands. **If you're going to be holding me accountable tomorrow under law for these people, then I would think twice about hiring.***

Lastly, some employers said that domestic workers “need good employers, not law and policy.” They were of the opinion that if employers were “humane” and “helped” workers there was no need for a legal intervention to regulate employer behaviour or to ensure labour rights. They either did not acknowledge or seemed unaware of the unfair practices that workers were subjected to by other employers.

*I: **Studies show that there are 1.3 crore domestic workers in India. In such a scenario do you think it is necessary to bring a separate law for domestic workers?***

*R: **If we are humane enough, there is no need for a separate law.***

*R: **...If people help each other, there is no need for human intervention.***

5.1.2 "It is hard to decide but it is good to have a benchmark"

Here, while the employers agreed to the value of a policy to guide employment relationships in the sector by establishing a common "benchmark", they also shared their reservations about it. Firstly, they noted that the current relationship between employers and their workers goes beyond the ambit of any legally mandated responsibility in labour laws or state policies. And that any such move by the government would fracture some of the benefits doled out by the employer to the worker right now. Secondly, they also expressed knowledge of a law that doesn't really protect domestic workers. In addition, the employer expressed fear that domestic workers could arbitrarily use laws against their employers.

*R: Your question if there should be a policy or not, yes there should be a policy. but the relationship goes beyond the policy, it is more overwhelming than the policy. **A policy always helps, gives us an indicator. It is hard to decide but it is good to have a benchmark.** The labour laws are not there is it? A close friend of mine was a labour commissioner some years back. He was telling me that there is something, **something very broadly which is more of harassment value than actually functional.***

There was another set of employer responses which did not reject it as strongly as the prior responses noted above, but there was a hesitation. The hesitation in the excerpt below was rooted in distrust in the power and intention of any such law or policy to transform worker's lives. They thought that as employers they were better situated to look after the needs of the worker who comes to their home than any legal intervention.

*R: **There is no point in having laws. Keeping on building up laws have never created anything different among these people. You know there are so many laws in this universe to upgrade these poor people. But have they upgraded themselves? It is also zero. There are so many subsidies for them, there are so many freebies for them, but still, they are in the same state. The government make sure that people around them are in the same state so that they don't grow so they have the slave for them. So, law is not the matter, it matters how***

you are upgrading them.** So, if I feel that if I have to make one family grow up, the family which I take care of, like any domestic worker who comes to my house, **if I feel I have to make them grow up and their family, I will take the next generation in them, I have to give them job, I have to make sure that they educate well. They have been encouraged to go to work.

In the two excerpts below, the employers spoke about laws in other countries, but were quick to note that such laws may not work in their context. However, they had different reasons. The first one shared that either employers would find a way to circumvent the regulations or be discouraged to employ.

*R: **There is a law for domestic workers in Singapore.** They have set rules including minimum wages etc. In Tamil Nadu we do not have that. If they make a set rule half the people will not take in/employ servants and they themselves will manage. **They might take some workers unofficially and they will break the rule.** They will break the rule made by the Government. We still don't have the rules in Tamil Nadu. I don't know about Delhi, Hyderabad, Bengaluru etc. In Kerala I heard there are some rules and laws for domestic workers.*

The second employer reflected on the limitation of implementing such laws in India from the point of view of the state's institutional capacity. Furthermore, to benefit from such laws, workers would need to be mobilized to negotiate with the state.

*R: **Creating a law or policy is always good but will the government be able to monitor it and create a system like other countries? We cannot escape the law in other countries.** There are countries like Singapore, Thailand etc which follow. If they are going to get policies and laws similar to these countries then it will be good for the workers as they will benefit from them. **Enforcing or implementing a law is always good but these workers need to have a union association through which they can approach the Government if they have any issues to be resolved. I do not know if there will be 100 per cent achievement.** Like Auto driver's union, Mason groups etc. domestic workers can form and have an association as well. **The question is who***

is going to monitor because this process costs a lot of money and will they really maintain it?

A few employers also reacted that any regulation of the sector must also elicit more professional behaviour from domestic workers to, “meet a certain standard” and show “commitment”, by which among other things they may have particularly referred to the composite of traits we discussed in section 3.2.2. The following excerpt reflected this:

*R: I am supportive of becoming organized. I'm not, **I don't believe it should be unorganized the way it is currently. But that again, so there will have to be benefits on both fronts. Domestic workers may then need to meet a particular standard. They might need to have a particular commitment to this role. Because the moment you organize it, it becomes like a career, a role or a profession, which it currently isn't.***

A few employers also thought that workers would lose negotiation space if the law pegged wages at rates that were lesser than what the domestic worker had already negotiated for with the employer. It was interesting to note that the employer seemed ambivalent about the worker they employed as long as the wages were feasible. However, from section 3.2 on recruitment preferences we already know that the labour market had cultural underpinning as well wherein the employers selected workers based on their subjective preferences around identity and traits in addition to their ability to do the work itself.

*R: It's an unregularized employment...**So once you regularize it, then they also lose their negotiation bit...you regularize it, then the rate card decides who gets what, yeah, isn't it? So I don't know how far that would be feasible for them, I would be more than happy to have a regularized market in that state. Wherein I know this is the amount I'll be paying to whosoever is coming to work. Now here depending on the demand and supply, and depending on how desperate I am for help, I'll be ready to pay more. Right. So wherever you have working women who are completely dependent on the, you know, workers, they are willing to shed far more. I have a friend who's paying more for the same amount of work. She's***

paying three times more of what I'm paying, right? Because she can't leave her office if this woman doesn't turn up.

In general, the majority of employers said they were already doing their best. Some of them noted that any new regulation should be about what the government can do directly for workers.

*R: It's good, we are doing what we can do, so **if the government is taking care of it, it's great. See, all these rules and regulations will be more practical to the workers working in rich families.***

This came up repeatedly when we particularly spoke about social protection and contribution to it in 5.2 and 5.3. Consequently, the employer articulated their rejection of such a proposal by transferring the onus of any responsibility to the government and other “rich employers”.

