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Domestic Workers and the Challenges of Collective Action in Informal Work

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A Comment

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Introduction

Domestic workers (henceforth, DW), are a part of the large ‘informal’ sector of urban economy and society in India.ⁱⁱ According to the NSSO data, over the last two decades, the DW populationⁱⁱⁱ has emerged as the second largest urban informal workforce (Chen and Raveendran 2011), next only to ‘home based workers’ (artisans and petty commodity producers). According to the NSS 68th round (July 2011- June 2012), it is estimated that 41.3 lakhs workers work in the households of others, and an overwhelming 27.9 lakhs of this total are women.^{iv} An increasing number of studies are emerging about DWs around the world including the phenomenon of international migration of DWs for work. This paper is a critical commentary on the collectivization of DWs, based upon an ongoing empirical study that combines ethnographic and quantitative inquiry among DWs in different parts of Bengaluru, India. Our aim here is to provide readers with general insights into some of the key struggles of and prospects for domestic workers in a particular context – DWs who work in a mega-city and in multiple homes (rather than as live-ins).

Although they form a crucial segment of the informalised worker population in the city, DWs are a relatively neglected population (in scholarship, labour and citizenry mobilizations, and within policy) as compared to workers in the garment, construction, transportation, restaurant and other informal industries. Scholarship on DWs (Kothari 1997; Sankaran 2013; Sharma 2016) have established that they are characterized by a very high degree of

‘feminization’ of the workforce, with an ‘invisibilization’ that undervalues their labor (partly due to the work being done within private homes and not in the public space, and also due to the ‘naturalization’ of women’s work). They have also commented upon the lack of legislations that guarantee the welfare of DWs including minimum wages, and the need to reconceptualize the home as a place of work (Naidu 2016; Neetha and Palriwala 2011). In general, DWs are also overwhelmingly of ‘low’ socioeconomic status, and with an increasing proportion of migrant workers from different parts of India.

In India, a number of factors may contribute to the growing presence of DWs within the workforce, each of which requires careful study. For instance, the rising incomes of urban middle and upper classes needs to be understood in the context of social aspirations and class practices of ‘distinction’ which make the engaging of a domestic worker into a normative cultural marker for upward class mobility. Similarly, the discourse on lower female labor participation rates which has been rightly argued to mask the increased domestic work activities (Ghosh 2016; Naidu 2016), needs to be further complicated by the possibility of increase in female participation in the workforce in urban India due to a complex of factors such as rising cost of living, changing family structures and gender norms, the emergence of ‘housework’ as a culturally salient category of work that requires attending to in conscious ways (and not simply assumed to be done by women in the household), and the existence of a steady supply of working-class women who are willing to do this work.^v

Official state speech and policies, and socially dominant perceptions in society) have been slow to recognize DWs as ‘workers’ in the informal sector. The fact that DWs play an important role in the economy is typically understated in public discourse (and is consonant with the invisibilization of women’s work). The Indian state, despite supporting the ILO convention

on Domestic workers (ILO convention 189, 2011) has not yet ratified it and has not framed any policy that guarantees protection and rights for this segment of the workforce. It is only the persistent struggles of DW collectives and NGOs working on informal sector workers that have made this an issue of some importance in public discourse over the last decade. This makes DWs, in cities such as Bangalore, a very distinct and interesting segment of the labour force of Bangalore from the perspective of ‘worker consciousness.’ We now see a diversity of collective forms of DWs (a complex of conventional *NGOs*, older forms of *labour unions*, and more recently, what are called *labour NGOs*) – each of which work in different ways on DW issues.

