



**ISOLATED
WITHIN
THE WALLS**

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(A Study on Situation Analysis of Domestic Workers in Nepal)

Study Team

Rudra Prasad Gautam, Ph D.

Jib Nath Prasain, Ph D.

Editorial Team

Rudra Prasad Gautam, Ph D.

J. N. Prasain, Ph D.

Puspa Karn, Ph D.

Umesh Upadhyaya

Pemba Lama

Ramesh Badal

Data entry

Belimaiya Ghale

Data Processing

Kiran Mali

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General Federation of Nepalese Trade Unions (GEFONT)

Man Mohan Labour Building, GEFONT Plaza,

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PO Box: 10652

Tel: + 977 1 4168000 Fax: + 977 1 4168012

E-mail: dfa@gefont.org URL: www.gefont.org

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About the Publication

We have taken a sigh of relief with the adoption of ILO Convention and recommendation on the rights of domestic workers. The most deprived, isolated and victimized segment of workers consisting mainly of women and children are the domestic workers. The hardships and sufferings of domestic workers is not limited to national boundaries but has expanded fast across the borders also far away destinations of the globe. GEFONT has been working on the issue of Nepali Domestic Workers both in Nepal and abroad and engaged in unionizing them in recent years with serious considerations. We have developed separate national affiliate union of domestic workers and highlighted their basic concerns.

Fortunately TUC-Great Britain with solidarity sentiments came forward to extend cooperation on the issue of domestic workers. We have worked together and the small research with this book entitled Isolated within the walls is the outcome, which reflects a part of picture from our labour market of the least developed country.

Along with formal sector of employment, GEFONT is committed to work for workers in informal economy and will continue right- based unionization, pressures, lobbying and movement for domestic workers also.

We hope, this quick research report will be useful for all concerned and will pave way for other initiatives in this regards.

I would like to extend sincere thanks to TUC and concerned leaders, officials and activists. Similarly in GEFONT side I appreciate the efforts of entire team including researchers Dr. Rudra Gautam, Dr. J.N. Prasain & Editor Dr. Puspa Karn.

Umesh Upadhyaya
General Secretary

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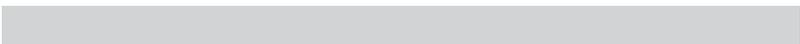
Abbreviation

CBO	Community Based Organization
CBS	Central Bureau of Statistics
CWISH	Children - Women in Social Service and Human Rights
DW	Domestic Worker
FGD	Focus Group Discussion
GEFONT	General Federation of Nepalese Trade Unions
HH	Household
ILO	International Labour Organization
ILO-IPEC	International Proqramm on Elimination of Child Labour
IUF	International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco & Allied Workers' Association
NGO	Non-governmental Organization
NIDWU	Nepal Independent Workers Union
NLFS	Nepal Labour Force Survey
OSH	Occupational Safety and Health
SAARC	South Asian Association for Regional Cooperation
SLC	School Leaving Certificate
SPSS	Statistical Package for the Social Sciences
VDC	Village Development Committee



CHAPTER I

Introduction



1.1 Background

Nepal is one of the poorest countries among the member countries of South Asian Association for Regional Cooperation (SAARC), except Bhutan and Maldives (UNDP, 2009). Although poverty incidence has declined from 41.8 percent in 1995/96 to 25.4 percent at present (NPC, 2010). The gap between rich and poor is widening tremendously. The per capita consumption of the poorest 20 percent was Rs 2,571 in 1995/96 and it went up Rs. 4,913 in 2003/04. In the same period, the per capita income of the richest 20 percent increased to Rs. 42,236 from Rs. 15,243 marking nearly a three-fold rise. However, in the case of the poorest 20 percent the increased in per capita income has just doubled (from Rs. 2020 to Rs. 4,003,

The intensification of decade-long armed conflict in rural areas, coupled with the decline in the agricultural productivity and growth led to rapid urbanization. The lack of gainful employment opportunities in urban centers, where the labour force increased like anything, forced many people to accept occupation as domestic worker to get rid of starvation.

Domestic work has existed for centuries in Asia and other parts of the world, when girls are sold by poor families to rich ones, as 'Slaves', 'Maids' or 'Servants'. It is a work of no or low value carried out mainly by children and women of low class, low caste, ethnic group or race.

It is a common phenomenon among the better off family to keep domestic worker as a helping hand. The domestic workers comprise both children

6 Domestic work has existed for centuries in Asia and other parts of the world, when girls were sold by poor families to rich ones. 9

and adults, and are employed mostly in the urban and semi-urban areas. Among the adult domestic workers female figure predominate the scene. They work in a vulnerable condition where various forms of exploitation, violence and harassments are reported (GEFONT, 2007).

Domestic work, performed within the four walls of employers in the informal sector, is one of the invisible forms of labour. The workers engaged in this profession are even not considered as workers in the labour market. As a consequence, the domestic workers become vulnerable and susceptible to different types of harassments and violation.

The Nepal Independent Domestic Workers Union (NIDWU) was established in February 2006, under the umbrella of GEFONT, in order to protect and promote the rights of the domestic workers. To improve the working environment and make the domestic work a dignified labour activity, like any other formal sector work, is central to the goal of NIDWU. The NIDWU work is intensified taking into consideration the government of Nepal's recognition of household labour in its Tenth Development Plan, and the ILO's preparation for a separate convention addressing the domestic worker.

Since its inception, GEFONT has been working for the workers and their rights in formal as well as informal sectors. Its work has contributed to a commendable success in the worker's right terrain.

1.2 Concepts and Definition

ILO has given the definition of domestic workers as '[a] wage-earner working in a [private] household, under whatever method and period of remuneration, who may be employed by one or several employers who receive no pecuniary gain from this work (ILO 1951, quoted in IRENE & IUF, 2008). Six decades have been passed since its first definition of ILO regarding domestic worker. Now ILO is pursuing a separate instrument by addressing domestic workers' plight by 2011.

Domestic work covers different activities, situations and relationships. Thus it is not easy to categorize. It includes many tasks such as cleaning, laundry, ironing, shopping, cooking, fetching water, caring for sick, elderly and children, looking after pets, sweeping and garden tidying (IRENE & IUF, 2008). Normally, domestic worker is those who work for others within the household chores as full or part time basis without having worker's rights and dignity (GEFONT, 2007). Domestic workers are those who work on a daily basis-coming or going to the employer's house everyday while living at their own home. Upadhyaya (1998) defined domestic worker as the workers who work under the conditions - tasks are ill-defined, vague working hours, no wage fixed etc. Aarni, and Dharel (2009) clearly stated that domestic worker are those who work in the household of people other than their own and is expected to perform domestic chores according to her/his employer's order irrespective of age, caste/ethnicities, gender, etc.

Generalizing the various definitions, domestic work is the work associated within the household such as cooking, cleaning, washing, looking after

6 domestic worker is those who work
for others within the household
chores as full or part time

children, elderly and sick, collecting fodder and firewood, gardening and other activities willingly and unwillingly. Such workers are less counted, undervalued and not regulated/protected by the national laws. As a result, their condition is vulnerable due to mistreatment, harassment, abuse and violence within and outside their workplace. Their work is not counted in the national economy. Situation of domestic workers and different chemistry within the labour sector is hard to find out due to its concentration in private households within a closed door. Over the years of efforts, today the situation of domestic worker is improving towards positive trend. But it is very slow.

Domestic workers in Nepal do not have a specific category of work, working hour and wage. In recent years, many people in the urban areas are being employed as domestic workers which have become an unavoidable part of urban life (Sapkota, 2006). Since the past few decades, the society especially in urban areas has been transformed from extended family to joint family and ultimately to nuclear family. Such families tend to keep domestic workers as helping hands. The current study defines domestic workers are those who work in other than her/his own home expecting wage (in kind or cash) and doing household chores in the employers' house according to the order of the employers', either live-in or live-out (full time living at the employers' house or part-time not living at the employers' house), with or without formal or verbal contract. This study aimed to focusing on the situation of the domestic workers.

IIDS (2009) states that domestic worker is growing rapidly and needs to be addressed as any growing economic sector in the economy through

eliminating the existing unfair and exploitative labour practices in absence of the legal protection. The study also highlight that the domestic sector is a major sector providing employment to the population of the country especially children and had a change of further growth because it is closely interrelated with other growing indicators in the economy such as aging population, increasing urbanization, growing female participation in employment and an overall decline in agricultural and rural employment opportunities in the country.

An ILO-IPEC study conducted in 2001 pointed out that there were about 22 thousand domestic workers in Katmandu Valley alone. This estimation is close to the estimate made by Sharma and Sharma. There are 17,547 children as domestic workers only in Kathmandu Valley and 42674 in the 58 municipal areas of Nepal based on the data obtained from 2003 baseline survey. The study by CWISH 2009 has estimated 150 thousand Nepalese are working as domestic workers in different parts of the country especially in urban areas. Based on the incident of domestic workers in the surveyed municipalities and estimation of such workers in the past by other institutions domestic workers in Nepal are estimated 162,302 by the current survey.

1.3 General Characteristics of Domestic Workers

Generally domestic workers are working under different employment relationship -

- The workers employed in the government institutions and serve at household of higher officials, often benefited from proper

Never free of a gender perspective
- in all societies domestic work
remains as 'women's work'.

employment contracts, union rights and collective bargaining agreements though their number is insignificant. But those hired privately by the individuals are fully deprived from such benefits.

- Most domestic work around the world, however, is done through private arrangements between individuals, someone hired in or a family member, sometimes with a written contract but usually without any contract.
- Many live-in workers are almost permanent call in that household where live-out workers may work for several employers, perhaps spending only a few hours per day/week for each.
- Never free of a gender perspective - in all societies domestic work remains as 'women's work'.
- Race or ethnic perspective - this is especially so for international migrant workers, whose labour is wanted but who are often met by racism; also within countries women from certain cultures or racial/ethnic groups are more likely to be employed by others from more powerful cultures or groups.
- Age selective - in many countries there are still thousands of children doing domestic work in private homes despite legal prohibition and on the other hand, there are many older men and women who have their only skill to sell in the labour market are also domestic workers. It is usually concerned with poverty and class, very few who are not poor but compelled due to other unavoidable reasons.

1.4 History of Domestic Worker in Nepal

The issue of domestic worker is age old phenomenon mainly associated with the supply of permanent labor to perform domestic work. And at the same time it is also a matter of social prestige. The importance of domestic worker increased further as the Nepalese society has transformed from extended to nuclear family system and increasing trend of women employment outside home; especially in urban areas.

It is a common practice and long history in Nepal. 'Das' and 'Dasi' (Slaves), 'Dhai' (Nanny), 'Kamlari' (Girl child of bonded farm worker, as attached labour) is some of the systems related to domestic work used across the country. Besides these systems, large number of Nepalese is compelled to involve as domestic worker mainly because of poverty. Domestic work for females and outside work for males to earn livelihood is still continued in Nepalese society which is based on the traditional concept of the division of labor. It is generally, the women who are given the responsibility for performing domestic work because they are in one way or other tied to the home and this nature has to do with both the traditional division of labour and their sex (Subedi and Baral, 2008). However, now a day, involvement of male in domestic work is increasing.

Large numbers of domestic workers have been working in different cities of Nepal. The number in capital city (Katmandu) is huge in comparison to other cities. In absence of the specific legal protection they are working in vulnerable condition. Domestic workers are employed as both the full time and part time workers working as live-in and live-out basis, where their day begin from early in the morning and end to the late night. It

Long history in Nepal. Das and Dasi (Slaves), Dhai (Nanny), Kamlari (Girl child of bonded farm worker).

is one of the unsafe jobs, workers are deprived from the right of fixed working hours and minimum wage fixed by the state. The main motive of the children to work as domestic worker is to achieve better and further education that they could not attain due to being poor. They are working mostly by their parents' choice but could not support their families (Gotame and Koirala, 2009).

Children tend to perform specific tasks within the household. Efforts to eliminate child labour would inevitably have a negative impact on family income that can only be compensated by either increasing the number of days of employment or wages of adults. Child domestic workers are the real invisible face of child labour. They are compelled to work in domestic coheres being unable to find any alternative job. Most of them have no fixed working hours or duties and required to be on call 24 hours a day without wages or with little wages. It is very rare for domestic workers to have any free time (Sobhan, 1997).

Increasing migration due to various causes and growing urbanization are leading to child workers in domestic activities which are known as exploitative activity mostly supplied from rural areas. One of the positive aspects of child domestic workers is that some of them are being sent to skill centers and educational institutions by employers themselves in lieu of the service of the worker (Sobhan, 1997). Despite legal prohibitions it is clear that children are being exploited especially in domestic services (Ghayur, 1997).

1.5 Objectives of the Study

The broader objective of this study is to find out the incidence of domestic workers, their plights, and their socio-economic situation. The specific objectives of this study are:

- To know the current situation of domestic workers in response to unionization process.
- To suggest appropriate measures to protect the right of the domestic workers.

1.6 Limitations of the Study

- Since the present study is confined to a limited places and number of domestic workers thus it could not be generalized at the national level.
- This study could not be done multi-stage sampling as well due to financial constraint and time.
- Handling qualitative techniques of data collection requires experiences and long practice; the study could only mobilize some such experienced field researchers.
- Incidence of domestic worker differ one place to another but this study has divided the country only in three categories (selected urban areas, other urban areas and rural areas).

Having all these limitations, the study endeavored to be authentic and reliable for the domestic workers status with the perspective of unionization.

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CHAPTER II
Methodology

2.1 Research Design

The study aimed to explore the situation of domestic workers working in major urban centers of Nepal. This study utilized primary and secondary sources of information. While collecting primary source of information the study make use of both the quantitative as well as qualitative methods of data collection. Interview schedule were used for domestic workers and their employers as a quantitative method. However, focus group discussion (FGD) and case study were conducted and collected only from the domestic workers as the long term purpose of the study is to organize the domestic workers under the umbrella of domestic workers' union.

2.2 Sample Area

Based on the available literature and previous experience of working with the workers' rights organization throughout Nepal, selection of sample areas have been taken purposively considering the following criteria such as: regional representation, high concentration of domestic workers and access to reach up to the sampled workers.

