

WORK CONDITIONS AND EMPLOYMENT RELATIONSHIP OF DOMESTIC WORKERS IN NIGERIA

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Abstract

This study examines the employment relationship and working conditions of domestic workers in Lagos State Nigeria. The research study adopted survey method; structured questionnaire was used to elicit information from 120 domestic workers selected through stratified random sampling technique out of population of 598 domestic workers registered with Federation of Informal Workers' Organisation, Lagos State. Descriptive statistics was used to describe the data collected. The descriptive analysis showed that 12.5% of the respondents were doing the work out of constraints, 27.5% because of ominous family responsibilities. Also, the data on the treatment of domestic worker by their employers shows that, 19.2% of the respondents indicated they suffer insults and abuses, 10.8% did not have good accommodation. The majority of the respondents 22.5% indicated that they eat overstayed food, 8.3% indicated that their employers did not care when they were sick, 11.7% did not receive salary on time. Also, 8.3% indicated that they are sexually harassed by their employers and members of their households. The results indicated poor working conditions and decent work deficit suffered by domestic workers. The study thus concluded that that poor employment relationship exists between the domestic workers and their employers leading to exploitation, subjugation and maltreatment of domestic workers by their employers. The study therefore, recommended that the government should regulate employment relationship to protect domestic workers from undue exploitation by their employers.

Key Words: Employers, Employment Relationship, Exploitation, Domestic Workers

Introduction

The domestic workers are significant in Nigeria because of their contributions to the economy. A domestic worker is one who is employed to work in a domestic setting, especially in homes and houses occupied by the masters and/or mistress to take care of domestic chores, the aged, the sick and the infirm, and do other domestic errands that may be assigned from time to time. A domestic worker is one who does work at home and for the household. A domestic worker may be a man or a woman and may also be young or old. In some cases minors are involved. They are found in many homes where their services may be needed and where hirers have capacity

to pay for their services. Most domestic workers live in the houses where they work and are regarded as house boy or house girl or nanny. Where the elderly are engaged, the name, status and the treatment apply but is not pronounced as such. The domestic workers appear to be common in many households in Nigeria. They also exist mostly in urban towns located in many places in Nigeria. They may be, however, found to be dominant in major and mega cities such as Lagos, Abuja, Kano, Port Harcourt, Enugu, Kaduna, Ibadan.

There have been various reports of abuses and ill-treatment of this low, poor and vulnerable group of workers in our communities in spite of their economic contributions. It appears *abinitio* that the observable ill-treatment is nation-wide and runs through every stratum irrespective of religious affiliation and social background (Albin & Mantouvalou, 2012). The impression may seem that, even though the domestic workers may be seen as an insignificant person, they are first and foremost human beings and must be accorded every respect in recognition of those rights. Extant studies suggest that those who hire and make use of the services of domestic workers may not be fully aware of the rights of the workers or do not recognize them as workers that should be treated with dignity and respect. It is noted that some of cultural practices associated with treatment of domestic workers as house helpers may have deadened the psyche of many employers making it difficult for their employers to feel the pains that these domestic workers are made to undergo in the course of their jobs (Awosusi & Adebo, 2012).

Domestic workers are increasing in number and spread across all the states of the Federation. They appear to be associated with poverty stricken households marginalized group in the society. The exact number of domestic workers in Nigeria may be difficult to ascertain. However, the estimate shows that the number of people demanding for the services among the population in the urban centres in Nigeria indicates that the number is quite significant. Olokun (2015) estimated that two-third of Nigerian homes engage live-in-domestic servants. He noted that majority of this workers are not adequately protected by the labour laws.

Therefore, the objective of this study is to examine the employment relationship among the domestic workers and their employers in Lagos state. This study therefore intends to highlight the significant place occupied by the domestic workers in Nigeria and their contributions to the development of the economy.

Literature Review

The Conditions/Features and Employment Relationship of Domestic Workers

There are several common features of domestic work that set it apart from other types of paid work. First and foremost, domestic workers are employed in the homes of others by an individual or a family; they may be employed by a firm or enterprise to work for person(s) within the family households.