Since 92% of the working population in India work in the so-called ‘informal sector’ (NCEUS 2007), any sustained resistance to the hegemony of capital requires the participation of informal sector workers. Such resistance presumes the collectivization of informal sector workers, which although not a new phenomenon comes with particular challenges (Chigateri et al 2016; Gallin 2001; George 2013). In a separate essay under review, we have developed an empirically-based argument focused on the precarity of DWs as workers enmeshed within monetary relations of debt and obligations of a ‘gift’ economy (Joseph, Lobo, and Natrajan, under review). In the remainder of this commentary, we elaborate on two major issues – the ‘place’ of the union which arises due to the *lack of a locus for organizing* of DWs in a way that is analogous to the factory site, and the ‘place’ of the worker which arises due to the *emergence of the apartment* as a potential new locus for DWs to organize.

The ‘Place’ of the Union: Dispersal and Visibility of a Collective

In the formal sector where the ‘union’ is recognized by the employer and the state law, the union office is located either inside or outside the factory gates. It is very much visible to the

employer, the employees who may be its members, and the state. In the domestic work context, the work place of DWs is the 'private individual home'. Unlike the formal sector worker union, any collective of DWs faces the fact of multiple employers for each DW. Who then is the DW collective/union facing as the employer of the DWs as a whole?

This is a major challenge to any collectivization effort or bargaining for DWs. Individual employers and individual homes can invoke the rights of a private citizen in far easier ways than factory owners. Such an ambiguous situation raises the debate over whether the individual home is a private space or ought to be considered a workplace (since it has employment, and hence some form of production, within). It is a central point of contestation for the state. Consequently, two kinds of issues become salient, a strategic one, and a conceptual one. Strategically, any effort in collectivization by organizations of DWs pushes them to seek workers at their 'living spaces' rather than their workplaces. Underlying the strategic issue is a conceptual task of locating DW work within the context of capital accumulation and labor processes, and in turn conceptualizing the 'household' itself.

Taking the conceptual issue first. Briefly, DWs are arguably best viewed as petty commodity producers (producing a service), but *not* as independent producers (such as peasants and artisans) since they use tools provided by the employers. Being proletarianized, DWs fall *within* the circuit of capital, and are not 'excluded' (see Sanyal and Bhattacharya 2009). They are tied to capitalist production since they work in households of employers who themselves work within the circuit of capital (being either owners of capital or waged workers in capitalist firms). Nonetheless, DWs are not simple waged workers since they are not 'exploited' in the conventional sense of having surplus extracted within the production process (as are factory workers). Consequently, conceptualizing DWs as workers requires a more nuanced development of the

concept of exploitation and the meaning of a wage relation, a challenge that we take up separately and build upon many others who have advanced our insights in this matter (e.g., Elster 1986; Resnick and Wolf 1989).

For our purpose, the question of subjective identity formation is part of our challenge to develop methodologies that capture the dynamics in concrete situations of collectivization. The fact that the ‘household’ is not simply the place of work for the DW, but also a place of production of value (commodities) and subjectivities (identities), needs to be foregrounded in conceptualizing DWs, many of who in our study prefer to view themselves as ‘self-employed workers’. Consequently, the work of social reproduction overwhelmingly carried out by women (the woman employer-supervisor and the female DW) remains invisibilized (see Rai 2013; Razavi 2013) and undertheorized. That this is not an abstracted conceptual issue but one of concretely addressing complex social actors in their connections to capital and class is brought out by a frequently heard refrain by organizers who exhort DWs to think about themselves as significant actors in the economy: “You are playing an important role in the economy because the middle class [your employers] have to go to work. If you don’t go [to work] then their productivity and income suffers” [Field note entry, December 21, 2017].