This survey had focused on the urban areas designated as municipal area by the government of Nepal. Three municipalities-Damak of Jhapa district, Biratnagar of Morang district and Dharan of Sunsari district were selected from the Eastern Development Region. From the Central Development Region Kathmandu Metropolitan city and Lalitpur Sub-Metropolitan city were selected. Likewise, Pokhara Sub-Metropolitan City of Kaski district and Butwal Municipality of Rupandehi district

This survey had focused on the urban areas designated as municipal area by the government of Nepal.

from Western Development Region; Nepalgunj of Banke district from Mid-Western Development Region and Dhangadi (Kailali) from the Far-Western Development Region were selected to conduct household survey to seek information on domestic worker either fulltime or part-time.

Table 2.1 Selected Wards and Clusters for the Survey

District	Municipality	Selected Wards	Selected Clusters
Jhapa	Damak	8/1	Devkota Marg, Jesis Marg, Brikuti Chok, Campus Chok, Buddha Chok
Morang	Biratnagar	5/16	Madhumara, Tintoliya, Basya Marg, Shiv Marg, Pipal Chok, Bargachhi
Sunsari	Dharan	4/15	Budha Subba Chok, Sadan Road, Barghasi
Kathmandu	Kathmandu	15/17/	Dhobichaur, Chhetrapati, Thahiti, Kaldhara, Sorhakhutte, Kosulechaur, Dallu, Paknajol, Mhapi.
		21	Ganbahal, Jaisidewal, Bhagawati Bahal, Lagan, Chitra Marg, Pipalbot, Chauni.
		25	Basantapur, New Road, Makhantole.
		28	Ratopul, Sifal, Jaybageswari, Mitrapark
Lalitpur	Patan	3/4/13/17	Kupandol, Mahalaxmisthan, Gyarkhu, Bagdol, Sanepa
Kaski	Pokhara	11/14	Fulbari, Sijawa, Jalpa, Shibalay
Rupandehi	Butawal	2/3	Daurachok, Fulchok
Banke	Nepalgunj	1/5	Dewa Fulbari, Ganeshpul, Musaferi Khana, Galamarda, Sardarmarga
Kailali	Dhangadhi	3/10	Dhanpati, Hasanpur

In total, 23 wards were selected (2 to 5 wards from one urban area) randomly on the basis of the number of wards in the municipality and concentration of domestic workers. The wards were further subdivided into clusters and these clusters were considered as the unit for the selection of household. Table 2.1 provides the information about selected wards and the cluster covered by the survey by district and municipal areas.

After selecting the ward, 288 workers and 106 employers were interviewed representing 10 to 25 workers and 3 to 8 employers from each cluster. The response rate for workers is 96 percent while it is 100 percent for employers. The enumerators have visited the household one in six in (6:1) the selected area and asked about the presence or absence of the domestic workers. When the enumerator found domestic worker in the visited household, they were interviewed but when the employer told there was no domestic worker the enumerators again visited to the next sixth household until and unless they could not complete their assigned sample in the cluster. The employers were selected on three workers and one employer basis (3:1) but in practice the ratio is not maintained strictly. When the employer of the domestic worker denied the enumerator to provide information, enumerator has to visit next household as described above.

Table 2.2 clearly describes the sample districts, municipalities and the sample population (domestic workers and their employers). Out of the total respondents of the domestic workers only about 28 percent were male and the rest 72 percent were female. Similarly, of the total employers 58.5 percent were male and 41.5 percent were female.

6 Out of the total respondents of the domestic workers only about 28 percent were male and the rest 72 percent were female.

Table 2.2 Numbers of Workers and Employers Interviewed by Location

District	Municipality	Sampled Workers			Sampled Employers		
		Male	Female	Total	Male	Female	Total
Jhapa	Damak	9	10	19	5	1	6
Morang	Biratnagar	5	15	20	4	4	8
Sunsari	Dharan	6	13	19	7	4	11
Kathmandu	Kathmandu	37	62	99	22	12	34
Lalitpur	Lalitpur	11	49	60	12	8	20
Kaski	Pokhara	2	18	20	4	4	8
Rupandehi	Butawal	4	11	15	2	3	5
Kailali	Dhangadhi	2	14	16	4	4	8
Banke	Nepalgunj	4	16	20	2	4	6
Total		80	208	288	62	44	106

Source: Field Survey, 2010

2.3 Training and Pre-Test

A two days thorough training to the enumerators and supervisors was facilitated by the experts. Interview schedules for both employers and employees were drafted by the researchers and discussed intensively during the training sessions. Following the training the questionnaire schedules were pre-tested in one of the wards of Kathmandu Metropolitan City. The interview schedules were finalized incorporating the suggestions from NIDWU activists and field workers.

2.4 Method and Techniques of Information Collection

In order to summarize the feeling, suffering etc. of the domestic workers and behaviors and attitude of the employers both the qualitative and quantitative methods/techniques have been used. Field survey with the help of well structured interview schedule was one of the main primary data collection techniques to obtain quantitative information. At the same time qualitative information was collected through case study and focused group discussion (FGD) to elicit the information which could not fully depict by the interview method. Nevertheless, pertinent information obtained from these, succinctly summarized in the relevant sections of the study.

In order to carry out the field survey, enumerators have been selected to the possible extent from the local areas or within the sampling sites, so the enumerators could use their in-depth knowledge even prior to the one-shot data collection.

2.5 Data Analysis

An SPSS computer program has been used for data entry purpose and analysis. It generated tables as required to fulfill the objectives of the study. Qualitative information has been analyzed by the researchers manually.

It is not only varies on the basis of rural-urban differences but also varies within one urban centre to another.

2.6 Estimation of Domestic Workers

The incidence of domestic workers differs greatly in urban and rural areas. It is not only varies on the basis of rural-urban differences but also varies within one urban centre to another. The incidence of domestic worker in the selected nine urban areas (which are considered highly concentrated areas) is found 17.3 percent. Based on the incidence of domestic workers in the surveyed municipalities and estimation of such workers in the past by other institutions, domestic workers in Nepal are roughly estimated 162,302. To estimate the number of workers the following criteria are used. The total number of households in Nepal is estimated 4,678,542 (797,408 urban and 3,881,134 rural) by increasing 10 percent during 2001 to 2010. It is estimated that during the same period the urban household has increased by 20 percent (during this period urban concentration is high due to security reasons). The concentration of domestic workers is also high in semi-urban areas but in this study such areas are termed as rural areas according to the administrative division of the country.

Table 2.3 **Estimation of Domestic Workers in Nepal**

Description	Estimated Households	Incidence	Estimated DW
Estimated HH in Nepal, 2010	4678542		
Total estimated HH in Municipalities, 2010	797408		
Estimated HH in Selected Municipalities, 2010	324351	17.3	56113
Estimated HH in other Municipalities, 2010	473057	8.5	40210
Estimated Rural HH in 2010	3881134	1.7	65979
Total			162302

The incidence of domestic worker also differs by class, caste/ethnicity and gender. It may vary by ecological zones and development regions, but in this study such variables are not taken into account.

2.7 Problems Faced During the Field Survey

The supervisors and enumerators have faced a lot of problems during the field survey which played negative role to obtain highly reliable information regarding some sensitive issues. Among them major problems are discussed below.

- **Restriction to entry in the house compound** - Many employers did not permit to the enumerators and supervisors in their house compound. Thus it is far to meet the domestic worker. The restriction reflects that either they (employers) are highly exploiting (economic, physical, mental, etc.) the domestic worker serving them or undermine the importance of the survey.
- **Negative response from the employer** - Large proportion of the employers those who have responded the survey team provide false information to hide the problems faced by the domestic workers. It is believed that especially the employers who had exploited, played negative role during field visit with the fear of disclosing the reality that they have made with their workers.
- **Intervention of the employer** - Likewise, several employers intervened the discussions with the workers indirectly standing in front of their workers. So that the workers could not provide

Several employers intervened the discussions with the workers indirectly standing in front of their workers.

reliable information especially related to exploitation, harassment, abuse and torture by the employers and his/her family members due to fear of being expelled from work.

- **Threat to the workers** - It is also learnt that some of the employers of domestic workers threatened to their workers saying that not to speak about the types and nature of exploitation. It is learnt from the expression of the workers while interviewing them.

Due to such misbehave and intervention of the employers the dark side of the domestic work could not covered much in this study though we are hearing/reading the news of exploitation, abuse and torture every day.

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CHAPTER III

**Legal Instruments
Related to Domestic Worker**

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3.1 Domestic Workers in Relation to Legal Provision

Domestic worker is undervalued, poorly regulated and many of them are denied adequate monetary compensation and working conditions. Furthermore, domestic workers are particularly vulnerable to various forms ill-treatment, abuse and violence in comparison to the workers in other sector due to invisible nature of work. They are invisible, though they directly or indirectly contributed for the skilled workers' performance. A study carried out by ILO in 2009 pointed out that the national laws in 65 countries around the world found that only 19 of them had legislation or regulation protecting domestic workers. Even the laws existed; they offer lower level of protection to domestic workers than that of formal sector workers (Aarni, & Dharel, 2009).

No specific law is existed in Nepal dealing with domestic workers because they are not recognized as worker by the state on the one hand and on the other hand this issue is raised in recent years mainly by Trade Unions. Different laws and acts related to the workers have been promulgated in Nepal after the reinstatement of multiparty democracy in 1990. But all these legal instruments have focused in the formal sector. However, the informal sector workers especially domestic workers are still deprived from the legal protection. Beside that there are some laws which can protect domestic workers. And some initiation has been taken by the state to protect to child workers which cover domestic workers as well.

But all these legal instruments have focused in the formal sector.

3.1.1 Time Bound Program and Master Plan (2004-2014)

The Ministry of Labour and Transport Management, Government of Nepal has published the national Time Bound Program and Master Plan for 2004-2014, in which the government declared 7 worst forms of child labour. Among them the domestic workers magnitude is highest. In the plan the government has declared to abolish the child labour until 2014.

Table 3.1 **Worst Forms of Child Labour and Their Magnitude**

Seven Worst Forms of Child Labour	Number	%
Children in bonded labour	17,152	13.5
Rag-pickers	3,965	3.1
Porters	46,029	36.2
Domestic workers (a)	55,655	43.8
Children in mines	115	0.1
Children in the carpet sector	4,227	3.3
Trafficking (b)		
Total	127,143	100.0

(a) for urban areas only.

(b) In addition, it is estimated that 12,000 girl children are trafficked for commercial sexual exploitation each year

Source: MoLTM, Govt. Nepal

3.1.2 Children's Act, 2048 (1992)

Section 2 (4) of the Act mentions the provision of **Right to maintenance and upbringing, education and health care of the children as:**

(1) Parents shall be under obligation to make arrangements to bring

up Child and to provide education, health care, sports and recreation facilities to child according to the financial status of their family. Similarly, Section 3 (25) also clearly highlights the following works that could not be performed by their guardians. Such as (a) To engage the child in work that requires more labor than his physical capacity can bear. (b) To engage the child in any work which may hurt his/her religious or cultural traditions or to use his/her property on such work.

3.1.3 Child Labor (Prohibition and Regulation) Act, 2000

The Act clearly states that no child to be engaged in works as laborer against her/his will by way of persuasion, misrepresentation or by subjecting him/her to any influence or fear or threat or coercion or by any other means. No minor shall be engaged in works without adequate directives about the concerned working areas or vocational training.

Under the provisions relating to engaging a child in any works any entity that intends to engage a child as laborer, the concerned should obtain certificate of qualification that the child is able to work as a labor. Upon receipt of the application the labor office shall have to conduct a medical test of the child by a medical practitioner.

Regarding the timing and duration of work to a child, s/he shall be engaged in work for a period after six o'clock at the evening to six o'clock at the morning for more than six hours in a day and more than thirty-six hours in a week either giving or not giving additional remuneration. A child is entitled to leisure of half an hour after engaging in the work for a consecutive period of three hours and one-day leave given in every

6 No minor shall be engaged in works without adequate directives about the concerned working areas or vocational training. 9

week. The half an hour leisure time for each day and one day leave in every week shall be deemed to be the duration of work. A child already engaged in one enterprise shall not be caused to engage in the work of another enterprise on the same day.

The Act also clearly mentions the provision of remuneration and benefits. According to the Act an enterprise engaging children as workers shall provide equal remuneration and benefits for the same works. Likewise, remuneration, allowances, leaves and other benefits to be entitled to a child engaged in an enterprise shall be as prescribed. No entrepreneur shall engage a child providing less remuneration and benefits than the remuneration or benefits as prescribed by the Act.

If a child is found to have been engaged against the sections 3 or 4, of the Act while inspecting an enterprise by the designated officer shall immediately handover such child to his/her father, mother or guardian and order the entrepreneur to remove the child from works. If a child does not have father, mother or guardian or if none of them are traced, the entrepreneur shall have to keep such child in any child welfare home or any organization providing care for children. It has also the provision of punishment and appeals.

In addition to the Child Act 1992 and The Children's Rules, 1995 the Child Labor (Prohibition and Regulation) Act, 2000 has brought to regulate and exercise the Child Right at society and during the work. Likewise the Laws on Sexual Harassment and Rape 2002 also protect the women and child from such activities.

Nepal's laws and policies fixed minimum age 14 years for employment but in practice government statistics relating to employment collects information from the children aged 10 years and more.

At the same time minors are also compelled to work at any time and no duration of work is strictly restricted as prescribed by the Labour Act. But in practice these conventions, laws and acts are futile for the domestic workers.

Still large numbers of Nepalese are compelled to work forcefully despite legal protection due to lack of government commitment towards it. Likewise, Nepalese workforce is highly discriminated in wage and benefit though the government has none discrimination policy in the constitution.

3.2 International Instruments and Nepal

In September 1990, Nepal has endorsed the Convention on the Rights of the Child in November (UNCRC), Accordingly it has committed for "the rights of the child to be protected from **economic exploitation** and from **performing any work that is likely to be hazardous or to interfere** with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development".

Nepal is signatory to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This is so because the rights of the child are closely dependent on that of the mother.