Domestic workers appear to be hidden from the outside world, often undeclared and not governed by a mutually agreed written contract; it remains outside the scope of labour inspection and other forms of dispute resolution (Tokman, 2010; Flint, 1988). Foreign women workers, particularly those with irregular immigration status appear to be dominant in this sector (D'Souza, 2010). Whereas in most worksites, there is one employer for several workers, in this occupation there may be one worker for several employers, with conflicting demands on the time and attention of the worker. The low status attributed the women on the job and the servility inherent in it further seems to weaken the bargaining position of the worker (Chen, 2010). To add to this, the second-rate status of women as compared to men, the differences in social class and education and sometimes the racial or ethnic factor appear to further tilt the balance of power towards the employer (Chen, 2010).

The child domestic workers cannot talk of bargaining, because their position had been determined from the home where they come from. Adult domestic workers may not live on their employer's premises but most children engage in domestic work are constrained to live with employer because of their age. These attitudes seem to prevail among the domestic workers due to cultural influences within the Nigerian culture. Many employers of domestic workers do not appear to consider themselves as employers and also do not see their homes as a workplace. They believe they are doing a good turn to a poor, uneducated woman by taking her into their house and that the services they receive in return do not necessarily merit remuneration (Awosusi & Adebo, 2012). Looking backwards through history, one finds that domestic work has been viewed as a stage in life, an apprenticeship rather than an occupational choice.

The expectation on the part of the employer is that workers may be available at all times and to obey orders. Domestic work appears to be characterized

by long working hours – up to 16 hours a day, seven days a week for some live-in workers. It is not rare to find these workers exposed to on-call work day and night (Caroline, 2006). In many cases, working hours are so extended as to deprive domestic workers of any free time at all (ILO, 1999). Many of these women report to work as early as 5 am, to cook, prepare the children and take them to school, and come back to face other house work.

This seems to be a common complaint of domestic workers. They appear not to have a separate room and are sometimes made to sleep on the corridor, in the kitchen, and storage room or under the staircase. Even when they have rooms, they appear to be small and poorly ventilated without the possibility of locking them (Chen, 2011). Without a private space to retire to, these workers appear to suffer from lack of privacy, many women have complained about their male employers invading their privacy. Besides, many employers deduct some amount of money for accommodation and meals that are, in many cases, grossly overvalued and tantamount to non-payment of salary.

Domestic workers tend to have lower wages, fewer benefits, and less legal or social protections compared to most other wage workers, with the probable exception of casual day labourers and industrial outworkers (Chen, 2011). Further, although the home is widely viewed as a “safe haven,” there is growing evidence that domestic workers are exposed to a wide range of unhealthy and hazardous working conditions. The earnings of domestic workers are among the lowest of all occupations with a significant proportion of domestic workers earning per capita income below poverty line (Razavi, 2007).

The proportion of domestic workers with labour contracts and/or social protections is very low compared to other occupations. And women are in a worse position than men, in part, because they perform different tasks or functions than men. It is likely these patterns would be observed in other regions of the world if data are available (Smith, 2011).

Hidden from the outside world, often undeclared and not governed by a mutually agreed written contract, it remains outside the scope of labour inspection and other forms of dispute resolution. Foreign women workers, particularly those with an irregular immigration status, and child workers are singularly subjected to exploitation and unlikely to be willing or able to claim their rights (Sah, 2004 & Sundari, 2005). Even where protective laws are on the statute books, they are frequently ignored by employers and not

enforced by authorities. D'Souza (2010) remarked that until the issue of invisibility is resolved, it will remain a barrier to providing adequate legal protection for domestic workers.