5.1.3 “All employers are not good, this will protect workers”

From within employers, we also had voices that held diametrically opposite views. They appeared to be more cognisant of the fact that there were several employers in the sector that were not being “good” or having “sympathy” for the workers. They also appreciated the worker’s position, saying their wellbeing and benefits could not be left to the individual employer’s goodness. And that it was important for the state to step in to provide protection and benefits for domestic workers’ welfare.

*R: Yes, I feel it is necessary. A separate law should be created for these domestic workers. They have no job security and safety. **In a lot of households the employers have no sympathy. They just treat these people without compassion. These people work very hard for a living thus they need to get protection and benefits which they need.***

The excerpts below were from employers that unequivocally supported the idea of social policies and laws for domestic workers. These employers believed that the current unregulated and therefore precarious working conditions of domestic workers merited the need for securing their lives and employment. Some believed that domestic workers that came from agencies had better support as they could seek assistance from them in case they were distressed, and that similar protection should be extended to other workers as well.

*R: Yes, definitely. As said earlier there is a law of minimum wage as 10000 for everyone. We can see that there are firm laws for the welfare elderly in foreign nations, we lack those here. **There should be laws formulated for the marginalized. If that is addressed, everything will be better.***

In the last excerpt an employer noted that if the state were to intervene by creating laws for domestic workers their lives would improve. These laws would “boost the confidence” of workers as they would have a grievance and redressal system if they faced harassment or exploitation at the hands of the employers. Here it was interesting to note that many employers spoke of the special gendered nature of domestic workers showing the employers understanding that this gender identity increased the vulnerability of workers.

*R: It can be done. These domestic workers need safety and protection. Some **domestic workers who come through agencies have some support but the ones who come on their own need protection** and I feel this law can cater to their safety and protection: **This law will be a boost to them. It will be like a backbone to them. They will be confident that they have the government by their support and will not hesitate to approach when they are distressed. They will not get misguided in life and will not be forced to get into terrorism and other dangerous spaces. They will be content and happy with domestic work. When it comes to women, society judges her in various ways. A woman is respected only until her husband is with her otherwise society judges her and passes wrong comments on her. Women will feel confident and they will be independent. Thus if this law comes into place it will be a good support to women who work as domestic workers. The law will also ensure the employers don't behave or treat them differently or exploit them. People will learn to treat them like a fellow human being and stop discrimination.***

There has been a growing tendency to cover domestic workers both through general labour law and through specific labour laws and regulations globally. However, India has had an ambiguous development on this front. Firstly, India has not yet ratified ILO convention on domestic workers (no. 189) which lays out basic

principles for creating decent work conditions for this sector. Secondly, since the introduction of the new labour codes the previous inclusion of domestic workers in specific legislations has been nullified and their recognition as workers in the new codes is as yet not clear.

5.2 Employer perspectives on social protection for domestic workers

ILO convention on domestic workers (no.189) lays out in principle that a country must ensure that domestic workers have social protection that is “no less favourable than those applicable to workers in general”. The convention also suggests that social protection may be built progressively with representatives of workers and employers in the sector. In India no legal regulation recognizes households employing domestic workers as employers. Consequently, there is no mandate that can hold them accountable for their responsibilities as employers of a worker. This has been a critical barrier in even setting up a common platform for social dialogue between workers and employers where the finer terms of the employment relationship can be negotiated.

There is an overall lack of empirical information on the outlook of employer-households on building legal protection and social protection for domestic workers, including their orientation to contributing towards something akin to a social protection fund that can partly finance such benefits. While there is no doubt that employer interests and worker interests are in conflict around the central question on wages, do *all* employers strictly hold a hostile position? Is there no scope to start a social dialogue? The truth is, we do not know.

To address this gap in information, we set up a two-step query to understand employers' perspectives: what kind of social protection they think workers must have, and if they would be willing to contribute to the same. In the following subsections, we categorize employers' responses using quotes from interviews as sub-headings to discuss a range of responses from acknowledgement of the need and willingness to support social protection to complete rejection of the idea.

5.2.1 “Domestic workers need support”

In the previous section, a significant proportion of employers seemed sceptical about legal

coverage for domestic workers through law or policy. In contrast, the question on social protection aroused more empathy from employers who acknowledged that domestic workers needed additional support to sustain themselves.

One reason reported for this was that the workers did not earn enough to cover all their needs, especially unexpected expenses.

*R: They have to provide some medical help which is very necessary. That is the main thing because **they get very less salary to can't afford it if they have any big illness.***

*R: **Yeah, the amount of money we provide is not enough.** They also have wishes and festivals to celebrate. So the government's help is needed.*

In these cases, the employers acknowledged that social protection could allow workers to save and plan for unforeseen and extraordinary expenses, but did not reflect on the inadequacy of the existing wage rates. Reflecting closely on the situation of domestic workers in the aftermath of COVID-19, several employers revealed that they were acutely aware of the daily struggles and precarious conditions of domestic workers. In the excerpt below an employer said that workers must receive protection to emerge from financial shock caused by unforeseen medical expenses and the mismatch between rise in inflation and wages. Both these have been long standing demands of workers' unions that have pointed out that filling the gaps in the social protection coverage can have powerful implications for individuals workers and their families.

*R: So see security is important for all right now. **Suppose Covid came, which is an emergency, people who have insurances and power and money survived.** Others who had nothing suffered a lot. **So in terms of medical or health related or inflation, they will find it difficult.** If it is their only income from working in 2 to 4 houses it will become difficult for them as well. Everything will be increasing and **even if the employer increases their salary by 200 rupees also, it will not improve their standard of living.** So if such securities are there then it will help them...There will be some situations which don't come informed and with such funds they can overcome it and it will help them.*

In a few employer households, arrangements had already been made with the workers for provision of social protection. The first quote below is from an employer who was contributing to their driver's medical insurance by paying an annual premium for an insurance offered via the employee's bank account. The second excerpt too shows how an employer whose family runs a coffee farm had gotten a group insurance cover for their employees. While both of these are not specifically for the domestic worker in the household, it still tells us that there is an uptake of the idea to provide more formal support structures to the employees of the household.