The strategic issue is part of the fact that DWs exist within a diverse set of labor arrangements (see Chen 2011) which poses a unique challenge to DW collectivization efforts. Some DWs work as ‘live-in’ workers (with room and board), but more often as workers working in multiple homes. Some are paid piece-rates for each kind of work they perform, while others are paid a salary. The focus of our study are DWs who work in multiple homes. When organizations seeking to collectivize DWs enter the low-income residential areas where DWs live, they enter a space that is already a contentious place, one where various civil society

organizations seek to interpellate DWs on/through different issues. DWs, in their everyday lives, are thus enmeshed within the practices and subject-producing actions of organizations that range from the overtly religious (sects around particular deities, church groups), to charitable trusts (supporting education, health, child rights, women empowerment etc), or rights-based organizations (women rights, dalit rights, housing etc), to social entrepreneurial business (microfinance) who jostle among themselves for the same ‘client base’.^{vi}

Thus, organizers of DWs face the reality of the intersectionality of class, caste, gender, ethnicity, and other identities when they enter the residential areas of DWs, a context in which ‘worker consciousness’ is only one among others. Such a situation allows our study to distinguish between three kinds of organizations working with DWs – the *conventional NGOs* (who tend to define themselves as exclusively working for ‘welfare rights’ for DWs, and who therefore focus entirely on demands from the state), the *older-style trade unions* usually affiliated to political parties (who are less apt to work within the residential areas of DWs, and preferring to facilitate to get state schemes/welfare), and the *labour-NGOs* (who are the most creative, combining the nimbleness of an NGO with a clarity of the need to foreground the DW as a part of a laboring class worker with rights, while not reducing their subjectivity to any simplistic singularity). It is the last kind of DW collectivization that holds the most promise. We use the term ‘union’ to refer exclusively to the labour NGOs in our study.

As DWs are spread throughout the city, labour NGOs do not have a single ‘union’ office. The dispersal of the DW makes it necessary to claim spaces that may legitimize their struggle. Thus, labor NGOs have devised an organizational model in which they conduct ‘area-level’ meetings every month in different DW residential neighborhoods, and complement this with block-level and Executive committee meetings every months. The area-level meeting are similar

in form to meetings of Self-help Groups or Joint liability groups (that many DWs are part of) and are *conducted in the open and at the doorsteps of members' living spaces*. As discussed above, the labour NGO meetings (many times simply called 'union' meetings by DWs) have to compete with other organizations in the area. Since most DWs are also members of these other groups, it often leads to a dilemma for the women when the timings of a 'union' meeting sometimes clashes with that of an SHG or other group meeting. DWs thus have to choose which meeting to go.

DW 'union' meetings thus are a struggle to capture the 'mind space' of DWs. It also raises some interesting issues about collective action, place and visibility. Conducting meeting in the open makes sense to organizers since it assures visibility to the collective work of DWs who see and hear their own union at work. Indeed, organizers are clear that holding meetings in the open rather than building a union office (a physical office structure) was not only about cost effectiveness, but more importantly about making the general public *especially the domestic workers who have not joined the union* to become aware of the existence of the union. As one of them put it, "If we do it on the street, few workers who pass by they will stop and listen what we are talking about" [Field note entry, September 13, 2017].

However, this in turn poses another issue for the unions – that of the *ad-hoc nature* of many of the issues that they take up on behalf of the DWs. Most of the cases which came to the union happen to actually come from non-members who approached the area-level unions to solve their problem (usually problems related to either domestic violence at the DW's home, or the arbitrary dismissal of a DW or failure to be paid due wages). This becomes counterproductive for the more longterm strategic objective of collectivization of DWs since many of the DWs did not become emotionally invested in the union, preferring to not come back

for meetings once the problem was solved. This poses the problem of membership and persistence of purposeful collectivizing. Indeed, many DWs who were regular and committed union members started complaining not to entertain complains from non-members. As one of them put it about another DW who was not a member: “We [meaning the union] solved the problems...which was in bad condition...and we took so much risk. Now she is simply sitting in the area [during our meeting]. We called her for the meeting, and she didn’t come. Next time onwards, we are not taking up the cases [of those] who are irregular in monthly meetings. We have to strictly follow this in our area” [Field note entry, October 05, 2016]. As these cases are fought on an ad hoc basis, the larger questions of the employer not paying minimum wages, payment/dues on time to workers, arbitrary dismissal on whims and fancy of the employers etc., still remain largely unaddressed as systemic and structural issues that define the DW work relation as a worker-employer relationship in the informal sector.