Theoretical Framework

Social Exclusion

The concept of social exclusion has been generating social science debate among many scholars (Atkinson, Cantillon, Marlier and Nolan, 2002, 2005), although, there seems to be lack of consensus as to what constitute social consensus. Saraceno (2001) and Short (2005) argue that social exclusion like poverty may require 'multi-dimensional approach. A consensus definition remains controvertible. Two approaches have been accepted as to the definition of social exclusion, the direct and indirect approach. However, for policy evaluation purposes, many scholars recommended the use of direct approach in understanding social exclusion based on British Poverty Exclusion survey (Levitas, 2006). Also, Studies (Robinson & Oppenheim, 1998; Paugam, 1996, Edwards and Flatley, 1996) have contended that the definition of social exclusion should be premised on the potential consequence of a number of risk factors, which seems to be latent. This definition acknowledges the risk factors and causes that could lead social exclusion. Whatever, be the implications of the definition, whether direct and indirect, it confer responsibility to the government and society to create platform for equal opportunities for all the citizens, of which may include equal access to health care, rights, employment opportunities, education and inclusive decision making process (Saraceno, 2001).

However, United Kingdom government agency views social exclusion as combination problems which people suffer resulting from the following factors such as, unemployment, poor skills, low incomes, poor housing, high crime environment, bad health and family breakdown. Social exclusion also may extend to depriving the workers their right and benefit their resources that accrue to them and the right to control resources and ownership access, lack of opportunities for education, lack of coverage of health care system and other social and public facilities which members of the society should ordinary have access to. Also, social exclusion can be regarded as social deficit and segregation of certain disadvantage people in the society (Hillary, 1994). This includes the process in which individuals or people are systematically blocked from (or denied full access to) various rights, opportunities and resources that are normally available to members of a

different group, and which are fundamental to social integration and observance of human rights within that particular group.

Walker (1997) and Hills (1998) in the other hand referred social exclusion as tenacious and method *of* numerous denials, as opposed to poverty or disadvantage experienced for short periods of time. It is also a deprivation of certain privilege suffered by people in the society.

Domestic work, because of its location in informal economy is performed outside the realm of labour regulations and social protections and consequently domestic workers suffer significant decent work deficits; such as unemployment, poor skills, low incomes, poor housing, high crime environment and occupational hazards and absence of collective actions to organise themselves for their rights (Bonner & Spooner, 2010).

Studies (D'Sousa, 2010; Albin, 2012; Mactaggart, 2011; Cock, 1989; Flint, 1988) have acknowledged that inadequate social protection and decent work deficit are inherent among domestic workers; similarly, the nature domestic worker is associated with fundamental risk factors that define social exclusion and therefore domestic workers suffer from social exclusion in employment opportunities, legal rights, and social protections leading to exploitations.

For effective policy intervention, scholars have agreed on a number of social indicators, or 'risk factors' which should constitute the basis of the definition. However, it is observed that many risk factors may negatively underlie the prospect of social inclusion, such as "low income, unskilled labour, poor health, low education level, poor literacy level, gender inequality, discrimination and racism, old age, divorce, drug abuse, alcoholism and living in a 'problem accumulation area'" (European Commission 2002: 10 cited in Jehoel-Gijsbers and Vrooman, 2007). Majority of these risk factors are found in domestic work sector (D Sousa, 2010).

Extant studies (Saraceno, 2001: Saraceno, 1997; Gallie & Paugam, 2000 De Koning & Mosley, 2001 Bailey, 2006: Levitas, 2006) have examined the relationship between income and employment and findings indicated a weak correlation. The authors therefore concluded that that the definition of social exclusion cannot be fundamentally decided based on low income or lack of paid work, and on the other hand, people that have high income and good employment can be equally excluded and this indicated that there are other factors that could lead to social exclusion even though low income and

labour market participation are germane and both factors have been identified as the major risk factors basically concomitant with social exclusion (European Communities, 2004).

Finally, social exclusion is beyond poverty or the inability to meet up with living standard of the society but deprivation of the economic and social privileges which include alienation and distance from mainstream society” this situation may degenerate to or give birth to resistance in form of lobby and protest (Young, 2000; Duffy, 1995).