*R: He has a savings bank account. So the bank sent him a message that for a small additional amount if you pay a premium of 1750 rupees a year you will get a medical coverage of 100000 rupees, if you are below 40 then without tests. This guy is below 40. And premium is deducted from the account - **and I pay him that premium amount.** This started five years back and we have continued.*

*R: We are doing it for our Mysore workers. Because my maid in Bangalore is not permanent. Like, you know, she comes temporarily once in a week, we're not able to include her because we've taken up, because **I told you my husband is in business, he's taken a group insurance policy and covers a lot of, even my domestic workers in the Mysore house.** So we aren't able to do it, but yes, I will be willing to definitely contribute to health insurance to sort the problem.*

Some employers shared that they had thought about providing social protection cover but were still to implement them for their workers. While talking to us, a few others said that it made them think about how they could do more for their workers. In the first excerpt, the employer expressed an idea on how they could cut some per centage from the salary of the worker similar to the government's Employer Provident Fund (EPF) and how these savings could go towards medical expenses that the domestic worker might incur in the future. Similarly in the second excerpt the employer felt that some deductions from the worker salary could go into savings and these could be handed over to the worker at the time of retirement or if they faced a medical emergency.

*R: I think what we should do is, **from the salary maybe**, you know, every month **some per centage if we calculate and put it aside**, that can go into the medical, like how all of us have PF, some amount of it, most of it the government pays, the other half, 10 per cent like that.*

*R: **Instead of giving her eleven (Thousand) , I can give her ten and save some one thousand for her**, so if she needs she can ask for it at a later point of time, or if she needs, we can give that amount.*

*R: Talking about this makes me think that if I could build a savings for her and then give it to her by the time she retires or maybe falls sick then that would be good for her. **Instead of me contributing to this system. That system might not have accountability.** Instead of supporting a system I feel I would do it on my own.*

*R: I would rather prefer it going to my maid directly instead of this. **We ourselves are looking at health options for them.** It is something they can go to for tests and care whenever they require. So as I said I rather have it go directly to them*

In each of these cases, employers were in agreement that social protection could help the domestic workers' family. However, some of them also expressed a trust deficit in the government's ability to instate such a program. Instead, they felt that employers themselves could take this up on behalf of the state and the worker. While willingness to contribute to social protection might be an individual choice, we also found that perceptions and awareness of accountability of the employer came from the employer's sense of fairness and being aware of the workers life conditions.

This sense of employer responsibility was also attached to the value one attached to the worker's services. In the excerpt below, the employer acknowledged that the services provided by the domestic workers were central to the functioning of their household. However, the employer also said that the state had to step in and share the burden as they themselves could not take on the whole responsibility.

R: Whatever is the amount the government is providing, I can give my share of it because they are a part of you know. Without their help we can't go ahead. Such a state we live

in. One day she doesn't come, all my plans collapse.

One proposition was that festival bonuses and other token amounts could go towards the savings for the worker as a line of security. A few employers said they would be open to assisting their workers in setting up small savings and be "happy to put that (additional cash) into their savings."

Among the group of employers who agreed that domestic workers must receive social protection, some expressed a lack of knowledge - "don't know the process", "how one will register" or "how it will be paid" - as a major impediment. Here, it was not lack of intent but inertia in taking up procedural responsibility for "complicated documentation and paperwork". There was a need for a seamless and easy system for making employer contributions so they didn't have to deal with bureaucratic hurdles such as registration.

*R: I am ready to do what it takes. **It's more about how** - for example, the housemaid gets paid 5000 rupees a month plus food, clothes, bonus and we don't count all that, and the cook gets 6000 a month for cooking two meals once a day... **If it is a simple thing linked to the bank account and it auto debits, then sure....** I think anything which involves more complications than pushing a button and transferring the money through accounts directly is (too much)... You will ask me to fill up an insurance form, I have to remit the pension separately to the insurance. You want me to pay 500 rupees more, I will do it... It is not that I do not care for them, but **it is not convenient.***

As we have written in the previous section (3.2.2.d), long term employment relationships were critical for some employers to invest in a worker's future. Citing an example from an acquaintance, an employer suggested that for such an arrangement to work, "loyalty" of the worker and "long term" engagement was considered to be important.

*R: **He was telling me he has created a sort of annuity plan for his domestic help** - all on his own... He has an equal proportion of the salary he pays his domestic help. He has opened an insurance policy or a recurring deposit account. He keeps it for them should there be any kind of a medical emergency. His plan is that after they retire he will draw out*

monthly instalments from these RD (recurring deposits) and pay it to these people... If you have loyal employees then why not but if you have someone for 6 months and changes their colours - then you are not incentivized.

*R: That worked when several servants used to...I don't want to use that word...the help used to live with the families full time, then one would take care of everything. But in our case they work in four or five houses so it's not there at all. And even when growing up my parents took extremely good care of their domestic help. In fact my father **did not use to pay salaries and all because he thought they would spend it all, so the entire salary that he paid he invested in insurance, life insurance, savings schemes, and chits and all.***

*R: Well I will give in my contribution if I have domestic help in my home. **If in a few months or years if I shift to my native place I will not be having a record of this and I may not be. It is not a project that you can keep a track of for many years.** It is a vague system. In simple words **if someone wants to help these poor people they have to form an association and the Government will be responsible.***

Some were willing to pay within a range of 5 per cent to 20 per cent. Some others said they "were not in a position to quote an amount" or would "need to know a little more details to give the correct amount" of contribution. In the excerpt below an employer stated that they would only pay part of the premium of a health scheme and the other part must be paid by the worker because of the fear of the benefit being misused by the worker if it was a "freebie". The employer did not further explain what they thought were ways in which such a benefit could be misused.