On the other hand, the success of fighting cases for non-members brings legitimacy for the union at the local level. The cases that have a profound effect on members (and non-members) are the ones that happen locally. Most of these cases are of arbitrary dismissals of domestic workers by the employer without giving them their dues. The challenge for the union then is to show evidence for the existence of a direct relationship between the employer and the employee (a point we pick up below). Any small victory of the union also legitimizes the claim of the DWs to be viewed as ‘workers’ rather than as ‘servants’ in their relationship with the employer. These cases are also looked internally by the labour NGOs as the training ground for the executive members of the unions, the leaders-in-the-making of DWs. Lastly, in recent times, aided by the notification of minimum wages for domestic workers by Karnataka , the Labour Department has been intervening on behalf of the unions, thus strengthening their hands.

The 'Place' of the Worker: The Apartment as Factory Gate

The domestic work sector is also an increasingly migrant workforce, especially in language / ethnicity.^{vii} Most of the DWs in our study are first- or second-generation migrants. This workforce is dominated by Telugu and Tamil speakers in addition to Kannada speakers. More recently, there is an influx of Hindi and other north-Indian language speaking DWs. Bringing cohesiveness to a group as diverse and at the same time trying to focus on the employer and the government policy is a hard task. While our study has yet to explore what such an ethnically diverse DW workforce poses as challenges to collectivization, we elaborate here on a related issue - the fragmentation of the workforce along a different axis.

There is an emerging 'hierarchy' among DWs in terms of workplace. DWs who work in apartment complexes and 'gated communities' are generally paid significantly higher than those working in individual houses. Speaking about the hierarchy, Kalai^{viii}, a DW says:

Few workers get minimum wage. But, *no one* is getting minimum wage in Kothanur. DWs who go far away and work in 'the apartments' - they get above minimum wage. Locally [meaning in Kothanur], there is no respect...this work is seen as degrading work. Sometimes I don't even say what I am working as. If we work in the apartment we get respect. But there few employers behave rudely [Interview 12.04.2017]

Her colleague, Sarasamma added, "We go out, to work in apartments; *Offissar hage hogutteve barutteve* [trans: we go like officer and come]. In some houses, as soon as we enter they order us saying do this do that; in some houses they leave us, we know what to do, so many years we are working. This is *maryade* [respect]" (Interview 12.04.2017).

The extent of the wage-gap between apartment complexes in particular parts of the city and others is part of an empirical project. What is crucial here is that an increasing number of DWs *perceive* the apartment and gated communities as holding better employment prospects than working in individual houses (a factor of the perception that the employers in apartments are more affluent and willing to pay more than the individual houses), and to some extent (although this is still an ambiguous one) as also about getting ‘dignity’. This has led to a segmentation between DWs working in the apartments vis-à-vis those working in individual homes. One fallout of this segmentation is that it has become difficult to standardize wages across the domestic work sector. Indeed, any discussion of wages within the union is always contentious as DW members claim that they are better off negotiating their own wages with their employers. Consequently, since the prevailing wages in apartment complexes are above the Karnataka government fixed minimum wages^{ix}, the unions have left the wage negotiations to the workers themselves.

There is, however, one potential area of organizing for the unions - the possibility of constructing working conditions within apartment complexes / gated communities in a systematic manner, *as a single employing entity*. One of the main challenges of the DW unions is the fact that although DWs have a direct relation with employers, each DW has multiple employers. However, since all the payments are in cash on a monthly basis for hourly work, most of the legal struggles (i.e., cases of conflict that come to the unions) becomes a fight to prove the existing relationship of the DW and the employer. For their part, many employers, when confronted with the accusations from DWs about discrepancies in payment take recourse to the lack of a contract that demonstrates employment, with some even denying that the DW worked on their premises.