6 Convention No. 182 protects all girls and boys below 18 years of age, and according to Article 3 of the Convention the worst forms of child labour. 9

South Asian Association for Regional Co-operation (SAARC)'s Colombo Resolution on Children (1992) stressed for the need to expand school access so that most of the children would be at school instead of at labour. The Ministerial Meeting in Rawalpindi (1996) adopted a Declaration committing to abolish child labour in forced or hazardous work by 2000 and child labour in general by 2010.

Nepal is a signatory to a number of other international conventions, including the Universal Declaration of Human Rights - 1948 and The Slavery Convention -1926.

Nepal has ratified ILO seven core Conventions including 138 on the minimum age for admission to employment in 1997 and Convention 182 on the Worst Forms of Child Labour in 2001 along with ILO Convention No. 29 on Forced Labour, which is indicative of the strong commitment to eliminate both child labour in its worst forms. Convention No. 182 protects all girls and boys below 18 years of age, and according to Article 3 of the Convention the worst forms of child labour, ILO convention No 100 (Equal Wage for Equal Work Convention) and Convention No. 111 (Equal Opportunity to work) except convention 87 (Right to Organize).

3.2.1 Labour Act 1992

Section 2, Clause 5 of the Act clearly indicates that no child should be engaged in work in any enterprise but minors and females may be engaged in the works normally from 6 AM to 6 PM, only six hours per day except in prescribed conditions. Likewise, the laws had incorporated the provisions of leave facilities that should be available to the workers in

addition to the weekly off. But the domestic workers are deprived from such legal facilities.

3.2.2 The Interim Constitution of Nepal 2007

The Interim Constitution of Nepal 2007 has incorporated the right of workers under the Fundamental Rights -

Article 13 Right to freedom: (3) (d) Freedom to form unions and associations; (f) Freedom to practice any profession; carry on any occupation, industry and trade. (4) No discrimination shall be made with regard to remuneration social security between men and women for the same work.

Article 16 Right relating to environment and health: (1) Every person shall have the right to live in a healthy environment. (2) Every citizen shall have the right to basic health services free of cost from the State, as provided in law.

Article 18 Right relating to employment and social security: (1) Every citizen shall have the right to employment, as provided in law. (2) The women, labor, aged, disabled, incapacitated and helpless citizens shall have the right to social security, as provided in law.

Article 20 Rights of women: (2) Every woman shall have the right to reproductive health and reproduction. (3) No woman shall be subjected to physical, mental or any other kind of violence; and such act shall be punishable by law.

Article 22 Rights of the child: (2) Every child shall have the right to nurture, basic health and social security. (3) Every child shall have the

6 The women, labor, aged, disabled, incapacitated and helpless citizens shall have the right to social security, as provided in law. 9

right against physical, mental or any other form of exploitation. Such exploitative act shall be punishable by law; and any child so treated shall be given compensation as may be determined by law. (5) No minor shall be employed to work in any factory, mine or engaged in any similar other hazardous work or used in army, police or conflict.

Article 27 Right to information: (3) No one shall be trafficked in nor shall one be held in slavery or in servitude. (4) No one shall be required to perform forced labor.

Article 30 Right relating to labour: (1) Every worker and employee shall have the right to appropriate labor exercise. (2) Every worker and employee shall have the right to form and join trade unions and to engage in CBA for the protection of their respective interests, as provided in law.

Despite the mentioned articles in the Interim Constitution of Nepal (2007), which incorporated various provisions under its Fundamental Rights, however, it failed to mention the rights of age old labour system, i.e., domestic worker. It is still considered as an invisible work and their contribution is not counted in national economy.

3.2.3 Domestic Violence (Offence and Punishment) Act

As the domestic work fall in the informal sector, invisible and engaged within the four wall of the household, the workers involved in this sector are more vulnerable and susceptible to different types of harassments, violence and exploitation. Taking accounts of these facts, the Domestic Violence (Offence and Punishment) Act, 2009 and Regulation 2010 has brought into enforcement criminalizing domestic violence. According to

the act, the Domestic violence means any act of physical harm, mental, sexual or economical torture and also the act of verbal misbehave and physiological torture given by a person to a person of a domestic relation. The act has been able to address up to some extent about the domestic workers as a worker for the first time in Nepalese law while defining 'domestic relation'. The act covers the crime as the physical, mantel, sexual and economic exploitation, torture as well as violence against any persons in relation to family including domestic worker. The Act has also provisions of punishment to the offender while proved his/her offence.

The government of Nepal has realized the negative effect of the child labour and has incorporated the policies and strategies to eliminate child labour especially in organized sector in its plan document since Tenth Five Year Plan, but could not speak specifically for the upliftment of the child domestic work.

3.3 Domestic Workers and New Initiatives

The DW and ILO Process

Considering the plight of the DWs, ILO is going to develop international legal instrument to protect them. The draft of legal instrument will be convention supplemented by recommendation. On 2010 June, when voting took place, majority of Asian countries were against the convention. Nepal was in favor of convention supplemented by recommendation. Now, it is almost finalized that the instrument will be

6

Protection from unfair termination and unfair treatment.

convention supplemented by recommendation. These instruments will consider following issues:

1. Domestic work is recognized as work and protected by national legislation
2. All core convention of ILO which contains right to organize and bargain collectively, elimination of child labour, elimination of all forms of bondage labour and creation of non-discriminatory environment will be applied to domestic workers as well.
3. National Minimum Wage will cover domestic workers.
4. Hours of Work, overtime compensation and weekly rest and leave facilities will also be provided.
5. Protection of the right of Maternity and pregnancy.
6. Social security coverage to the domestic workers should be par with other worker in general.
7. Protection from health hazard and make safe work environment.
8. Protection from unfair termination and unfair treatment.
9. National labour inspection system should also cover to the domestic work and they should be entitled to seek legal remedy equally.
10. The convention also tries to elaborate the main subject matter to be addressed by the employment contract.

11. Considering the problems of migrant domestic workers, the draft instrument categorically mentions about the repatriation of earning, protection of travel and personnel document and safe work environment.

Domestic Workers in Nepal

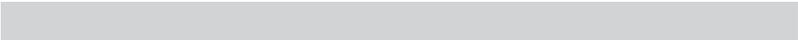
Being a Part of international trade union movement, GEFONT along with NIDWU, raised the voice to protect the right of domestic workers in the legislation and campaigning to include the Domestic Workers issue in the new Labour Act.

During the draft of New Labour Act, there is special provision for domestic workers. It is categorically mentioned that the labour law is equally applicable to domestic workers as well. If this law is adopted, entire domestic worker will be protected.

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CHAPTER IV

**Demographic & Socio-economic
Situation of Domestic Workers**

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4.1 Origin of the Workers

In connection with the origin of the domestic workers surveyed (288) from the nine selected urban centers, it is found that they came from 49 different districts of the country. However, the larger proportion are from the same district (except the two valley districts Kathmandu and Lalitpur where such workers are supplied from adjoining and neighboring districts – Kavrepalanchowk, Ramechhap, Nuwakot, Sindhupalchowk, Dhading, Dolakha and Makawanpur) and neighboring districts. Few workers were from far away districts. Mostly domestic workers were supplied from backward rural areas. Table 4.1 highlights that more than 22 percent respondents could not report their district of origin due to their ignorance.

Table 4.1 Origins of Domestic Workers

District of Origin	Percent
Morang	7.6
Jhapa	5.9
Banke	4.5
Kailali	4.5
Ramechhap	4.2
Sunsari	3.8
Kavrepalanchowk	3.8
Nuwakot	3.5
Rupandehi	3.5
Other Districts	36.5
Could not Mention	22.2

Source: Field Survey, 2010.

The poor families consider children as assets rather than liabilities and send their children to earn their livelihood as well as to support the family.

Among these, the nine districts- Morang, Jhapa, Banke, Kailali, Ramechhap, Sunsari, Kavrepalanchowk, Nuwakot and Rupandehi have supplied 41 percent domestic workers while rest 42 districts have supplied 36.5 percent.

4.2 Age and Sex Composition

Many studies are concentrated on the causes and consequences of children at domestic work. However, the present study aims at covering all domestic workers working in urban centers. The survey information reveals that the density of child domestic workers (up to 18 years) in the domestic chores is high compared to other ages. It is revealed that nearly 78 percent male and 58 percent female workers were found below the age of 19 years. The poor families consider children as assets rather than liabilities and send their children to earn their livelihood as well as to support the family, living adult and old in the place of origin. The majority of children belong to the age 14-18 who are allowed to work only light and hazard free works not more than 6 hours in a day by the ILO Minimum Age Convention 138. The proportion of children below 14 years is nearly 15 percent involved in this job, since last few years. Not only children, about 2 percent people above the retirement age (58 years) from the government service have also compelled to work as domestic workers (Table 4.2). The share of adult workers (aged 19-58) is less than that of the children. Normally, after the age of 18, involvement in such profession declines as the age advances. Employers prefer children rather than adult and old people because they are easy to handle and less costly. Four workers out of 288 could not report their

age because of ignorance which is one of the major problems faced even by the Nepalese censuses.

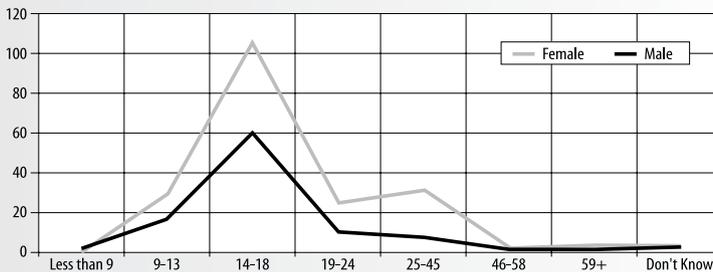
Table 4.2 Age Distribution of Workers by Sex (In %)

Age group	Male	Female	Total
Less than 9	1.3	0.0	0.3
9 – 13	16.3	13.5	14.2
14 – 18	60.0	44.7	49.0
19 – 24	10.0	14.4	13.2
25 – 45	7.5	23.6	19.1
46 – 58	1.3	1.0	1.0
59 +	1.3	1.9	1.7
Don't Know	2.5	1.0	1.4

Source: Field Survey, 2010.

The employers also accepted the rampant use of child labour in domestic services and reported more or less same ratio of age as reported by the workers themselves.

Figure: 4.1 Age Distribution of Workers (in %)



The caste alone is not the sign of affluent, but the 'class' is the source of exploitation of poor.

4.3 Caste/Ethnicity of the Workers

More than half (55.6%) of the domestic workers are from ethnic and indigenous community followed by Brahmin (11.3%) and Chheteri (13.2%). Brahmin and Chhetri are considered more advanced, wealthy, educated and upper caste in Nepali society and blamed that they dominate all other ethnic, Dalits and minorities. Contrary to this, the survey revealed that nearly one-fourth domestic workers are from Brahmin and Chhetri. Less than six percent are from Madhesi community though they themselves declare as deprived community. Indigenous and Newar community are 2.8 percent each in domestic work. This information indicates the caste alone is not the sign of affluent, but the 'class' is the source of exploitation of poor.

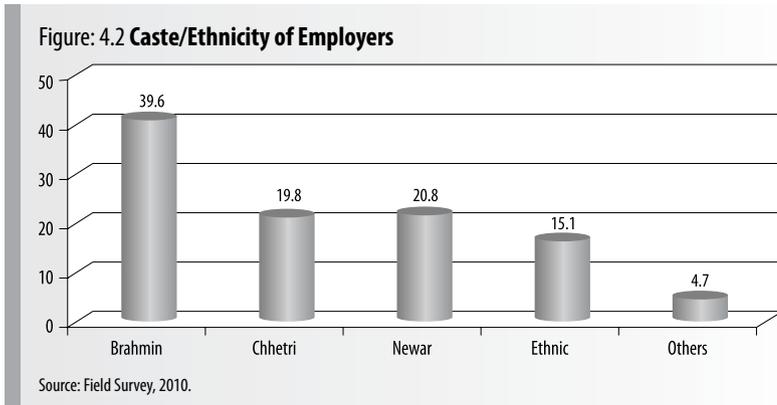
Table 4.3 **Caste Ethnicity of the Workers**

Caste/Ethnicity	Percentage
Brahmin	11.3
Chhetri	13.2
Ethnic/Indigenous group	55.6
Newar	2.8
Madhishe	5.7
Others	11.4

Source: Field Survey, 2010.

Among the houses of various caste/ethnic groups of Nepal - Brahmin, Chhetri, Newar and Ethnic groups are also the major sources of providing employment to large number of poor people as domestic worker. It is also a tradition that such caste/ethnic groups are the employers of

domestic workers for their household activities since long back though these castes are also suppliers of large number of domestic workers as well.



It also reveals that as the level of education increases, they hire domestic workers more. The employers with educational background of SLC and above hired 75 percent of the domestic workers. While looking at the occupation, major source of employing domestic worker is the houses of government officers followed by business community. Only these two occupational groups consume 72 percent domestic workers where people working at NGOs are hiring 12.4 percent of the total domestic workers.

Domestic workers are not only from large family but also from small family.

4.4 Family Structure

Nearly half of the domestic workers (49.3%) are from the family with 5-7 members, 26 percent from the family having 8-10 members in the family and 7 percent from large size family (more than 10 members). Domestic workers are not only from large family but also from small family. According to the table 4.5 about 15 percent of the total workers are from small family (with only 1-4 members). About 3 percent workers could not report their family member because they are involved in this occupation since long and are out of contact with their family now (Table 4.5).

Table 4.5 **Family Size in the Workers**

Family Size	Percent
1 to 4	14.9
5 to 7	49.3
8 to 10	26.0
11 to 15	4.5
>15	2.4
No response	2.8

Source: Field Survey, 2010.

Looking at the type of the family, slightly more than half workers are from joint family system (51.3%) where few (3.6%) are from extended family. Rest 45 percent are from nuclear family indicating that not only large family push to work their family member as domestic worker, the small sized family is also compelled to push them.

Normally, it is known that domestic workers have to work hard and gets less love and affection in large family than small family. The survey information reveals that more than one third workers are working in a small family having one to four members where 47 percent are serving in the family having 5-7 members. Only about 5 percent workers are serving in those houses where the number of family member is more than 10 reflecting working hard and getting less opportunity in comparison to their friends working in small family. The information supplied by the employers of the domestic worker also proves this information, though there are little differences. Generally, it is known that, as the number of children in the family is high the domestic workers have to work more. The present study reveals that in the workplace more than 90 percent respondents have to serve only 1-2 children in the family where they are working. This indicates that large number of domestic workers do not have to bear more burdens from children.