R: Yes, I would be happy to help with some insurance or something, I will be happy to pay some premium or part. Not all, I always believe you should not take, like if insurance, I would like to pay part, but not all of it. They take advantage, I have noticed. They have to pay a little bit for themselves, I do believe that. If it is a freebie, they will misuse it. So I would like to pay a part of it, but again I have never had a chance.

Further, another employer stated that though they wanted to engage towards employer

contributions it was important that the employer themselves felt they have the wherewithal to support such an endeavour for their workers. Some like the second excerpt below were ambivalent about how much they could afford.

*R: **May not be the full amount, whatever is possible to afford.** Having a mind to the good alone doesn't matter, we should also have the means to it. **The pocket should not be empty.***

If contributory social protection schemes were challenging for individual employers, could RWAs then become a window through which it is executed? When asked about this, a few employers seemed more positive as a group initiative was easier to materialize. However, a very small proportion of employers from within our sample were members of RWAs as most resided in independent houses or small apartment complexes that did not have active associations.

*R: If one person is working in all the houses under that association, it is possible to materialize such an initiative. **It will be difficult to initiate it individually.***

*R: **It's good, through an RWA,** yes, it's good because there will be a chunk of people coming and then that will be an organisation sort of, but here it is just, I don't know, I can't do that. Yeah, the government has lots of schemes, they should provide all those facilities to these housemaids.*

I: So if the government were to provide, how much would you be willing to contribute?

*R: **Yeah, why not? Yeah, definitely.** Why not? Yeah. If it is for the domestic, if it comes to my domestic maids. Yeah.*

5.2.2 "Employer cannot be made responsible"

The non-recognition by the state of the employer as an employer, and the home as a workplace of a domestic worker has repercussions for the formulation of social protection. Even among employers this thought seemed prevalent. One employer put it as "it is not really a sector," as a justification for rejecting social protection for domestic workers.

Furthermore, there were two main reasons why employers did not consider this to be their responsibility. First, as has been noted several

times before, employers did not consider domestic workers as regular because they only worked part-time in the employer household. This view consistently ignored the fact that domestic workers worked multiple hours across multiple homes in a single day. Second, even though retrenchment was determined based on employers' needs, it was often the workers at the workplace that were considered impermanent. In reality, lack of any social protection forced the workers to continue this unequal relationship, negatively affecting workers ability to negotiate wages or even conditions of work. Thereby, employers did not feel they had a stake in contributing to the social protection of their employees. Third, employers believed they could do little as individuals that were not enterprises or organisations.

R: The domestic worker we are having doesn't work here for a long time, this the 4th worker we are having now. Sometimes they disappear all of a sudden, what can we do?

R: No, I don't feel it is necessary for them because they don't work for me full time and also many a times they are so irregular, they come for a few months and they leave or find something else to do.

R: Insurance and all other benefits, we can't give them to the people who work for 1 and 2 hours. Okay? And we can apply to ESI PF only if they work for 20 work hours at least. So the best thing is not to think about it.

R: We are not an organisation, we are individual households.

R: I don't know because individually no one can promise anything. There are two reasons: One is that the maids are not permanent and the second is that the employer is sure whether the maid will continue with them or not. These two weak points are there.

It was felt that workers could benefit from some form of association. It was not clear if they were referring to something akin to a welfare board. In the excerpts below, employers also reflected that workers may have to mobilize into a union to secure social protection from the state. It is well acknowledged that by organising workers are able to benefit from collective bargaining for labour and social protection rights. However, even as they suggested this, employers followed

it with the admission that they wouldn't be keen on it as unions would be "inconvenient" or "interfere" in the employer-employee dynamic. Regardless of the approach taken, social dialogue – particularly when it includes the participation of both employers' and workers' organisations can help achieve such recognition and ensure that adequate social protection is achieved.

R: Employers cannot get involved into any kind of benefits for them unless they have an association. For some workers who demanded the government provide support for each sector. Unless the domestic workers form an association and enrol themselves for some aid/subsidies it is not possible. Once they enrol they will get the aid like some citizens get 1000 rupees and women get some financial support.

R: Usually there are trade unions. But I am not sure if household workers are in unions. They are generally not in any organisations. We can't really recommend them to join an organisation either. You know how trade unions are in India. They would just go for a strike and we would be in trouble.

R: In bombay there is a system of all domestic helpers. They literally have a union of domestic helpers of kaamwali bai. It is extremely seamless and well organized from what I understand. They have their territory, area, and buildings. It is very clear cut, they will not undercut also - if you are paid 5000 I will offer my work for 500 less - it is not accepted or encouraged - you are thrown out of union and blacklisted or something.

Lastly, hesitation also stemmed from discomfort of any kind of scrutiny. Employers who simply didn't want to engage with the state and wanted to stay away from the ambit of these institutions and regulations.

R: No, I don't think I will allow the government to come into my house for home affairs

Another reason for rejecting any contribution to social protection was employer's own consideration of their affordability. Some expressed "financial constraints", another talked about not having resources as an "early career" professional, and others expressed that they "don't get pension so can't support workers." A few

employers also felt that they did not have the bandwidth to provide more than the salaries they already gave to their workers.

*R: **Firstly, the government has to increase our salaries.** Then we can give them (the workers) something, right? What we are getting itself is not enough. We need to run the family, the home etc. The government has to take care of us first.*

*R: It would be great and beneficial for these workers if they get medical insurance or funds through the government. It would be a **good initiative if the government could form or create a scheme exclusively for these workers through which these workers could receive a fixed amount every month.** They work really hard but their earnings do not cater to their needs. **They depend on their employers to fulfil their needs and wants.** Employers are able to **fulfil only a few based on the employer's affordability thus it would benefit these workers if they receive this support through the government.***

The same employer quoted above admits that employers are “selfish”, who need the workers but are also “in need of funds to run their homes”. And thus, government support to meet the social protection deficit would ease the financial pressure on both the worker and the employer.