Methodology

This study adopted survey method using both quantitative and qualitative method. Primary source of data collection was used to obtain information from the respondents. The research instruments were structured questionnaire and in-depth interview with the respondents. The questionnaire was validated through a pilot study which yielded a Cronbach alpha coefficient of 0.73. The population of domestic workers that registered with union federation of informal worker in Lagos state Nigeria is 558. The sample size was 120 selected from different five stratified zone in Lagos state through stratified random sampling technique. The instrument and interview were administered on the respondents in different stratum. The investigator liaised with the leadership of domestic workers who granted access to the register containing the list of all the registered domestic workers that belong to their organization from five strata in Lagos State.

Data Analysis and Interpretation

Table 1: Summary of Respondents’ Opinions on the Conditions and Features of Domestic Workers

	Frequency	Valid Percent	N		Mean	STD
Job title or position of your boss (Domestic workers)			120		4.36	2.289
Managing Director	22	18.3				
Director	8	6.7				
Senior Manager	15	12.5				
Manager	20	16.7				
Military/Para-military Officer	12	10.0				
Business man	1	.8				

Don't Know	42	35.0			
Tick the reason(s) you are in domestic work (Domestic workers)			120	4.94	2.980
Because I need a job	15	12.5			
Need extra time to do other things	3	2.5			
Family responsibilities	33	27.5			
Need to take care of myself	19	15.8			
Earn Income	10	8.3			
To support my husband	3	2.5			
My educational qualification is low	8	6.7			
I don't have any other handwork	7	5.8			
Temporary to get another job	12	10.0			
Like domestic work	1	.8			
Use it to support my education	9	7.5			
Which of these bad treatments have you received from your boss (Domestic workers)			120	4.23	2.743
Insult and abuses	23	19.2			
No good accommodation	13	10.8			
Eat overstayed food	27	22.5			
Does not care when I am sick	10	8.3			
Don't pay salary on time	14	11.7			
Don't give enough rest period	3	2.5			
Sexual Harassment	10	8.3			
None	20	16.7			
Which of these of the good treatments have you received from your boss (Domestic workers)			120	4.58	3.372
Pay your salary as when due	41	34.2			
Have a good accommodation	6	5.0			
Have enough rest period	10	8.3			
Give off days when you are sick	11	9.2			
Take you out with the family	1	.8			
Pay over-time	5	4.2			
Pay christmas bonus	15	12.5			
Give gift from time to time	13	10.8			
Does not abuse you	2	1.7			
None	16	13.3			
What are the conditions are associated with domestic work? (Domestic workers)			119	3.97	1.799

Late payment of salary	13	10.9			
Lack of good accommodation	13	10.9			
Don't have enough rest	21	17.6			
No off days, even when I'm sick	30	25.2			
Verbal, physical and sexual abuse	13	10.9			
No over-time pay	21	17.6			
No Christmas bonus	6	5.0			
Non-payment of salary	1	.8			
Any Other	1	.8			

Field survey, 2015

On the job title of the employers of domestic workers, the descriptive data, table 1, indicated that the employers of domestic workers in the capacity of managing directors are 18.7%, the directors are 6.7%, the senior managers 12.5%, manager 16.7%, Para-military/Military 10% and business men .8% and majority 35%v of the respondents did not know the status or job titles of their employers. On close investigation, many domestic workers disclosed that many of their employers do not deem it fit to tell their names and job title. This appears to reflect a disregard that many of the employers have towards their domestic workers.

Further inquiry to find out the reason(s) many of them were doing domestic work, the descriptive table above shows that 12.5% of the respondents were doing the work because they need a job, 2.5% of the respondents say they were doing the work because they need extra time to do other things, which also imply that people explore its flexibility. Twenty-seven per cent (27.5%) were doing the job because of family responsibilities, 15.8% need to take care of themselves, 8.3% did the job to earn income, 2.5% were doing domestic work to support their husbands, 6.7% said their educational qualification was low, 5.8% indicated that they did not have any other handwork, 10.0% were doing domestic work temporarily till they get another job, while 0.8% liked domestic work, and 7.5% were using it to support their education.