4.5 Marital Status

Among the sample workers only 23 percent are married indicating existence of large number of child labour in this profession who are below the marriageable age. The proportion of married is high among females showing early marriage practice mainly among girls despite the legal ban.

4.6 Educational Status and Opportunity

More than three-fourth (75.2%) respondents are literate which is higher than that of national average literacy rate (63.2%) (CBS, 2009). As of the

The proportion of married is high among females showing early marriage practice mainly among girls despite the legal ban.

national tendency illiteracy rate of female workers is high than that of male. Among the literates majority (49%) have education up to secondary level (grade 6-10) where 13.2 percent male and 4.3 percent female have completed SLC and above examination. Table 4.6 also illustrates that among those who have completed informal education and primary level females are more than males. Contrary to this, male exceed females above primary level education. According to the information supplied by the employer of the domestic worker the ratio of the workers being literate from informal education programme (14%) as well as those who have completed SLC and above examination (15.5%) is high than reported by the workers. Employers also disclosed that those who have completed Bachelor level study are also working as domestic worker in their house reflecting the poor employment situation of the country.

Table 4.6 Educational Attainments of the Respondents by Sex

Educational Attainment	Male	Female	Total
Informal Education	5.9	10.9	9.2
Primary (1-5)	29.4	37.0	34.5
Secondary (6-10)	51.5	47.8	49.0
SLC and above	13.2	4.3	7.3

Source: Field Survey, 2010.

Only 84 percent male and 68 percent female (mostly school going children less than 24 years) have responded the question related to whether they are getting opportunity to education or not at the work place. Among the total respondents 15 percent boys and 27 percent girls are deprived of such opportunity. The employers claimed that they are providing opportunity of study to their 47 percent workers.

Response from employers and workers is more or less corroborated the same view. Among those who got the opportunity 85 percent (87.7% male and 83.5% female) are enrolled in public school while added the enrollment at community school it crosses 90 percent (Table 4.7). Less than two percent are attending to vocational and skill training classes that helps them to get better employment other than domestic work or to run business independently based on the skill they acquired from the training in future. Nowadays, large number of domestic workers are allowed to join informal education program either willingly by the employer or forced by the I/NGOs/CBOs/trade unions.

Table 4.7 Opportunity for Education by Sex

Type of School	Male	Female	Total
Not Going to School	14.9	27.0	23.1
Public School	74.6	61.0	65.4
Community School	4.5	4.3	4.3
Boarding School	0.0	0.7	0.5
Informal Education	4.5	5.7	5.3
Vocational and Skill Training	1.5	1.4	1.4

Source: Field Survey, 2010.

There is remarkable difference in opportunity to study between wage recipients and non-recipients. Among the later groups only 4 percent did not get opportunity to study during work where the proportion deprived from educational opportunity among the former group is 35 percent. Almost all from both the groups are enrolled at public school. Among the total domestic workers enrolled at formal school, 36 percent have completed primary education (grade 1-5), 53 percent

Box - 4.1 A new life as domestic worker

I do not know my village neither my parents' name. I was very young. I fled from home because my step mother tortured me so badly. At first, I came to Kathmandu and started to work as rack picker/street child at *Chbahill* and *Gaushala* areas. Among 5/6 of us, I was the youngest one. We worked there for some time, and intended to move other place. In this process, we arrived one new place that was *Thapathali*. We used to work around *Bagmati* Bridge. I remembered well that it was winter season and a heavy rainy day. I was badly suffering with cold, suffering from fever and hiding outside someone house near the bridge.

A young gentleman saw me and asked what I was doing and inquired all about me, my family, my village etc. I could only answer one of his questions that was my step mother torture badly and fled from home. After short conversation, he took me at his house. He had a son of same age. We used to play together. After sometime, he admitted me at the school, and his son and me together attained the school up to 5 grades. Then, all his family moved to America. Gokarna is the name of the kind hearted gentleman. I called him Gokarna Dai.

Before he moved to America, he made an arrangement for me and I shifted his friend's house. I helped them in the household work. The present house owner is also a very good. Now I am studying at 12 grades. Early in the morning, I take care of his dog, after tea, I used to go to campus. In day time, I also work at TV shop. On and off Gokarna Dai used to call me, he always encouraged me to study hard. He assured me to call to America. I was a street child and came to the house of Gokarna Dai. Both the families never treated and treating me as low grade domestic worker. Should I call myself as domestic worker or not, I do not know exactly. Both them considered me as part and partial of their families. What I am at present, it is the contribution of the Gokarna Dai and the present house owner.

completed secondary level education (6-10) and 11 percent have passed School Leaving Certificate and higher level examinations. About 88 percent male and 78 percent female workers enrolled at educational/training institution have managed their time to attend school regularly reflecting more female workers are deprived from attending school regularly. Likewise, 29 percent of workers responded that necessary time is available for study at home where they are working and 68 percent reported that they could not get time to study at home without completing the assigned work.

While discussing the causes for not going to school, 14 percent male and 26 percent female opined that they crossed the school age (i.e. above school age) where 28 percent (28.6% male and 27.8% female) could not get time to go to school. This information reflects heavy work load is borne by the domestic workers in the country. The same proportion (36% male and 26% female) was restricted by the employer and 15 percent workers themselves are not interested to study (Table 4.8).

Table 4.8 Causes for not going to School by Sex

Causes	Male	Female	Total
Lack of Time	28.6	27.8	27.9
Not send by employer	35.7	25.9	27.9
Not Interested to Study	21.4	13.0	14.7
School is Far	0	3.7	2.9
Over age to enroll at school	14.3	25.9	23.5
Others	0	3.7	2.9

Source: Field Survey, 2010.

Female workers are deprived from attending school regularly.

In addition to monthly wage, the educational expenses of 63 percent workers paid by the employer but monthly wage of such workers is very low. Contrary to this, educational expense of the 93 percent workers who are not receiving wage in exchange of their work is borne by the employer. Remaining workers said that their educational expenses is to be paid by themselves or it is done by the parents/guardians or social organizations. More than 90 percent employers claimed that they are paying educational expenses of their workers either receiving wage or not.

4.7 Economic Status

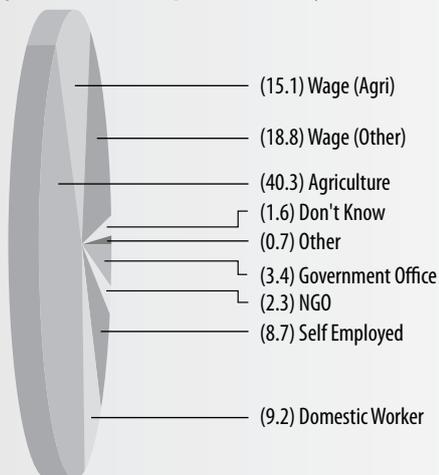
Almost all domestic workers interviewed are from the family who are either depends on agriculture (mostly involved tilling others field) or wage earners in any sector or domestic workers as the main or secondary work (Table 4.9). Significant workers are form landless family though 75 percent of them are residing their own home whatever may be the quality. It is also known that the domestic worker who has land is not sufficient to make home and kitchen garden. Most of the families who are in their own home have either livestock or birds (especially chicken) or both. These are not for commercial purpose but only to support domestic needs of milk, meat and manure.

Table 4.9 Occupation of the Family Member (in %)

Occupation	Main Occupation	Subsidiary Occupation
Agriculture	40.3	28.9
Government Office	3.4	2.7
NGO	2.3	2.5
Self Employed	8.7	9.0
Domestic Worker	9.2	18.3
Wage (Agri)	15.1	13.9
Wage (Other)	18.8	21.3
Don't Know	1.6	2.7
Other	0.7	0.8

Source: Field Survey, 2010.

Figure: 4.3 Main Occupation of Family



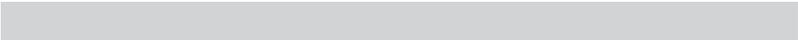
In general reflects that poverty and ignorance spread all over the country.

The overall information drawn by the survey regarding socio-economic and demographic situation of the domestic workers in particular and their family in general reflects that poverty and ignorance spread all over the country especially in rural areas are the compelling factors to force a Nepali citizen to enter into the job which is more vulnerable and exploitative in the job market.

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CHAPTER V

**Wage and Benefits vis-à-vis
Type and Condition of Work**

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5.1 Background

Domestic workers have to shoulder all types of works that come-up in any household they work including non-domestic chores. In short, domestic workers have to fulfill the desire of the employers as no contract and no terms of reference. They are always suppressed and oppressed by the employers due to lack of bargaining power and the ineffective or non-existence of their union.

There are different types of domestic workers such as live-in, live-out, part-time, hourly basis, and work once a week or once a month. Those domestic workers who do not stay with the employers have less vulnerable of exploitation and abuse. Because they come to work on fixed time to perform the defined work. They generally agreed amount of wage as per the work assigned on daily/weekly/monthly basis.

Of the total workers 16 percent were working the same type of work (as domestic worker) prior to come in the present house. Likewise, 24 percent came from agriculture and wage earners (either in agriculture or non-agriculture sector) while more than one-third (35%) have involved as domestic worker first time in their working life. The surveyed domestic workers were involved in this profession less than one year to more than nine years. Half of the male and 37 percent female workers said they were working since last 1-3 years as domestic worker where working more than nine years is about 11 percent (7.5% male and 12% female). A reasonable proportion (18.4%) started their working carrier as domestic worker from less than one year (Table 5.1).

Domestic workers have to fulfill the desire of the employers as no contract and no terms of reference.

Table 5.1 Total Duration of Work as a Domestic Worker by Sex

Duration in Year	Male	Female	Total
Less than 1	15.0	19.7	18.4
1 – 3	50.0	36.5	40.3
3 – 5	13.8	17.8	16.7
5 – 9	13.8	13.9	13.9
Above 9	7.5	12.0	10.8

Source: Field Survey, 2010.

The workers are involved as a domestic worker in the house where they were found at the time of survey, since less than one year to more than nine years. About 23 percent male and 28 percent female are working since less than one year whereas majority (48% male and 41% female) worked in the house for 1-3 years. The share of workers involving many years continuously at the same house and work is only 4.5 percent where female are more than male in this category. Nineteen percent male and three fourth female worked in the same household as domestic worker from the beginning while remaining domestic workers shift 1 to 10 household till the date of survey. Those who shifted the household, females are more than that of male. The reasons behind to shift or change are reported one or more.

Table 5.2 **Causes to Leave the House/s Worked Before**

Causes	Male	Female	Total
Scolding	16.0	12.5	13.1
Beating	16.0	7.1	8.8
Sexual Harassment	4.0	0.9	1.5
Excess work	12.0	17.0	16.1
Illicit behavior	20.0	19.6	19.7
Worst condition of fooding/lodging	8.0	16.1	14.6
No education opportunity	16.0	12.5	13.1
More allowance than previous	4.0	8.0	7.3
Other	4.0	6.3	5.8

Source: Field Survey, 2010.

Among them illicit behavior of the employer beating, scolding, excessive work, deprived from educational opportunity were reported as the major one. Likewise, worst condition of lodging and fooding, more wage and benefits in the present place compared to the previous one are also the reasons that motivated to shift the house (Table 5.2).

5.2 Status of Live-in and Live-out

Out of the total surveyed workers 70.4 percent are full time worker with fooding and lodging facility in the current place. The proportion of full time workers male outnumbered (82.6%) female workers (66%). Only 3.8 percent (only females) are working from morning to the evening (as full time) on live-out basis where the share of part time workers (live-out) is more than one fourth (Table 5.3). It is also known that the share of part time workers is increasing day by day because of unavailability of full

Many employers prefer part time workers to escape from more obligations with the full time worker.

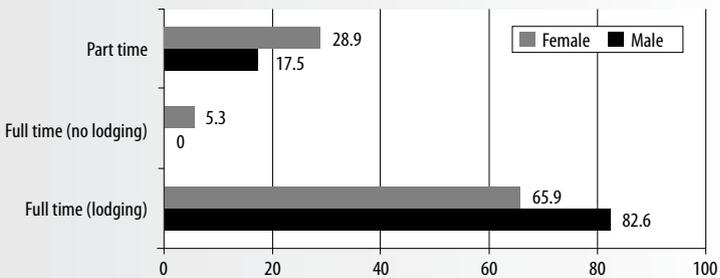
timer as well as many employers prefer part time workers to escape from more obligations with the full time worker.

Table 5.3 Terms and Conditions of Work in the Present House

Terms and Conditions	Male	Female	Total
Full time (with lodging)	82.6	65.9	70.4
Full time (without lodging)	0.0	5.3	3.8
Part time	17.5	28.9	25.7

Source: Field Survey, 2010.

Figure: 5.1 Distributions of Full Time and Part Time Workers



A 73 percent male and 70 percent females are found working as single member from the family at present house, while proportion of male and female workers interviewed with more than one family member in the same house is 8.8 percent and 12.5 percent respectively. The whole family working in the same house is reported by 5 percent male and 9 percent female workers. This information indicates that females especially girls are more as attached labor than the males.

5.3 Factors Responsible to Force them at Domestic Work

Among the jobs available in the labour market, domestic work is least preferred by the job seekers mainly because the poorest and marginalized groups are involved in this work. At the same time, this is one of the invisible types of work confined within the four walls of the employers. The sampled workers reported one or more factors that contributed to be a domestic worker. Among them poverty seemed major factor that forced about 90 percent male and 80 percent female workers. According to them, they save their life from hunger and starvation and also supported to their family. Deprived from study at their home is another major factor for both male and female. No interest to stay at home due to poverty and domestic violence, no interest to study, hope to earn more, displaced mainly by conflict as well as natural calamities and urban attraction also forced or inspired people to be involved in this profession (Table 5.4).

Table 5.4 **Factors Responsible to Work as Domestic Worker**

Factors	Male	Female
Poverty	90.1	79.8
Neglect from Family	1.3	1.9
Domestic Violence	.3	3.4
Not interested to stay at home	11.3	13.5
Not interested to study	7.5	1.9
Deprived from Study	30.0	22.5
Displaced	6.3	1.0
Hope of more earning	7.5	11.5
Urban attraction	3.8	5.3
Others	3.8	3.8

Source: Field Survey, 2010.