*R: **We are selfish as well because we have hired them for our needs. We work because we are also in need of funds to run our homes thus we would not be in a position to extend huge support to them.** A lot of people like us depend on them. Government should play a role here in order to support them. These workers come under BPL (Below Poverty Line) so maybe the government could come up with a scheme to reduce the school fee or book costs for their children, provide medical benefits etc.*

Our data points to degrees of affordability that exist amongst employers. In order to imagine a contributory social protection scheme, it would be pertinent to think about the logistics of payment. A one size fits all kind of approach to employer contribution would not be a sustainable one.

The lack of affordability was one the biggest reasons why employers expected the state to step in to provide social protection. Employers

also talked about ideas of collective and free public infrastructure for health and maternity benefits as a way to meet some of the social protection needs. This broader approach does provide effective pathways for income security when the workers are able to secure their health. Here the employer emphasized that the state would be better placed to intervene as not all individual employers would be willing to provide such benefits. The government had the ability to be universal in its approach, whereas with employers it would depend on intentionality, ability and affordability.

*R: **Of course the government should come up with these initiatives for everyone.** We are the ones electing the government and they have initiative benefits for the poor. Government must do it for the people below the poverty line. There are initiatives but the state does it better. **There are many rich people but seldom with the mind to help others but the government is different, they must give. They are taking (tax) from us, see a politician will only be MLA for 5 years but he will be receiving pension after that. They are getting housing, cars, their expenses are covered but the people who elect them have nothing. Like how education and health is free in countries like Switzerland, here the government should uplift the poor.***

Some employers were of the opinion that domestic workers must receive the same social protection that is provided to formal employees - a replication of social protection policies and laws that govern formal work contracts whether in the government sector or the private sector. But one that is regulated by the state.

*R: Of course, they should come up with such initiatives. Domestic workers are working very hard. **An office going person (in the formal sector) has so many benefits the similar initiative should be replicated (in informal sector/domestic workers).***

*R: It would be good if they also have insurance and scholarships. **Now we have medical insurance only for the government employees.** There is a set level for these schemes and insurance policies. Similarly there should be a scheme or level for these workers as well.*

*R: The government definitely has to take these workers into consideration. **They should provide an ID card to these workers and provide benefits through this identification will be a good step forward.***

In the responses above, the idea of social protection that the employers refer to come from the existing practices in social protection for formal sector workers. In particular, the kind of social protection that is attached to government jobs. However, in each of these cases, the employer did not say anything about their own role in this process. We found that in several cases as long as employers did not have to pay, they were okay with the proposal. But when prodded to think about their own contribution, they rejected it. Interestingly, the collective responses of employers came to a similar conclusion as many worker organisations on this question: that social protection benefits of a worker cannot be linked to one's respective employers, workers chose to direct their demands of social protection to the state rather than the individual employers, and that they must have a collective platform like a welfare board to collect funds and organize this.

We also found a few contrasting opinions, where the employers thought the government was not in a position to undertake such an endeavour because domestic workers have "private jobs, not government jobs" or because the government was already in an economic deficit.

*R: **There is no end to it.** If you ask me, everybody wants money. **The government does not have money, they are already in deficit.** Where is the money? We are already in deficit. If the government has 10 lakhs of income, we are spending 25 lakhs today. That is the ratio.*

Yet another dominant thread was that of employers being suspicious of such efforts. They either did not trust the process or the worker fearing that the "system would not have accountability" or eventually not sustain and "die out."

Many employers also stated that they did not think such schemes were required for the workers and that they should be able to take care of themselves.

*R: **I don't think we need to pay attention to savings for them.***

In the second and third excerpt below the employer declares that domestic workers themselves would not be open to any such policies due to their lack of long-term vision for their own lives. They also shared that domestic workers have "real challenges," referring to everyday struggles and hence their inability to afford to invest in long-term savings owing to their meagre income which allowed them to barely cover their daily expenses. This catch-22 situation made it difficult for workers to imagine long term returns in some of the existing saving formats.

*R: **They live for the day, month, year. I doubt they will do anything like insurance.** They will not invest in insurance even if I tell her that even a small insurance will help. If you are fine you are fine, but if you fall sick it will come handy. That is their last priority. Probably saving or investing and waiting for it to grow in a future date is - unless the maid is self-sufficient and has enough money. I see that the only way of saving is chit funds. They get into trouble because of this sometimes.*

*R: You cannot, see they are looking at day to day or month on month and so that's also if you say I will give you a PF and I will give you medical insurance and all those things. So why would they spend on that? So because anyway, even if you say that you are going to give them but you are going to give it from their salary only no, so no company will invest on them. So then **they'll prefer taking that money.** Even if it is, you may have to pay 500 rupees extra every month so that they will prefer having that money with them, than doing something. They don't understand all these things.*

There were a few employers who said that they perceived that instead of setting up provident fund and insurance mechanisms, safeguarding workers' actual salaries might be more effective as a way of social protection. In the excerpt below, they evoked the image and stereotype of the drunken husband to make the point - blaming him for misuse and mismanagement of one's own possible savings. This is in contrast to the first set of employers who acknowledged that the salaries itself were not adequate to meet the many needs of a worker.

*R: **Actually, I would recommend the workers to save the money that they make.** I am not sure about this particular*

lady or her personal life. From my readings and studies I know that whatever these ladies earn will be grabbed by their husbands which is problematic and not productive for them. I would recommend something that would safeguard their own savings. This is my personal opinion.