It is in this struggle for proof of work, the DWs who work in apartment complexes have pointed out to the apartment complex *entry and exit logs* as evidence for their claim of employment. Almost all apartment and gated communities maintain such musters / registers for all visitors at their gates. In this sense, the apartment gates have now been transformed into the ‘factory gates’ for DWs as being isomorphic with formal workers who punch in their entry and exit at the factory. Some apartments have provided ID cards for all workers working on their premises (ostensibly for their own reasons of security). This quasi-formal arrangement for workers is now transforming itself into the possibility of viewing the apartment complex and its representative – the Resident welfare Association (RWA) *as a collective employer* who has an identity. DWs and their unions have begun to use this as collective bargaining tool where each apartment forms norms in their relation with domestic workers working in the complex.

Such an arrangement, where it operates, also provides a valid documentary proof for the labour department officials to call upon the employer to negotiate with the DWs. This also helps in bargaining for higher wages or facilities citing the prevailing wages in the apartments. However, it also enables employers to demand the enforcement of particular regulations on DW behavior as a collective. Even as the apartment gate becomes the factory gate for the DWs, the RWA and meetings in the apartment Club House become sites for employers to address issues of their individual DWs collectively. The recent case in Begaluru of the Shantiniketan housing complex^x in Whitefield is a case in point where the RWA tried to put in place a set of regulations in which DWs were constructed as ‘servants’ in line with long held traditional and conservative perspectives on domestic workers. It also brings out the underlying threats of dismissal for DWs, due to the perceived availability of a large army of DWs seeking employment within apartment complexes. Thus the challenge for unions is that as employers collectivize through their RWA,

the scenario resembles the formal sector where the industry prefers to hire (a more docile or even subservient?) set of contract workers without the backing of unions.

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Notes

i Balmurli Natrajan is a faculty at William Paterson University of New Jersey (USA) and Visiting faculty at Azim Premji University; Rajesh Joseph is a faculty at Azim Premji University. Data for this paper was collected by our research assistant Roshni Lobo. Research for this paper was supported by the Azim Premji Foundation Research grant.

ii For this study, the term ‘informal’ is taken to mean any work that is “unregulated and unprotected.” Thus, any worker (self-employed or waged) doing informal work is an informal worker, and the increasing trend in the ratio of informal to formal work is the *informalization* of the economy (cite). Most recent estimates of the workforce in India place informal sector workers at around 92% of the workforce (NCEUS 2007).

iii There are other terms that are in use in popular discourse to refer to DWs. We use the term DW in our research to refer to the workers who are the subjects of our study, since this is what many of the workers and the collective organization (the union) itself uses as their self-representation. Further, almost all the other terms that are frequently used to refer to DWs (almost always by others) are problematic in some manner or another. These include ‘domestic help,’ ‘maids’ and ‘servants.’ Part of our research therefore attends to language and the context of use of such terms by the workers, employers and the general public. We will treat DW therefore as a category of work and workers that is historically and ideologically produced within the political economic and socio-cultural contexts of work and labour in a society.

iv That female workers constitute women DWs in India was confirmed by the minister of state of labour and Employment in Lok Sabha (27.04.2015; accessed on the Lok Sabha website on Friday, 17 February 2017)

v

Ghosh argues that the low Female Labour Participation Rates are only an apparent phenomenon, since it hides the high rates of domestic duties and allied activities (no. 93 of NSSO) within. Naidu too advances a similar argument.

vi

Most of the micro finance and social entrepreneurs now call their ‘target’ groups or ‘beneficiaries’ as clients.

vii Most DWs in our study are from Dalit communities

viii Pseudonyms have been used throughout

ix The 2016 notification on minimum wages are above the market wages.

x <http://bangaloremirror.indiatimes.com/bangalore/others/A-gulf-maid-in-Bluru/articleshow/51960127.cms>