Note: Figures do not add up 100 due to multiple answers.

Box 5.1: Causes to be a Domestic Worker

I am, Sujan Lama, about 17 years. I was born and early brought up in Thulopakhar Village Development Committee (VDC) of Sindhupalchowk district. I had both parents at my early childhood. At that time, our family relied on the traditional agriculture works. When I was 7, with the dream of better and prosperous life, our family migrated to Narayanghat to work in Poultry Farm. By the time my father became alcoholic that brought doomsday in our family. After 2 years of working in the Poultry Farm he became so worst that he regularly abused my mother. By the time she gave birth to my younger sister.

On the other hand, my father could not perform well. So the employer fired him. As the last resort, we returned back to our village. His habit of torturing became extreme and my mother could not bear it any more. Thus, she left home with my younger sister. At that time, I was in grade seven. After some years, I got step-mother, by then he started to torture me. Bearing severe agony, lack of mother and end of the education, I was worried about my future.

At this juncture of time, a villager young man came back from Kathmandu to celebrate *Dasain* festival. I told my whole story to him. He brought me along with him and made arrangement to work in one guesthouse in Bhaktapur. I started to work there and got Rs.1500 per month. After six month the guesthouse was closed down. I was compelled to search another job. The same brother again helped me to find other work.

Now my daily routine is to work four hour in the morning and evening at home and rest of the day time I have to work at my employer's business as well. I have to do washing, cleaning, brooming, cooking. In addition, I am fully responsible to take care of an old paralyzed man who is the close relative of the employer. Even I have to handle the night soil, urine, and what not of that person. That is really very difficult toil for me. I am still dreaming to continue my school, but could not express that desire thinking that the employer might expelled me from the job.

The work load is very heavy and the most difficult work is to look after the paralyzed man. No defined working hour, no provision of holiday. Forget about overtime pay, it is all upon the mercy of the employer. I usually get used cloths, upon responding the question of basic working hours, recreation and rest at this time it is out of my imagination.

One can reach to be a domestic worker through one or the other source or medium. Among them the surveyed workers reported that parents are the major contributor (18.4%) to find the job, followed by relatives (17.7%) and neighbor (16.3%). Sixteen percent have searched the job themselves where 13.2 percent have got employment there with the help of other family member who know the employers' family and are aware of the nature and volume of work. This clearly indicates, in Nepal family is the major mediator to find out employment in domestic chores. Friends are also the important source to get the job. However, the role of contractor and social workers to find out employment in this sector is very low (Table 5.5).

Table 5.5 Medium to Employment in the Present House

Mediator	Percentage
Myself	16.0
Parents	18.4
Family member	13.2
Other relative	17.7
Neighbour	16.3
Friend	7.3
Contractor	3.4
Social worker	2.7
Others	5.0

Source: Field Survey, 2010.

5.4 Agreement between Employer and Worker

Written agreement between employer and employee with clear terms and conditions creates healthy environment in the labour market. But no

Written agreement between employer and employee with clear terms and conditions creates healthy environment in the labour market.

one (employer and worker) feel need of formal contract. As a result, less than half have reported that they have agreement between two parties but almost all agreements are verbal (except 1%) where 23 percent are working without any agreement. Volume of work, wage and benefits of such workers depends upon the kindness of the employer and the workers have been compelled to accept it due to lack of bargaining power. Among the total workers, 18 percent are unknown about the agreement mainly because they were placed there by others without giving any information regarding it. Whereas 12 percent could not response the issue related to agreement (Table 5.6). While asking the same to their employer only 60.3 percent have agreement (57.5% verbal and 2.8% written). The survey information itself reflects that less than half works in this sector have agreement and the agreement is implemented only less than three-fifth employers. This indicates that of the total workers only about one fourth are receiving wage and benefits against their work as agreed before joining the present job.

Table 5.6 Type of Agreement between Employer and Employee

Type of Agreement	Percentage
Written	1.0
Verbal	45.8
No Agreement	22.9
Don't Know	18.1
No Response	12.2

Source: Field Survey, 2010.

5.5 Nature of Job

Domestic workers are not permitted to confine only one or two works in the households and have to perform all the works within the household. Work of the sampled domestic works mainly concentrated in kitchen chores (71% male and 86% female) and cleaning and washing (79% male and 80% female). Besides these, they were also involved in the activities such as taking care of children, aged and sick family members. Nearly half of them were involving in the work outside home along with the domestic work where slightly less than half male and three-fifths females are performing all the works as listed in table 5.7. Owners were also found more or less agreed in this proportion that their workers have to perform in their house.

Table 5.7 Nature of Job to be Performed by the Domestic Workers

Nature of Job	Male	Female	Total
Kitchen Chores	71.3	85.6	81.6
Cleaning and Washing	78.8	80.3	79.9
Take Care of Children and Aged	31.3	35.1	34.0
Help in domestic work & outside	67.5	39.9	47.6
Help in Employers' Business	16.3	16.8	16.7
All of the above	47.5	60.1	56.6

Source: Field Survey, 2010.

Domestic workers are bound to work seven days in a week starting from early morning till late night doing mostly kitchen and household work. There were little differences in the nature of work performed by male and female in the household though all of them involves in the same type of

6 Domestic workers are not permitted to confine only one or two works in the households and have to perform all the works within the household. 9

jobs. Among the surveyed workers, 32.5 percent male and 14 percent female could not say the number of hours they worked in a day. Rest of the workers, reported working less than six hours to more than 12 hours per day. Information obtained from the survey depicts that male workers work more than that of their female counterpart. In total, 28.8 percent male and 54.6 percent female workers worked up to 8 hours whereas 38.8 percent male and 31.3 percent females worked more than 8 hours. The maximum working hours per day accepted by the trade unions all over the world is 8 hours per day and 48 hours in a week (Table 5.8). In this context the working hour of the domestic workers is reported high than the established norms.

Table 5.8 Number of Hours Worked Per Day

Number of Hours	Male	Female	Total
Less than 6	7.5	21.6	17.7
6 – 8	21.3	33.2	29.9
9 – 12	30.0	22.6	24.7
Above 12	8.8	8.7	8.7
N/A	32.5	13.9	19.1

Source: Field Survey, 2010.

The employers also accepted that their workers who have been working in the domestic chores in average they have to work less than 6 to more than 12 hours a day. Mainly the number of hours of work varies greatly among school going and non-going workers and size of the owner's family. There is a positive relationship between the size of family and working hours.

Box 5.2: Heavy Loads but Paltry Wage

I am Pramila Kumari Tharu. I crossed 20 years from Butwal Municipality. My father is an agriculture worker; we are landless family with tiny patch of illegally settled land. My mother died when I was six. As my step mother came in, she treated me badly. We have a big family. It was very hard for my father to feed all of us. Together with step mother, the situation aggravated. Thus, I started to work as domestic worker at the age of six. After years of working as domestic worker, I returned back home. Step mother did not like my presence at all.

My previous owner did not allow me to go school. Now I am grown up and still working as domestic worker. The employer's family is big. I have to do everything including agricultural works. When I suffered from illness, the family members treat me like a machine. I get up early in the morning and work up to 11 AM and noon to dusk I have to work tirelessly. I took part in non-formal class on and off, now I am able to write my name.

The work contract is verbal; employer pays Rs. 1000 per month. A bank account is opened and my salary deposited in the bank. However, I don't get any leave facility. Fooding and lodging arrangement is not that bad. Although, when I talked with someone, everybody enquired me seriously. They did not let me go out from the house and have a chance to mix up with others. Verbal abuse is normal phenomena of everyday life. Compared with my time and efforts, I am getting extremely low salary per month. If I calculate it for 30 day a month it is less than Rs. 34 per day.

Based on her long experience, she suggested that every employer who keep school going age domestic workers, has to compulsorily send them to school and the adult one to non-formal education class. Every domestic workers should have to define working hours and leave facility.

Wage and benefits in exchange of their work is the major concern of the workers to support their family.

Half an hour rest during the work is mandatory by the Labour Act, but in practice 27 percent domestic workers have to work from early morning to late night tirelessly. This may be because the Act could not cover the domestic workers. Only 27 percent owners claimed that they have provided rest time during work. Rest of them have got limited time for interval either after morning meal (54%) or after Tiffin (14%) or any time after finishing assigned work (5%). Majority of the workers were informed about the nature of work to be done in present houses informally prior to join work.

5.6 Status of Part Time Worker

Of the total domestic workers 25.7 percent are working as part time worker or live-out worker according to the workers but the proportion is slightly low according to the employers. In this context, the workers may be the authentic source. Mostly, they work regularly all the days of the week. Majority of them are involved in washing dishes, cleaning house as well as bathroom, washing clothes and helping in kitchen. They work for one or more houses in a day regularly walking up to 20 minutes one way. Part time domestic workers said that they are spending 1-5 hours in a house per day where majority spends 2-3 hours. Monthly wage payment is common to such workers where some were paid weekly as well.

5.7 Status of Wage and Benefits

Majority of the workers (part time or full time) have involved in this occupation because of poverty. Thus wage and benefits in exchange of their work is the major concern of the workers to support their family.

The survey results shows that only 63 percent workers (51% male and 67% female) are receiving wage for their work where rest 37 percent are working without wage only for food and lodging, though some of them have got chances to study at formal or informal educational institutions in the expenses of their employers. Contrary to this, 79 percent employers claimed that they are providing wage to their worker as the substitute for their work. This may be true while adding the child who only receives the educational expenses against their work as wage earner which is about 20 percent as claimed by the employers.

There is vast difference in the wage paid to the workers. It varies from less than Rs 500 to more than Rs 3000 per month. Among the wage receiver, the amount of wage received from male is more than that of female. A rough estimate made on the basis of the survey information showed that the mean monthly wage is Rs. 1,940 for males and Rs.1, 583 for a female which is far below in comparison to the minimum wage of unskilled workers in manufacturing sector (Rs. 6200). Of them who are receiving wage, 7 percent could not say the amount that they are earning in substitute for their hard work (Table 5.9). This information clearly indicates the violation of ILO convention No. 100 (Equal Remuneration Convention) that is already ratified by the Nepal government.

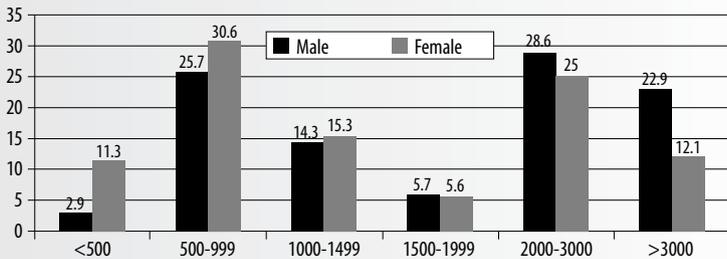
Among the wage receiver, the amount of wage received from male is more than that of female.

Table 5.9 Average Monthly Wage by Sex

Monthly Average Wage	Male	Female	Total
<500	2.9	11.3	9.4
500-999	25.7	30.6	29.6
1000-1499	14.3	15.3	15.1
1500-1999	5.7	5.6	5.7
2000-3000	28.6	25.0	25.8
>3000	22.9	12.1	14.5

Source: Field Survey, 2010.

Figure: 5.2 Wage Differentials by Sex



Wage rate of the domestic workers working in Katmandu Valley is remarkably high (Rs. 2,065) in comparison to the workers of outside valley (Rs.1, 109). It also varies between full time and part time workers. Normally, full time workers receive more wage than the part time workers. The low wage of the part time workers can be justified that usually they work less hours than full time workers.

5.8 Forms of Wage and Mode of Payment

Domestic workers receive their wage in various forms (Cash, kind, debt repayment, and deposited in their bank account and bear educational expenses). Cash payment is the major form of wage payment to the domestic workers. Among the total workers reported 55 percent received only in cash, only 3 percent in kind, 22 percent in both cash and kind, 2 percent deposited in their bank account. 15% receives their school expenses (whatever may be the amount) as their wage by their employer. Normally, wage is paid on monthly basis (2/3) and annually (1/4). Among the wage recipient either in cash or kind or both two thirds collects their wage themselves either monthly or annually whereas wage of the one-third workers (mostly children) is collected by their parents/guardians. This proportion is 52.5 percent and 30 percent as reported by the employer respectively. Sixteen percent workers wage is regularly deposited at their bank account so that they can save their wage for necessary expenses.

Besides wage, receiving one or more benefits are common as reported by all workers. That is food, clothing and lodging given to the live-in workers by most of the employers. Part time workers have also had their meal sometimes. It depends on the nature of work they do and also the nature of employers. But normally, they receive clothes once a year especially in *Dashain* festival if they work regularly. Besides that pocket money during festivals, medical expenses, transportation cost to visit their family, second hand goods, especially clothes for the workers themselves and their family are the provided by the employer to their regular workers. On an average there is not much variation in such

Domestic workers receive their wage in various forms (Cash, kind, debt repayment, and deposited in their bank account and bear educational expenses).

benefits to those who receives wage and not getting wage in exchange of their work except education expenses.

5.9 Leave Facilities

Paid leave and rest facilities are the rights of the workers mentioned in the ILO Conventions and ratified by the Nepal Government. Among the domestic workers who received wage in any amount, 72 percent were not receiving any leave facilities while it is 27.6 percent among non-wage receivers showing significant variation in leave facility between wage receivers and non-receivers. Those who received leave facility are benefited less than 5 to 30 days paid leave per annum. There is not much variation on the number of days leave between wage receivers and non-receivers (Table 5.10). This indicates that large number of domestic workers were exploited much depriving from wage and leave facilities. Employers also accepted that among them slightly less than one-fourth (23.6%) did not provide any leave to their domestic workers. Of those who had provided leave mostly gets up to 15 days annually during festival and at the time of necessity of the workers. Some of them (9.4%) were providing more than 15 days.

Table 5.10 Numbers of Days Leave per Year

Status of Leave	Those who Gets Wage	Those who are not Receiving Wage
Less than 5 days	17.1	22.6
5 to 15 days	58.6	61.3
15 to 30 days	24.3	16.1

Source: Field Survey, 2010.