In our research we also found gendered implications on the employer's ability to participate in contributions. The two female interviewees in the excerpts below stated that they did not have the authority within their households to make decisions regarding extending benefits to their workers and that they would have to do so in consultation with their family members (husband and parents) who had the ultimate say.

R: When it comes to money related decisions it all lies with my husband. He gives the final word. Thus I am not in position to comment on this as of now.

R: I would be willing to contribute. I am not sure as to how much my parents would be willing to contribute. It will be a family decision.

Responses such as these point to the gender imbalances that are prevalent inside Indian homes. The authority of women employers is restricted to overseeing the work and hiring of the domestic workers, as one of the male interviewees said *"That is dependent on our Mrs (his wife). She takes care of this."* But there is a power imbalance when taking financial decisions for the same worker. Here men step in to oversee such decisions.

As a closing question, we asked employers what kind of social protection they envisaged for their domestic workers. We got two kinds of responses. One was that these benefits were those that are traditionally part of any social protection cover such as health insurance, subsidized medical facilities, employee's provident fund, and employee's pension fund. We can also list minimum wage regulation here as a few employer's insisted that there should

be some assurance of wage levels as they live in *"harsh conditions"*. Another set of benefits that employers envisaged come from their understanding of the worker's life but which do not fit into the usual imaginations of social protection for employees. These were about childcare support and educational support for the children of workers as they identify that worker's would like their children to have a more secure environment and livelihood than they did. Another significant suggestion was around the needs of elderly workers who may at some point be unable to continue with this work - say, benefits such as housing and pension for elderly domestic workers. Lastly, they also thought that worker's may prefer short term funds and loans rather than longer term commitments, as they seem to be using chit-funds in their daily lives frequently. They suggest women's collectives and micro-finance as two modes of doing it.

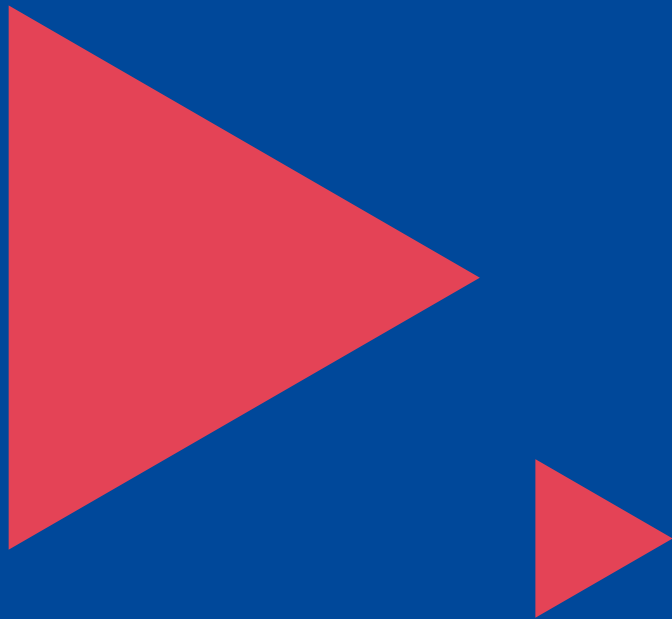
5.3 Conclusion

ILO labour standards lay emphasis on effective social protection systems as they *"guarantee income security and access to health protection, thereby contributing to the prevention and reduction of poverty and inequality and the promotion of social inclusion and human dignity"* (ILO, 2022). An effective social protection system must also be responsive to the risks and vulnerability in the life cycle of an individual's needs and demands. However, domestic workers in India experience a significant social protection deficit and India is yet to formally commit to these principles.

Employers generally do not see the need for formalising relations with their domestic workers. They expect that, in the home, services should be exchanged out of respect, affection or duty, not on the basis of a contractual relationship. Thus, the private sphere is typically considered to be preserved from the mercantilist logic of the labour market as well as from State surveillance. There are several shortcomings in social protection as a voluntary employer driven approach.

▶ 6

Concluding note



The principal aim of this report was to offer an archive that details the beliefs, motivations, and perceptions of employers of paid domestic workers in urban India toward recruitment, employment conditions, and social protection for domestic workers. We do so to better understand the dynamics behind the empirical patterns established in the first two reports of this series, and this final report is meant to be read alongside them. In this brief concluding section, we draw key highlights from the three parts of this report as a way to reflect on possible pathways for policy and practice that such a qualitative archive offers in particular.

6.1 Valuation and dignity of work

In section 3, place-based or neighbourhood channels emerged as a key site of recruitment. It was employers that exercised more power in wage negotiations and making decisions around who gets work and what type of work in the neighbourhood. While workers also benefited from such spatially localized markets, the balance of power was unequivocally tilted in favour of the employers. Moreover, we would like to reiterate that one of the reasons domestic work remains low-waged is because caste and gender intersect in complex ways in this sector. With a dominantly marginalized caste workforce, the work was also considered to be of low status. Simultaneously, there was undervaluation of a highly feminized workforce because the work was considered to be unskilled or a natural extension of one's gendered duties. Consequently, *the valuation of domestic work* is currently determined by three factors: neighborhood channels that control labour markets by deciding wages, segmented nature of work where identity of the worker determines who gets to do what type of work, and the gendered nature of domestic work.

Employers depended on references that were an important source of information to understand the reputation of a worker. This implicitly promotes a verified pool of workers with ascriptive identity and traits that were agreed as most suited to the employers' neighbourhood. Another important point was that employers enlisted a long list of skills and traits that they expected in a worker. Such recruitment preferences shaped the labour market, and at the same time painted any worker who was unable to keep up with this composite set of requirements as undesirable or untrustworthy.

This class stereotype attached to the sector *dents the dignity of work*.

Challenging artificially created entry and exit barriers in the informal labour market is critical for workers' organisations as they continue to mobilize and organize workers to create a just and fair opportunity for those seeking work. The neighbourhood is an important spatial scale for such action. An ever increasing demand for domestic workers in urban households can be leveraged on the supply side, with workers collectivising for better bargaining possibilities, while also defying discriminatory and unreasonable hiring preferences.