The descriptive data shows that domestic work if organized could reduce unemployment challenges bedeviling the country. It could provide temporary employment for many youth until they get the job of their choice instead of wandering about the street where they may be liable to engage in social vices. Although it may not be job of their choice for some, however, 10.0% of the respondents indicated domestic work as temporary till they secure another employment of their choice. Again, the responses indicated that if

domestic work is organized it could provide temporary income for many families, and women, it may also reduce poverty level in the society (Butlender and Bosch. 2002; Cock, 1984).

The study went further to investigate the bad treatments domestic workers received from their employers, the table shows that 19.2% of the respondents indicated insult and abuses, 10.8% said that they did not have good accommodation. The majority of the respondents 22.5% indicated that they eat overstayed food, 8.3% indicated that their employers did not care when they were sick, 11.7% said they did not receive salary on time, and 2.5% confirmed that they did not have enough rest period. Also, 8.3% indicated that they are sexually harassed by their employers and members of their households. However, 16.7% of the domestic workers said they had not experienced any of these maltreatments.

The study shows that the majority of respondents pointed out that they received much of insults and abuses from their employers. This seemed to point out that there is little or no respect for domestic workers and lack of dignity is associated with domestic work. This perception seemingly undervalues domestic work and the workers. Another significant question raised on the table 1, is the issue of eating overstayed food; domestic workers were matured individuals and should be allowed to take absolute care of themselves. Also, domestic workers as full grown adults should be detached from paternalistic relationship which erodes their independence. It appears that domestic workers cannot assert themselves to make a demand for their rights and privileges from employers who see them as relations rather than workers under employment contract. The paternalistic relationship may be working but to the disadvantage of the domestic workers, under this relationship, it looked as if domestic workers cannot make progress and this hinders mutual respect with both the workers and their employers.

Also, further enquiry from this study, on the good treatments domestic workers receive from their employers, majority of the respondents 34.2% indicated that their employers paid their salary as when due, 5.0% had a good accommodation, 8.3% had enough rest period, 9.2 % had off days when they were sick, 0.8% took them out with the family, 4.2% received payment for over-time, 12.5% said their employers paid Christmas bonus, 10.8% agreed that they received some gifts from time to time, 1.7 % indicated that their employers did not abuse them and 13.3% showed that there was

nothing good in domestic work. This may be due to their personal experience, as experiences differ depending on the individual employers.

The table 1 shows the conditions associated with domestic works, many respondents 10.9% indicated late payment of salary, also 10.9% indicated lack of good accommodation, 17.6% said they did not have enough rest period, 25.2% complained that they had no off days even when they were sick, 10.9 % indicated verbal, physical, or sexual abuse, 17.6% showed no overtime payment, while 5.0% indicated absence of Christmas bonus and 0.8% indicated non-payment of salary. The finding from the descriptive data in table 1 showed the poor working conditions, exploitations and ill-treatments associated with domestic work in Nigeria. These conditions make domestic work precarious and may likely elicit negative behaviours (maltreatment of the employers' children, stealing, abuses and poor response to duties) from domestic workers against their employers' households.

Conclusion

The study concludes that domestic workers are play strategic function in the society because of their contributions to the social and economy. In spite of the economic significance of the work, they are abused and are treated with sense of dignity by their employers. They are molested, raped pay low wages beyond the minimum wages and they have no access to social security and enjoy little or no protection by the government.

The conditions of domestic workers clearly demand that the terms and conditions of service under which they operate should be included in the national legislative framework. The exploitation of in domestic is built on the premise that domestic workers seem not adequately be covered by the national legislation. Although the recent employees' compensation act attempted to include domestic workers but it lack implementation. This places a high demand for the organizing of the domestic work sector. The Ministry of Labour and Employment under which jurisdiction the informal workers operates need to include monitoring of employment relationship among the domestic workers as a part of their agenda.

Recommendations

- i. Employment protection and job security should be extended to the informal sector where domestic workers belong
- ii. The Nigerian Labour Acts should be expanded to specifically take care of the rights and fair labour contract to protect domestic workers and other informal workers in Nigeria
- iii. The labour officers should extend their services to the private households to monitor treatment of domestic workers as provided by the ILO Convention No. 189 of 2011.

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