Of the total workers 78 percent were benefited from leave facility. They took leave mostly to visit their home during festival and other occasion. The proportion of workers taking weekly, monthly and annual leave were only 22 percent of the. Their employers also accepted the views of workers and also added those who could not visit their home were also in family contact through phone.

Normally, domestic workers wanted to visit their house time and again only because to solve their family problem (49%) and heavy workload at present workplace (35%). The third major reasons that motivated them to visit their home frequently were due to bad environment (availability of food, lodging, behavior of the employer and their family) than their own home.

5.10 Living Arrangements

The quality of food and lodging facilities provided to the live-in workers were the major variables to evaluate the honor or exploitation of work. Some domestic workers may have relatively good treatment and lifestyles whereas others are living and working in most intolerable conditions. In this survey most of the respondents reported having no major problem in their living arrangements. Workers response and observation by the field researchers regarding the status of living arrangements differ due to employers' intervention while discussing. More than 90 percent workers reported that the food they ate at the employers' house is good because they have been given the same food what the employers' take. Only 5 percent households cooked separate food to their domestic workers while the slightly less than that showed their dissatisfaction with the

6 Only a few houses have separate quarter or room for domestic workers.

food provided to them because they are compelled to eat only leftover (UBRIAKO, JUTHO, PURO, BASI) meal (Table 5.11). The employers have also supplied more or less the same information in this issue.

Table 5.11 Quality of Food Provided to the Workers at Work Place by Sex

Quality of Food	Male	Female	Total
Same Food	89.5	90.8	90.4
Separate Food	3.9	5.4	5.0
Leftover Food	6.6	3.8	4.6

Source: Field Survey, 2010.

Lodging facility did not only reflect the comfort to the workers but equally concerns with their security and health hazards. In Nepalese society, only a few houses have separate quarter or room for domestic workers whereas in other houses they are compelled to sleep or have to adjust either at space below the stairs, plinth area, corridor, kitchen, living room or sharing the room of family members either on the floor or upon a bed. The surveyed domestic workers are compelled to sleep in either one or the other options as listed above. Among the male workers 38 percent have got opportunity to sleep in separate room (either quarter or room) while the percentage of female workers getting such facility is high (47%). Female have more chance (24%) to sleep sharing family bed room compared to male (10%). The reasons behind providing separate room or sharing room for females is associated with security (from harassment to rape) of the workers (Table 5.12). The information provided by the employers differs in this case remarkably. Out of the total employer 52.3 percent (42.9% male and 55.6% female) have allotted separate room for

the workers where 27.3 percent (23.8% male and 28.6% female) were adjusted in their family members' bed room. The 14.3 percent male and 9.5 percent female workers were accommodated either in kitchen or guest room to sleep at night.

Table 5.12 Type of Place Provided for Lodging by Sex

Type of Place	Male	Female	Total
Space below the stairs	9.5	0.7	3.6
Separate quarter or room	37.9	47.3	44.1
Plinth area	17.6	1.4	6.8
Verandah or corridor	2.7	1.4	1.8
Sharing the room of family members	9.5	23.6	18.9
Kitchen or living room	21.6	25.0	23.9
Others	1.4	0.7	0.9

Source: Field Survey, 2010.

Almost female workers and 96 percent male workers reported that the quality of mattress they use is good/very good and all they were satisfied with it.

5.11 Environment of Work

Only 30 percent male and 40 percent female workers responded the questions related to harassment and misbehave with them. Among them 25 percent male and 46 percent female respondents were not suffered from any kind of harassment or misbehave while three-fourth male workers and 54 percent female workers suffered from such evils in and outside the house where they were working at present. Among the

6 Among the various forms of harassment and misbehave, abuse was the major one for both the male and female workers.

various forms of harassment and misbehave, abuse was the major one for both the male (59%) and female (67%) workers while beating (26%) was the second cause for male and psychological threat (25%) to the female. Sexual harassment was reported only by slightly more than 4 percent female (Table 5.13).

Table 5.13 **Type of Harassment/Misbehave by Sex**

Type	Male	Female	Total
Abuse	59.3	66.7	64.6
Beating	25.9	4.3	10.4
Psychological torture	14.8	24.6	21.9
Sexual	-	4.3	3.1

Source: Field Survey, 2010.

Unknown person while going to market or school were the major (28.2%) harasser of the domestic workers followed by employers and their family members (24.7%) and outsiders (23.5%). They were also harassed by neighbors, relatives and guests of the employer, co-workers and school teachers (Table 5.13). Eighty-four percent employers said, there is not any kind of harassment to their workers while 11 percent said sometimes they abused them. Few of them accepted that their female workers some time were suffered from sexual harassment mainly by outsiders.

Table 5.14 Description of Harasser by Sex

Description	Percentage
Employer and his/her family members	24.7
Relatives and Guests	8.2
Unknown persons while going to market & school	28.2
Outsiders	23.5
Co-workers	4.7
Neighbours	7.1
School Teachers and Students	3.5

Source: Field Survey, 2010.

Only female workers suffer from sexual harassment. They experienced from one or more type of harassment such as whistling, following, touching sensitive part of their body and also rape or attempt to rape. More than three-fourth domestic workers experienced other types of harassment or misbehave with them from the employer while those suffered sexual harassment some said it is frequently and others said it happens sometimes.

Among the workers suffered from either type of harassment 78 percent have complained it to their friends (43%), employer (13%), parents (6%), social organization (5%) and police (2%). And rest 22 percent found silent (Table 5.15) mainly because they have no hope of justice on the one hand and fear to leave work and shame on the other.

Female workers suffer from sexual harassment.

Table 5.15 Status of Complain against Harassment

Status	Percentage
No complain	21.9
Employer and his/her family members	12.5
Parents/guardians	6.3
Friends	42.7
Social Organizations	5.2
Police	2.1
Others	9.4

Source: Field Survey, 2010.

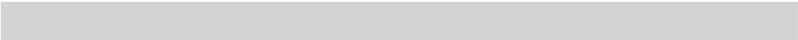
Almost all the workers who complain against harassment/misbehavior with them got positive response from the concerned individuals and institutions.

Here it is important to note that the various cases of domestic violation have been frequently reported by various Medias. In most of the cases of abuse, misbehavior, maltreatments, torture, etc., high profile officials those who are legally liable to protect the people are associated. However, this study could not dig out such cases because of the direct intervention of the employers.

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CHAPTER VI

Workers' Perception on Various Issues

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6.1 Knowledge of Labour Act and Unionization

Nearly three-fourth domestic workers have no knowledge of their rights while only 15 percent have little knowledge gained from trade union activists, friends, media and school. About 12 percent workers found silent in this issue. Contrary to this, nearly three-fifths employers of domestic workers know the workers' right but most of them were reluctant to implement in practice. Regarding the knowledge of Labour Act 1992 and its provisions, 28 percent workers remain silent, 47 percent said they don't know the Act while 13 percent reported that they have heard about the Labour Act but didn't know the provisions in it for the welfare of the workers. Only 6.6 percent have little knowledge on the provisions where 5 percent reported they have good knowledge of the Act and its provisions (Table 6.1).

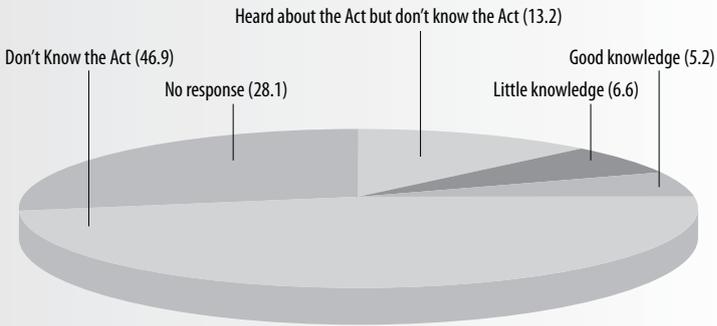
Table 6.1 Status of Knowledge of Labour Act

Status	Percentage
Don't Know the Act	46.9
Heard about the Act but don't know the Act	13.2
Little knowledge	6.6
Good knowledge	5.2
No response	28.1

Source: Field Survey, 2010.

Employers of domestic workers know the workers' right but most of them were reluctant to implement in practice.

Figure: 6.1 Knowledge of Labour Act



GEFONT has registered Nepal Independent Domestic Workers Union (NIDWU) as one of the national trade union federation on February 2006 as a first domestic workers union even in South Asia. This union has been working to establish identity of domestic workers. It also ensures their rights, socio-economic upliftment and guarantee social security by addressing the problems faced by them. Now this union has 708 members from 11 districts. But out of the surveyed workers only 8 percent know the NIDWU from friends, union activists and media indicating that the concerned activists of GEFONT and the executives of this union have to work hard to reach up to all workers to organize and aware them to fulfill its objectives. Among the different medium that helps to transfer the knowledge about NIDWU, the role of friends gives the impression more effectively.

Among the workers who know NIDWU, only 27.5 percent were the members of this union. This result indicates that now only few domestic workers (about 2%) are organized and have to make intensive effort to bring them in unionization process. Those who become the member of the union were expecting to protect their rights to save or prevent them from exploitation. Likewise, those who knew or heard about NIDWU but deprived taking membership said they have no knowledge about the place from where they can get membership. About one-tenth were not interested to become members.

In this context, the issue of unionization is also asked with the employers of the surveyed workers that help to understand very low unionization rate prevail in this sector. Only 9 percent employer said that their workers are the member of trade union while 40 percent were unknown about the affiliation of their worker with trade union. Nearly 36 percent employers informed that their workers were deprived from unionization mainly because they didn't know the place and procedures for getting membership of the union concerned whereas some workers themselves were not interested to join it.

6.2 Satisfaction from Present Job

This information was also affected by the direct intervention and threat of the employers during survey. Based on the available information the level of satisfaction of the workers from their job is an important in the world of work. More than 86 percent respondents were found happy with present job and place of work though the degree of happiness differs. Females were happier than male (Table 6.2). It was also known

“The member of the union were expecting to protect their rights to save or prevent them from exploitation.”

that almost all owners of domestic workers were found satisfied from the work performance of their workers.

Table 6.2 Status of Happiness at Present Workplace by Sex

Status	Male	Female	Total
Very much happy	15.0	23.1	20.8
Very happy	51.3	58.2	56.3
Happy	11.3	8.7	9.4
Unhappy	7.5	3.8	4.9
Very unhappy	2.5	1.4	1.7
No response	12.5	4.8	6.9

Source: Field Survey, 2010.

One or more reasons were found responsible being happy in the job carried out by them at present. Among them good behavior of the employer, opportunity of study, cooperative nature of the employer and their family members were the major ones as reported by the domestic workers. Likewise, more comfort/happiness than their home, reasonable wage and benefits according to their contribution as well as leave facilities as and when needed were the causes for being happy in present work (Table 6.3).

Table 6.3 **Reasons for being Happy**

Reasons	Percentage
Good Behaviour	32.2
Cooperative Nature	16.8
Comfort than own House	10.6
Reasonable wage as of work	6.4
Leave facility in case of need	14.0
Opportunity of study	18.9
Others	1.1

Source: Field Survey, 2010.

Among the domestic workers who have expressed their dissatisfaction with present job highlighted that overload or excess workburden (40.6%), no wage according to work (15.6%), could not get leave when needed (15.6), lack of educational prospect (14.6), misbehave from employer and the family (9.4%) were the major reasons of dissatisfaction. But 89 percent workers perceived that their employer has evaluated their work as good, better and best where 11 percent did not response this issue.

6.3 Condition for Return Back to Home

Of the total domestic workers came from different places, one-tenth were not interested to return their home because of various reasons where majority of them (34%) were interested to return home if income generating activities as well as skill training were available in their native place. More than 26 percent express opportunity of study as their pre-condition to back return back. Eight percent reported that they were ready to return home at any time if the environment of adjustment was

The laws, acts and regulations dealing with OSH concerned only with formal sector workers.

created or developed in their family. One-fifth workers were remaining silent on this issue (Table 6.4).

Table 6.4 Willingness to Return Home

Status of willingness	Percentage
Not interested to back home	10.0694
If income generating activities are available	24.6528
If Opportunity of Study is offered	26.3889
If Vocational or Skill training offered	9.375
if the environment of adjustment is created	7.98611
Others	0.34722
No Response	21.1806
Total	100

Source: Field Survey, 2010.

6.4 Occupational Safety and Health (OSH)

The issue of OSH is very important in the world of work but this concept is new in Nepal. The laws, acts and regulations dealing with OSH concerned only with formal sector workers whereas domestic workers were not covered by these provisions. Majority of the domestic workers have no knowledge about it. This is true because among the various jobs in the labour market, domestic sector is in the less risk bearing category. Some of the workers have got the OSH tools for their safety but mostly did not use them considering worthless/useless and uneasy while others are not bothering about such tools because of ignorance.

Among the domestic worker 34.3 percent (22% male and 40% female) have not affected by any type of accident while working. About 22 percent were injured from the tools/weapons used in the house especially in kitchen (22%), fell down (18.5%) and burn by the fire in the kitchen and iron are the major accidents experienced by the workers during work at present place. Beside these, shocked by electric current was also the major accident faced by them (Table 6.5). No single respondent experienced major accident during work as domestic worker.

Table 6.5 Type of Accident/Injury at Work Place

Accident/injury	Male	Female	Total
No accident	22.2	40.2	34.3
Burn	18.8	13.4	15.2
Fell down	20.5	17.6	18.5
Cut by tools	24.8	20.5	21.9
Shocked by Electric Current	12.8	7.1	9.0
Others	0.9	1.3	1.1

Source: Field Survey, 2010.

Among those who suffered from one or the other type of accident, 68 percent have got medical treatment from their employer while only 4.3 percent received both medical expenses and compensation of injury. But more than one-fourth domestic workers receive neither medical expenses nor compensation provided by the national laws. Contrary to this, the employers viewed that 76 percent of them had provided both medical expenses and compensation to the workers whereas 5 percent gave only medical expenses. While 19 percent owner themselves accepted that they have given nothing against accident of the workers.

Most of the domestic workers were suffered from one or the other disease/sickness.