6.2 Formulating regulation and redressal mechanisms to improve quality of work.

In section 4, there was a strong conflict of interest between the employer and the workers around the central question of wages. Employers relied on neighbourhood rates but also carefully gauged their own perception of affordability to negotiate with workers. Even though urban domestic worker unions have pioneered the use of rate cards, we found that employers engineered their own versions of rate cards thereby disproportionately shaping actual practices in neighbourhoods. Considering this, state or city-level wage rates are impractical due to socio-economic differences that exist in Indian cities. Thus, any conversation around fair wages must be located at a spatial scale of the neighbourhood level as a negotiation between the employers, workers and workers' organisations.

Further, in section 4, employers also showcased varied notions of appropriate working conditions. In the absence of regulation of wages or workplace conditions, it is critical to have redressal mechanisms to protect workers from decent work deficits. This includes non-payment of wages, absence of paid leave, unsafe work conditions and insecure income, arbitrary firing and complaints of theft. Furthermore, the workers' identity, an intersection of caste and gender that was often far from the employer's positionality, influenced employers' attitude toward working conditions. Hence, contesting this social hierarchy, even if challenging, must be at the core of reimagining of wages and workplace conditions for domestic workers. This is especially important to build redressal mechanisms that structurally address the

discriminatory practices workers' encounter at the workplace. It is perhaps here that workers organizations and the state can collectively play a role in imagining new policy mechanisms to challenge the social dynamics of caste, class and gender that pervade them. A *robust redressal mechanism* with a third party arbitrator such as workers' organizations or a welfare board will hold employers accountable for creating a dignified work environment with better working conditions and access to workplace facilities like toilets and water.

6.3 Social protection is critical to move the power balance towards the workers.

Social protection plays an important role in providing safety nets, preventing deprivation and providing protection from uncertainties. When no other source of credit is available, workers are inherently dependent on employers to meet their additional needs. We find that in several households, employers extended non-wage support to their workers. While this was often an outcome of an employer trying to be a "good employer", they also expected workers to be "good workers". This reduces the workers' power of bargaining. It must be noted that while such support is critical for workers to sail through difficult moments, in some ways, their precarity is a consequence of poor wages and employment insecurity. Our data suggests that even though employers provide various forms of support, it is highly variable, uneven and reduces the workers' power of bargaining. Workers must be able to demand non-wage support as an entitlement and not be forced to see themselves as passive recipients of employer benevolence. For this to happen it is paramount that social protection is strengthened.

6.4 Employer hesitancy on policy can be directed towards contributions to social protection

In section 5, we saw that employer's hesitation to regulation was anchored in reluctance to bring wage levels under legal purview. There were secondary worries that the employers would be held accountable for their behaviour. Instead, there was more support for social protection for domestic workers. This study elucidates the specificities of such a support.

Any imagination of contributory social protection in the sector must take into measure the

employer orientation to know where that contribution is going and make the process simple. There already seems to be a buy-in from employers through their non-wage support for most social protection needs such as health, education, pension, housing, low interest credit and so on. This is a great start to social dialogue for social protection.

In our study it was clear that while households were eager to keep their costs towards the workers low, they also acknowledged the need for social protection for domestic workers, even if they were not as sure about their ability to make full or partial contributions to such schemes. In particular, the socio-economic inequalities within the city place employers at various levels with reference to their affordability and ability to contribute to social protection. In low-income neighbourhoods, employers may be able to sustain wages of workers but not be able to make additional contributions to social protection. At the same time, employers who can afford such contributions can be made eligible for tax benefits to push their contribution in social protection schemes. To universalize social protection it is absolutely critical that the state plays a more active role in balancing these various sides.

Non-wage support that employers already provided their workers could be leveraged as a justification for making indirect contributions. This change, marginally by way of regulation, can be a contribution to social protection. In India the female labour force participation is abysmally low and domestic workers constitute a highly feminized workforce. Therefore it is doubly important to secure this form of livelihood through social protection policies. However, it is necessary to question how this shift from non-wage support (often given as cash on hand) to social protection (long term investment such as pension schemes) affects the workers.

Presently domestic workers have no legally enforceable ways to hold employers responsible for material needs. What then is the pathway to this form of accountability: would worker federations want to come to an agreement on a law or policy that doesn't regulate wages but only other aspects? Or is the state ready to regulate against the majority outlook of the employers? These are questions that must be carefully addressed.

6.5 Scrutinizing socio-cultural discriminatory practices in the employment relationship.

Though employers repeatedly told us that the identity of the worker did not matter, we found that both expectations of certain tasks and non-entry into other tasks were based on this factor. Our data presents an archive of the ways in which employer attitude towards workers belonging to a certain class, gender, caste identity shapes their interactions as well as work and working conditions. Employers' positionality (vis a vis workers' identity) leads to particular patterns of discrimination: Employers seek workers that are quiet, non-demanding or non-argumentative, and show attributes such as difference, obedience and submission, thereby invisibilizing the physical presence of the worker at the workplace. In seeking trustworthy workers that do not 'flick or steal' household possessions and taking precautions to avoid possible theft, employers keep alive a class stereotype at both individual and group level that dents the dignity of workers. Even though employers often use the language of care while describing the various forms of support they provide the

worker, they exercise considerable control over workers movements and access to workplace facilities such as water or sanitation. During the COVID-19 pandemic, personal hygiene took on a newer meaning. Employers worried about their workers carrying infection into their house and to their children. However, they did not mention that, as employers, they could also affect the worker. This archive articulates the ways that offer crucial norms and belief systems that must be challenged outside changes to policy and regulation.

Finally, we conclude with the words of the Task Force on Domestic Work⁵ (2011), Government of India, which summarizes the horizon to which we hope this work can lead us: "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."