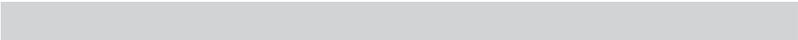
Most of the domestic workers were suffered from one or the other disease/sickness. Cold, cough, fever, sore throat, stomach pain, and swelling hand and foot, back pain were the major diseases caused by the work. Allergy, respiratory problem, eye problem were other diseases that affects the workers to a lesser extent. Employers' paid for medical treatment of their workers during services. Most of them have taken away their workers either at clinic or pharmacy (54.2%) and hospital/health posts (33.5%). Some employers have provided medicine at their home where few were rushed away at traditional health practitioners. Majority of the employers also confirmed that they were bearing all the medical expenses of their worker while they fell sick.

The employers have viewed the importance of the study differently but the majority have shown positive attitude. They further suggested that it was an important task done by the workers' union to protect the workers from exploitation but the outcome of the research should implement in practice for the welfare of the workers concerned. Likewise, such research should conduct regularly and needs to cover larger areas and number of workers. This study will be the milestone to uplift the status of domestic workers in Nepalese society in future and also save them from exploitation. While summarizing the views of the employers' it can be concluded that everybody should honor the work whatever may be the type. The organizations working for the workers (trade unions, INGOs/NGOs) have to shoulder the responsibility to establish workers' rights in the world of work. At the same time (while talking about the rights) they also have to keep in mind their duties honestly.

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CHAPTER VII

Conclusion and Recommendations

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7.1 Conclusions

Nepal is one of the poorest countries in the world and in the SAARC countries where many people are forced to be domestic worker to get rid of starvation. Keeping domestic worker is a common phenomenon among the better off family. They are concentrated mainly in the urban and semi-urban areas as live-in or live-out basis. They are facing various problems at work place. The importance of domestic worker increased further due to social transformation process becoming faster and increasing trend of women employment outside home especially in urban areas is also accentuated the situation.

Large numbers of Nepalese have been compelled to involve as domestic worker mainly because of poverty. They work from early morning to late night. It is also one of the unsafe jobs where workers were deprived of their basic rights.

The study aimed to explore their situation working in the sample urban centers of Nepal. The long term purpose of the study is to organize them under the umbrella of trade union. Information obtained from the nine municipal areas representing all the five development regions of Nepal where concentration of domestic worker is assumed substantial. A total of 288 domestic workers (28% male and 72% female) and 106 employers (58.5% male and 41.5% female) were interviewed from the different clusters of 23 wards. Case study and FGD methods/techniques helped to triangulate and validate the information.

The employers also accepted the rampant use of child labour in domestic services.

The incidence of domestic workers differs greatly in urban and rural areas. It varies greatly within the urban areas. Their incidence in the selected nine urban areas is found 17.3 percent while in other municipal it is estimated about less than half of it. Based on the incidence it is estimated a total of 162,302 domestic workers working in Nepal.

Though Interim Constitution of Nepal (2007) mentions the provision of workers' right, but Nepal does not have specific laws dealing with the issues of domestic workers. Child workers have protected to some extent from the Child Labour Act, 1992. The Domestic Violation (Prevention) Act, 2007 does not seem effective to protect the worker rights. It is known that larger proportion of domestic workers is from the same district with few exceptions. Children's are the major employee in this sector, basically, from the poor family where children are considered as assets rather than liabilities and send them to earn livelihood. The employers also accepted the rampant use of child labour in domestic services.

The study could not validate the notion that the Brahmin and Chhetri are considered elite class and enjoying much. In practice, these casts are also working as domestic workers and keeping them as well. Thus the study could not corroborate the hypothesis that caste is one of the obstacles of development, however, in this case class is much more important than that of caste. Not only caste and class, there is positive relationship between level of education and hiring of a domestic worker. From the occupational point of view of the employers; the government officials and business community alone occupies 72 percent domestic workers. All types of family relation have been supplying domestic worker.

Literacy rate of the domestic worker is higher than that of national average school age children. As of the national tendency, illiteracy rate of female workers is high than the male. Employers have disclosed that those who have completed Bachelor level study are also working as domestic worker in their house reflecting the poor employment situation of the country. Among the total respondents (aged less than 24 years) 15 percent boys and 27 percent girls are deprived from study in the work place. The owners of 47 percent workers claimed that they are providing opportunity to study. This is quite authentic because it more or less corroborates with the views of the workers. Among those who got the opportunity mostly enrolled in public and community schools. There is remarkable difference in opportunity to study between wage recipients and non-recipients. Among the later groups only 4 percent did not get opportunity to study during work where the proportion deprived from educational opportunity among the former group is 35 percent. More than 90 percent employers claimed that they are bearing educational expenses of their workers either paying wage or not.

They have to fulfill the desire of the employers as no contract, no terms of reference existed. They are always suppressed and oppressed by the employers due to lack of bargaining power, the ineffective or non-existence of unionization and lack of legal protection. Whatever may be the situation; the workers are working in the same house since less than one year to more than nine years. And there are cases of shifting from one house to another because of illicit behavior of the employer, beaten by the employer and his family members, scolding, excessive work, deprived of educational opportunity, worst condition of food and lodging and more wages and benefits in the present place.

Major factor that deprived them from study is the poor economic condition of their family.

Nearly three-fourth workers were full timer where 70 percent were working on live-in basis shouldering more responsibilities than that of the workers working as live-out. It is also known that the share of part time workers is increasing day by day because of unavailability of full timer on the one hand, and on the other hand, many employers prefer part time workers to escape from more obligations toward the full time worker.

They viewed that poverty is one of the major factors that forced about 90 percent male and 80 percent female workers in this profession. According to them, they are involved in this job to save their life from hunger and starvation. At the same time they also have to contribute their family income. Another major factor that deprived them from study is the poor economic condition of their family. Besides, there are some other reasons which inspired them to be involved in this profession. Such as- no interest to stay at home in the environment of domestic violence, no interest to study, hope to earn more, displaced mainly by conflict as well as natural calamities and urban attraction etc.

Family members were the major intermediary to find out employment. Friends are also another important source. However, the role of contractor and social workers found low.

No one (owner and worker) felt need of formal contract. Volume of work, wage and benefits of such workers depends upon the kindness of the employer. Workers were compelled to accept it due to lack of bargaining power. About half of the employers have also accepted the reality.

Domestic workers especially working as live-in basis are not permitted to confine only one or two works in the households and have to perform all the works within the household, seven days in a week starting from early morning to late night doing mostly kitchen and household work. There are little differences in the nature of work performed by male and female in the household. The working hour of the domestic worker is much higher than the established norms.

Being poor family, majority of them are involved in this occupation. Thus wage and benefits in exchange of their work is their major concern to support the family. The survey result shows that only 63 percent workers are receiving wage where rest are working only for food and lodging. Some of them have got chances to study at formal or informal educational institutions in the expenses of their employer. Contrary to this 79 percent employers claimed that they are providing wage. This may be true while adding the child who only receives the educational expenses against their work.

There is vast difference in the wage of the workers. It varies from less than Rs 500 to more than Rs 3000 per month. Among the wage receivers, the amount of wage for male is more than that of female, though it is less than one-third of the minimum wage of the unskilled worker in manufacturing sector. Wage rate of the domestic workers working in Katmandu Valley is remarkably high compared with that of outside valley. Cash is the major form of wage payment.

Besides wage some of the workers received pocket money during festival , medical expenses, transportation cost to visit their family, used goods-

Being poor family, majority of them are involved in this occupation.

especially clothes for the workers themselves and family provided by the employer to their regular workers. In exchange of their work except education expenses, on an average there is not much variation in the benefits to those who get wage and who do not get it.

Paid leave and rest facilities are the rights of the workers. The large number of workers is not receiving any leave facilities where leave differs vastly among the wage receivers and non-receivers. Those who received leave facility are benefited from less than 5 to 30 days paid leave per annum to visit their home during festival and other occasion. Employers also accepted that among them slightly less than one-fourth did not provided any leave to their domestic workers.

The quality of food and bed facilities provided to them is normally good and most of them expressed their satisfaction.

Less than two-fifths of workers responded the questions related to harassment and misbehave with them. Three-fourth of male workers and more than half of the female workers suffered from such evils in and outside the house where they were working. Among the various forms of harassment and misbehave, abuse, beating and mental torture. Sexual harassment is reported only by few female workers. Unknown person, employers and their family members, outsiders are the major harasser for them where neighbors, relatives, guests of the employer, co-workers and school teachers also involved in the harassment. Only few employers have accepted that their female workers suffered from sexual harassment mainly by outsiders.

Among the workers suffered from either type of harassment 78 percent have complain against harassment to their friends, employer, parents, social organization and police and got positive response from the concerned individuals and institutions. But in practice the victims failed to get justice.

Nearly three-fourth domestic workers have no knowledge of their rights. Contrary to this, nearly three-fifths employers knew the workers' right but most of them are reluctant to implement in practice. Only 8 percent workers knew about the NIDWU from friends, union activist and media. Only 27.5 percent of them knew NIDWU. This result indicates that now only about 2 percent domestic workers are organized. The less unionization rate is due to ignorance about the place and process to be a member.

The issue of OSH is very important in the world of work but the domestic workers never bother on this issue because of ignorance. Some of the workers have got the OSH tools but mostly did not use them considering worthless/useless and uneasy.

Very few workers have suffered from occupational diseases and minor accident during work. Among them 68 percent have got medical treatment from their employers while only 4.3 percent received both medical expenses and compensation. Contrary to this, only 19 percent owner accepted that they have given nothing against accident of the workers.

Compulsory registration of domestic workers in local bodies is a must.

7.2 Recommendations

Based on the above discussions and findings it is known that a single capsule is not sufficient to make the Domestic work Dignified and Decent in the labour market. All stakeholders concerning this sector - government, employers, workers, trade unions and social organizations should work for the betterment of the workers with synergic efforts to make their contribution effective and fruitful for the domestic workers. In this context, each party has to shoulder the following responsibilities.

7.2.1 Government

- Different studies have estimated number of DW differently to fulfill their own objectives without using scientific variables and tools of projection. In this context, compulsory registration of domestic workers in local bodies is a must. It is necessary to implement DW friendly programs to make the workers aware on their rights and duties.
- They are not considered as worker in the labour market only because of nature of work. On the other hand, no national laws and Acts are promulgated to protect and promote such workers. All the acts, laws, policies are silent over the issue of domestic worker. Thus it is an urgent need to introduce a separate act for them in the case of drafting or reforming new labour law domestic workers should be included and needs to implement it effectively by the government to protect the domestic workers. At the same time an effective labour inspection mechanism should developed in each work place including sphere of domestic works.

- The practice of written contract between employer and workers is almost nil in domestic work. Only institutional workers in this occupation have appointment letter and terms and conditions of work in written form but their number in total workers is very insignificant showing almost all domestic workers are working without any formal agreement. Thus it is necessary to implement a mechanism of compulsory written contract incorporating all terms and conditions of work and benefits against the work backed by legal protection.
- As survey findings indicated that the negligible proportion of the total workers is aware of workers' rights. Thus it is necessary to conduct awareness campaign on workers' rights targeting both the workers and employers all over the country focusing urban areas where concentration of domestic worker is intensively concentrated with the coordination of the trade unions, private sector and civil society.
- While conducting national census (by the Central Bureau of Statistics), information of domestic workers should be included as a separate category. This information helps to know the number of domestic works in the country and their status as well as their concentration that helps to prepare programs and planning for their betterment.
- Due to lack of skill and education large numbers of Nepalese people are compelled to work in domestic chores with low wage and high responsibility. The government has to organize skill training programs to improve the status of the working community providing better skill. By acquiring better skill they can earn more and involve as self employed. Similarly, they can shift their occupation outside

It is necessary to implement a mechanism of compulsory written contract incorporating all terms and conditions.

the four walls of individual's house. At the same time it is also equally necessary to aware the workers on occupational safety and health.

- The issue of domestic work is directly related with the Ministry of Labour and Transport Management whereas indirectly related to the Ministry of Home Affairs, Ministry of Local Development and Ministry of Women, Child & Social Welfare. But no effective coordination is found among these ministries. Thus, it is urgently needed to establish coordination between these ministries and other institutions working/associated with the issues of domestic workers.
- Fixation of minimum wage is started from 1965 in the manufacturing sector. But all the workers outside manufacturing sector, Tea estates and other agriculture workers are deprived of this provision. Domestic workers (who are not counted as worker in the labour market) are not exception from it. In this context, government should have to fix the minimum wage of the domestic workers with effective mechanism to implement it.
- Poverty is the major factor that pushes the Nepalese children, youths and aged to involve as domestic worker bearing heavy exploitation, abuse and harassment. So, the poverty alleviation programs (skill training, income generating activities, food for work program, supply of food grains at subsidized price through implementing **Rasan Card**, provide opportunities for education at the place of origin of domestic worker) should be extended and implemented successfully all over the country especially in poverty ridden rural areas from where large number of domestic workers have been supplying. At the same time,

government has to focus on such programs that can generate gainful employment in the country outside domestic chores.

- At present large number of I/NGOs, CBOs are working with the domestic workers with a view to uplift their status. But they are not transparent enough. Considering the fact, the government must establish an effective monitoring and supervision mechanism.
- The government should build a mechanism to guarantee the conditions of domestic workers in terms of OSH and social security through the law.

7.2.2 Employers

- In Nepalese society domestic workers are treated as slaves sticking in traditional values and mentality. In the changing situation the employers should have to treat the domestic workers as of family member to boost up their morale as well as respect their rights.
- Employers also have to initiate to make written agreement with the domestic worker/s compulsorily incorporating all terms and conditions including wage and benefits as in the formal sector and should be committed to implement it properly.
- The employers of domestic workers should pay reasonable wage against their work.
- Many domestic workers especially children(GEFONT, 2007), expressed that their major goal is to study. Thus, it is the responsibility of the employers to create environment to study at school and at home.

The employers of domestic workers should pay reasonable wage.

- In formal sector laws and policies related to the workers are discussed in the tripartite committee and finalized commonly accepted document. But in unorganized sector it is difficult to formulate and represent the committee. Hence, employers should be positive on the laws and policies related to domestic worker formulated by the government.
- These days, a lot of media coverage focuses on the cases of abuse, harassment, torture and misbehave with the domestic workers from their employers in different part of the country violating the Domestic Violence (Prevention) Act. In this context each and every employers needs to implement/follow the act honoring workers' rights and dignity.

7.2.3 Workers

- Workers themselves have to aware of their rights and duties and responsibilities.
- There should be both way relationship between employers and workers. Hence worker also requires treating employers' family as of their own and needs to perform their duties honestly.
- Level of unionization determines the strength of the workers. So each and every worker has to organize in the union concerned to protect and promote their rights.
- The knowledge of the domestic worker differ each other regarding the workers' rights and unionization process. In such situation, the

knowledge and experience should replicate among the coworkers that helps to increase their strength quickly.

7.2.4 Trade Unions

- Trade Unions have to ensure formation of effective organization of domestic workers covering all workers in this sector.
- Trade Unions are the major and effective entity to organize/conduct awareness programs related to the welfare of the working community. Therefore, it has to organize massive awareness campaign for both the workers and employers regarding workers' rights all over the country especially at the origin of the workers coordinating with the government, I/NGOs as well as CBOs involve in this area.
- It is the organization involving to protect and promote workers' rights. Hence, it is necessary to act proactively by the unions to solve the problems regarding rights of DWs with high priority.
- Government is the responsible authority to formulate laws and policies related to domestic workers but it never found to be serious without pressurizing by the workers' union. Thus it is suggested that trade unions have to pressurize to the government to formulate pro-worker laws and policies addressing DWs.
- The survey findings revealed that the large numbers of workers have been working without wage and benefits due to poverty and lack of bargaining power. Those who are receiving wage against their hard work are very low in comparison to the workers of other sector. It is strongly recommended that the trade unions have to initiate to fix

6 Trade Unions have to ensure formation of effective organization of domestic workers. 9

the minimum wage of domestic workers and tie-up it with formal sector worker.

- Every day one or the other DWs are suffering from the harassment, abuse; misbehave as well as torture from the employers, his/her family and their relatives, outsiders as well as neighbors. Thus trade unions should protect the victims coordinating with concerned local bodies.

7.2.5 Civil Society Including I/NGOs/CBOs

- Since the beginning of the 21st century Many I/NGOs and CBOs have been conducting and advocating mass awareness programs intensively to develop awareness for the protection and promotion of the domestic workers in Nepal. But their efforts could not achieve the expected result. Consequently, these organizations have to implement their programs (awareness raising programs along with skill development training, income generating activities and support on formal and informal education program leading to self-dependence) coordinating each other including the government to achieve the targeted goals.
- Civil society is the first witness of mal-treatment with the domestic workers. In this situation civil society has to inform immediately to the concerned institutions regarding such activities happening in the society.
- All these organizations have to create social pressure to make domestic worker as dignified as others members in the society.

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Annex I

Study Team

Rudra Prasad Gautam, Ph D.

J. N. Prasain, Ph D.

Editorial Team

Rudra Prasad Gautam, Ph D.

J. N. Prasain, Ph D.

Puspa Karn, Ph D.

Umesh Upadhyaya

Pemba Lama

Ramesh Badal

Enumerators

Belimaiya Ghale

Amala Shrestha

Aruna Thapa

Ranju Bhattarai

Bijaya Subedi

Sharada Pode

Fulmaya Khartri

Kripa Karki

Sonu Danuwar

Rohini Dahal

Bechan Mahato

Ganesh Danuwar

Saraswoti Danuwar

Anil Katuwal

Annex II - Questioner

**Situation Analysis of Domestic Worker in Nepal
Interview Schedule for Domestic Workers**

Household No:

1. Address :
 - a. Working District
 - b. Municipality
 - c. VDC
2. Main occupation of employers:
 - a. agriculture;
 - b. government service;
 - c. NGO service;
 - d. industry ;
 - e. business;
 - f. contractor;
 - g. consultant;
 - h. don't know;
 - i. others

General Information (socio economic information)

3. Name and caste of respondent:
4. Age :
 - a. completed years.....
 - b. don't know.....
5. Gender:
 - a. male.....
 - b. female.....
6. Marital status:
 - a. unmarried.....
 - b. married;
 - c. other(specify)
7. Home address:
 - a. district;
 - b. VDC.....
 - c. Municipality.....
 - d. don't know
8. How many members are there in your home?
 - a. total
 - b. male.....
 - c. female.....
 - d. children.....
9. Who are in your family?
 - a. Mother;
 - b. Father;
 - c. Step-mother;
 - d. Step-father;
 - e. Grandfather/mother;
 - f. Brother/sister;
 - g. Uncle/aunt;
 - h. Spouse;
 - i. Son/daughter/daughter-in-law;
 - j. Others
10. Main occupation of your family:
 - a. Agriculture;
 - b. Government service;
 - c. NGO service ;
 - d. Aelf-employed;
 - e. Domestic workers;
 - f. Aagriculture worker;
 - g. Working in other sector;
 - h. Don't know,
 - i. Others

11. Allied occupations of your family members:
- a. Agriculture;
 - b. Government service;
 - c. NGO service;
 - d. Self-employed;
 - e. Domestic workers;
 - f. Agriculture worker;
 - g. Working in other sector;
 - h. Don't know; i. others

12. Describe land ownership or working land, its type and area:

S.N	Type of Ownership	Land area					
		Bigha	Kattha	Dhur	Ropani	Aana	Paisa
1	Landless						
2	Working in own land						
3	Working in other land						
4	Provided land to others						
5	Others						
6	Don't know						

14. Who own the land where your family settled?
- a. Own;
 - b. Rented;
 - c. Others but free of cost;
 - d. Agency;
 - e. Other (specify)
15. How many cattle/birds owned by your family?
- a. Number of cattle;
 - b. Number of bird;
 - c. Don't know
2. Which grade did you complete?
- 1. Illiterate;
 - 2. Literate by NFE;
 - 3. Primary (1-5 grade)
 - 4. Middle (6-8 grade);
 - 5. SLC/equivalent;
 - 6. Bachelors or above.

Types of works

16. What did you do before being a domestic worker?
- 1. Agriculture
 - 2. Government service;
 - 3. NGO service ;
 - 4. Self-employed;
 - 5. Domestic workers;
 - 6. Agriculture worker;
 - 8. Working in other sector;
 - 9. Don't know;
 - 10. Others
17. How many years did you completed as domestic worker?
- a. Month.....
 - b. Year.....
18. How many years have you been in this house?
- a. Month.....
 - b. Year.....
19. How many houses had you work before working in this house? No of houses
20. What were the reasons to quit the work in previous house?
- a. Verbal abuse;
 - b. Physical abuse;
 - c. Sexual abuse;
 - d. Over load;
 - e. False accusation;
 - f. Bad condition of fooding & lodging;

- g. No educational opportunity;
i. Others
- h. Expected better salary/ facilities,
21. Please explain the terms and conditions of work in this house?
a. Full timers (live-in at the employer's house);
b. Full timers (live-out from the employer's house),
c. Part-time;
d. Seasonal,
22. Are you working here alone or with your family members?
a. Alone;
c. all family members
b. Together with other family members,
23. What are the causes to become a domestic worker?
a. insufficient food and lodging;
c. Abandoned by family;
e. No environment to stay at home;
g. No opportunity to go school;
i. expected to earn more;
k. Other (specify)
b. Burden of loan;
d. Domestic violence;
f. Lack of interest of schooling;
h. Internally displaced;
j. Attraction of city;
24. How many members are there in your employer's house?
a. Total;
c. Female;
b. Male;
d. Children
25. Who made contact to you to work in this house?
a. Self;
c. Other family member other than parents;
e. Neighbors;
g. Middle man/woman;
i. Others
b. Parents;
d. Relatives;
f. Friends;
h. Social worker;
26. Do you know, whether there is any contract between you/middle person and employer's regarding work you have to do?
a. Written;
c. No any contract;
b. Verbal;
d. Don't know
27. Are you working under the same terms and condition (if there is any contract)?
a. Yes;
b. No

Nature of Work to be done

28. What are the works to be done here?
a. Cooking;
c. Dish washing;
e. Caring for old and young;
g. Household works together with gardening/agricultural works;
h. Household works together with taking care for cattle;
i. Shopping;
k. Others
b. Helping for kitchen works;
d. Cleaning house including bathroom;
f. Helping for employers business;
j. Laundry and ironing;
29. How many hours you have to work in a day?
a. Total hours;
b..... hours morning to evening;

30. Do you have any break during the working hours? (if you have it, at what time)
 a. no break at all; b. morning after meal;
 c. after mid-day meal; d. others

31. Did you know what works you have to do before you came here? a. Yes; b. No

32. Only part-time workers who work in multiple houses:

S.N	Type of work @	Working hours	Wage payment modality	Time to reach the house to work (in minute)

@ use code given in question no. 28

- a. Daily; b. Weekly;
 c. Bi-monthly; d. Monthly;
 e. At any time; f. Others
34. Do you know about occupational health and safety (OSH)? a. Yes; b. No
35. Whether you have provided OSH related instruments by the employers of house?
 a. Yes; b. No
36. If positive response from question number 34, are you using the OSH related instruments? If you are not using, what are the reasons?
 a. I don't use; b. Uninterested;
 c. Difficult to use; d. I don't feel necessary
37. Did any accident happen while working at this house? (if yes what are they);
 a. No accident happened; b. Fire burn;
 c. Fall down; d. Cut by working tools;
 e. Shock by electric current; f. Others
38. If such incident happened, did you receive medical treatment or compensation?
 a. Received medical treatment; b. Both medical treatment and compensation;
 c. Received nothing
39. Whether you fall sick while working in this house? (if yes, what types of sickness you suffered)
 a. No sick at all; b. Eye shore;
 c. Respiratory problem; d. Hands and foots swollen;
 e. Wrist pain; f. Stomach pain;
 g. Throat shore; h. Headache;
 i. Common cold and fever; j. Allergy; k. others

- c. Restricted to visit home;
e. Others
- d. No chance to meet;
51. What are the reasons not to visit home?
a. Heavy work load; b. Family problems;
c. Due to abuse/ maltreatment;
d. I don't like to go because here is better than at home;
e. Others
52. What sorts of food do you get?
a. Same food; b. Different food than that of owner family;
c. Only left over; d. Others
53. What is the condition of your lodging?
a. *Chhidi ko kothan*; b. Separate room;
c. Plinth area; d. *Barantha* or corridor; d. Family room;
e. Separate room for worker; f. Kitchen or common room
54. What is the condition of your bedding? a. good; b. okay; c. bad

Opportunity for Education

55. Are you studying/receiving training from anywhere?
a. Not at all; b. Government school;
c. Community school; d. Privet/Boarding school;
e. Non-formal education; f. Vocational education;
g. Others
56. If you are studying, which grade are you in? (those studying at formal school)
a. Grade
57. Do you have a chance to go to school regularly?
a. Yes I do have a chance; b. No I don't have a chance;
58. If you study, do you have a time to study at this house?
a. Yes, as I felt necessary; b. After completion of my work;
c. No time for study
59. Who pay the schooling fee?
a. Employer; b. Self;
c. Guardian; d. Social organization;
e. Others
60. If you are not attending school, what are the reasons?
a. No time; b. No permission granted by the employer;
c. I don't like/not interested; d. School is faraway;
e. Overage; f. others

Maltreatment/harassments

61. Did you encounter any types of maltreatment/harassments while working here?
if yes who did it and where did it happen?
a. Not at all; b. At the employer's house;
c. Outside

72. How far are you aware of the Labor Act of Nepal?
 a. Don't know about Labor Act;
 b. Only heard about the Act, but don't know what is the contents;
 c. Know a little bit about the act;
 d. Know very well about the act.
73. Are you enjoying the workers' rights provided by the Labor Act? a. Yes; b. No
74. Do you know about the Nepal Independent Domestic Workers Union (NIDU)?
 a. Yes; b. No
75. If yes, how did you know?
 a. Through trade unionists; b. Friends;
 c. Medias; d. School;
 e. Others
76. Are you a member of NIDU? a. Yes; b. No
77. If you are a member of NIDWU, why did you become a member?
 a. Expecting it to protect the rights of the workers;
 b. Just told by somebody;
 c. If worked in a united manner, we can get rid of exploitation;
 d. Others
78. If you are not a member of NIDWU, what are the reasons?
 a. I don't like; b. Did not feel necessity;
 c. Employer prohibited;
 d. Do not know where to go to become a member;
 e. Others
79. Are you satisfied working here?
 a. Highly satisfied; b. Satisfied;
 c. Little bit satisfied; d. Not satisfied;
 e. Very dissatisfied
80. What are the reason being satisfied?
 a. Good behavior of the employer; b. Get help when needed;
 c. Better condition than that at home; d. Paid according to work;
 e. Leave facility when needed; f. Getting opportunity to read and write;
 g. Others
81. If you are not satisfied, what are the causes of being dissatisfied:
 a. Mal-treatment by the employer and her/his family members;
 b. Heavy work burden; c. Mal-treatment;
 d. No educational opportunity; e. No pay according to work done;
 f. No leave facility in time of need; g. Others
82. How does the employer evaluate your works?
 a. Very good; b. Good;
 c. Satisfied; d. Not satisfied;
 e. Very unsatisfied

83. Do you want to return your home, if so, what provisions do you need?
- a. I don't want to go back home;
 - b. If income generation activity available, I want to go;
 - c. If educational opportunity available, I want to go;
 - d. If I get skilled training, I want to go back;
 - e. If homely environment at home, I want to go;
 - f. Others

84. What is your future aspiration?

.....
.....
.....

85. What measure do you want to suggest making the domestic work decent?

.....
.....
.....

86. Do you want to have any suggestion regarding this study?

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.....
.....

Thank you

Name & /caste & ethnicity of Enumerator
Name & /caste & ethnicity of Supervisor

Date: yyyy/mm/dd
Date: yyyy/mm/dd

ISOLATED WITHIN THE WALLS

TUC-Great Britain with solidarity sentiments came forward to extend cooperation on the issue of domestic workers. We have worked together and the small research with this book entitled **Isolated within the walls** is the outcome, which reflects a part of picture from our labour market of the least developed country.

GEFONT is committed to work for workers in informal economy and will continue right- based unionization, pressures, lobbying and movement for domestic workers also.

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