5 Ministry of Labour and Employment (2011) Final Report of Task Force on Domestic Work: Realising Decent Work. Government of India: New Delhi. Available at: <https://ideas.repec.org/p/ess/wpaper/id4582.html>

► Annexure 1: Study on paid and unpaid domestic work in different urban homes – Phase II (Semi-structured interviews)

Interview Schedule

Introductions and building a rapport.

Start recording and request for consent:

"We wish to speak to you about management of housework and your opinion on it. This will take about an hour and we would like to record it to hear it again and make notes. Your name or address will not be recorded with these recordings, and you are free to ask me to end this anytime, if you wish so. Do I have your permission to begin recording this conversation?"

Date:	Interview no.:	City:	Interviewer:
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General Information

Cluster name
Monthly income of the household
Is the female head employed in any paid work? (1) home-based work* (2) other (mention the nature of work) _____
Employment of the male head Caste (1) SC (2) ST (3) OBC (4) Other (5) NA _____
GPS point Type of domestic worker (1) Part-time daily (2) Full-time live-in (3) Full time live-out (4) Occasional _____
Daily hours of paid domestic work _____

*home-based work here is any work where the person ALWAYS works from home

A. Value ascribed to housework

1. According to you, what is housework (care work + household chores)?
2. How is housework distributed within your household, between household members and hired workers?
3. How is this distribution of work (between household members and hired workers) determined? How is this decision made?
4. Why don't you use a domestic worker's assistance in tasks that are now done by household members?

B. Recruitment norms, beliefs, and causes

1. How did you find and decide to recruit the domestic worker who works at your home presently?
Next: Why did you choose to find your worker like this?
2. Do you have the same worker for cooking, cleaning, and to look after a child or a sick person?
Next: If no, then why not? *Probe: skill, time taken, safety/cleanliness, different channels*
3. What social background do you consider while hiring? *Probe: caste, language, religion, region*
4. What are the qualities you are looking for in a domestic worker? **Next:** How do you judge if they'll have what you're looking for? *Probe: age, body, attitude, perception of cleanliness and hygiene, demeanor, trust, quickness, punctuality, demands, wage rates*
5. How do you feel about using the hiring agencies or apps such as Urban Company, Bookmybai?
6. What are the Resident Welfare Association (RWA)/Society Committee/Colony policies for domestic workers in this area? What are your thoughts about it? *Example: hiring, police verification, stealing, sexual harassment, work harassment*

C. Valuation of domestic work and terms of employment

C.1 Wages

1. How did you decide the wages for the current worker? How do you feel about these rates?
Example: neighborhood rate, personal valuation of work or time spent on work
2. "We see that some work such as cooking and looking after a child are paid a higher rate than cleaning floors, utensils, and clothes - although they may take the same time." What do you think about it?

C.2 About access to services

1. What are the norms and rules in your colony or society regarding (*going through each case one by one*)? **Next:** how do you feel about it (*ask follow up for each case when talking about it*)?
 - a. Domestic workers using the lifts in the building
 - b. Domestic workers sitting in common area or garden in the apartment/colony
 - c. Giving break to the domestic workers for rest and eating
 - d. Domestic workers using common toilet and toilet inside houses
 - e. Domestic worker access to drinking water in common area or in the houses

C.3 Health benefits

1. Health and Medical incidence

- If your domestic worker has a health emergency, how do you support her?

For emergencies: They can be accident, typhoid, jaundice, fever, dengue for other medical issues: cough-cold, menstruation, fever, BP for health emergency in the family of the worker

(Let the respondent speak about whichever type of health emergency they wish to speak of, but probe for all three types mentioned below in the conversation with follow ups.)

If the response is about covid, let them talk about it and then we ask about other emergencies as well.

2. *Pregnancy related follow up questions:*

- How many months of leave during pregnancy and after childbirth?
- When the domestic worker went on leave how was the work done? *Examples: substitutes, replacement, who paid the substitutes wages*
- What do you think about domestic workers bringing their children to your house when they come to work?

C.4 Other benefits

- What other support have you extended to the domestic worker since she/he has been employed with you ? *Example: Education, Soft loans to buy household items such as coolers, two wheeler, cycle, wedding, childbirth*

D. Social security and regulation

1. According to you, what kind of employment related benefits (like PF/pension/medical insurance/ scholarship) should domestic workers receive from the government?
2. How much contribution would you be willing to make for a savings or insurance scheme for domestic workers either as an employer or a group of employers at the housing society level?

E. Relationship with workers

1. How would you describe the relation between the domestic worker and everyone in the house?
Next: How do you feel about it?

Follow the response with these **compulsory probes:**

- a. Do you feel you can trust your domestic worker to the keys of your home?
- b. Does your domestic worker do most of her work supervised by you or unsupervised?
2. What do you think are your responsibilities and duties as an employer towards the domestic worker?
3. What kind of issues do you have with your domestic worker? Can you tell us more about it? **Next:** How do you resolve it?

F. Perception of the domestic workers and workers

1. What do you think is the quality of life (*haalat*) of your domestic worker?
2. What do you think about the quality of employment conditions of domestic workers in comparison to other workers such as construction workers, street vendors, etc?
3. How do you feel about creating a separate law for domestic workers to ensure employment related benefits for them and their family - like there is for construction workers and for workers in private and government jobs. (*According to an on-going government survey, E-shram, there are more than 1.3 crore domestic workers in India.*)

G. Covid and domestic work

1. How did you manage housework during the lockdown? What was your experience of housework during the Covid lockdowns? **Next:** Did it change your perception of the work of domestic workers?

Close [Summarize the main issues discussed during the interview, discuss the next course of action to be taken, ask if they have any questions or comments about the interview.]

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Contact details

ILO DWT for South Asia and Country Office for India
Core 4B, 3rd Floor, India Habitat Centre
Lodhi Road, New Delhi – 110003, India

T: +91 11 4750 9200
E: delhi@ilo.org