

*“Safeguarding the rights of domestic workers: Existing laws and ways to move forward”*

## **National Level Policy Advocacy Meeting for Incorporation of Domestic Workers rights in National Labour Law 2006**

**Tuesday, Jan 5, 2010, Time: 11:00 AM, Venue: VIP Lounge, National Press Club  
Organized By: Gender Resource Center (GRC), Democracywatch**



Domestic workers in any country form a marginalized and highly vulnerable group – this is especially so in Bangladesh. They are not only disadvantaged, but also disenfranchised. The situation is more acute due to the fact that a very high proportion of the domestic workers are children and women. They do not know about their rights and suffer in silence when these rights are violated. They work very long hours without any specified working conditions. In most cases, they do not have ways to ventilate their grievances. They do not have any practical and effective legal process to enforce their rights or to ensure their benefits and

privileges. Initiatives to change their plight are not strong enough to get any immediate result. For the political parties, the domestic workers are simply not in the agenda.

Gender Resource Center (GRC) of Democracywatch organized a national level policy advocacy meeting for incorporation of domestic workers rights in national Labour Law 2006, titled *“Safeguarding the rights of domestic workers: Existing laws and ways to move forward”* on January 05, 2010 at VIP Lounge of National Press Club, Dhaka.

### **Taleya Rehman**

Executive Director, Democracywatch

In her inaugural speech, Ms. Rehman welcomed everyone present in the seminar individually and also collectively. She synopsized the activities and supportive works of domestic workers they serve us. We do not recognize and perceive their creativity and productivity in household chores. Ms. Taleya Rehman, with reference to article 27 of the Constitution of Bangladesh, addressed that all are equal in the eye of law. But domestic workers can not enjoy their rights. Their rights as being human are frequently and impliedly violated. We only can come to know about these incidents when newsrooms publish bring these in light. It is special concern of civil society organizations that the most of victims of domestic workers are generally women and



children. Consequently, they are becoming more vulnerable to be victimized without any specific legal protection. She also added that the Labor Act, 2006 does not recognize domestic workers as labor. She further recommends for a legal platform including safe working environment, logical working hours, facilities, and rights for domestic workers. In this respect, Democracywatch has been working on increasing public awareness, advocacy, and review of existing laws. It's a new dimension that Democracywatch is conducting campaigns and project with collaboration of the guardians of domestic workers.

**Mr. Gagan Rajvandari,**

Deputy Director of International Labor Organization (ILO)

He welcomed all the participants on behalf of ILO. He presented a brief picture on existing



international efforts and tools in protecting the rights of domestic workers. Since the duties remain within the boundary of houses, their works usually remain invisible and unrecognized. Today domestic workers consist of a large labor force not only in Bangladesh but also in global perspective. The state of domestic workers is much vulnerable since most of the domestic workers are women and children. ILO is now promoting guidance, arranging conferences, and deliberating research, training and technical support. Mr. Rajvandari wraps up with a strong voice for recognizing domestic works as work with dignity. Organizing efforts for building awareness of domestic workers need to be raised. The enforcement gap between promulgation and implementation of specific law should be minimized.

The seminar article is presented by advocate Mr. Ershadullah and advocate Mr. Taposh Bondhu Das on behalf of Mr. Dr. Naim Ahmed.

**Ms. Mansura Akhter**

Coordinator of Gender Resource Center, Democracywatch

She shared her empirical experience with the participants. Democracywatch began their project in Dinajpur and Nilphamari as a large number of domestic workers generally comes town from these areas. They initiate awareness building integrating both domestic workers and their families through yard meetings. Union Parishad representatives, officials and general people are



involved in this process. Research on this issue should be emphasized. Ms. Mansura Akhter also recommends for a registrar system including contact address by which we can track domestic workers individually for further assistance and proper policy. The pilot project is not enough, now it's the high time for a national program to serve it in all extent.

There was an open discussion session where opportunity to participate in discussion matters. Several guests from various organizations take part in the discussion.

**Sultan Uddin Ahmed**

Secretary General of Bangladesh Institute for Labor Studies (BILS)

He supported the view of amending existing laws because passing a new law in Parliament is a very time-consuming process. A draft proposal with specific recommendations has already been submitted to government. He suggests for organized effort, awakened media watch and follow-up duties.



**Ms. Sumaiya Islam**

BOMSA

She emphasized also on migrant domestic workers working in abroad. She suggests for a system so that they are not hindered economically. Government with support of ILO should be proactive in this extent.

**Mr. Abul Hossain,**

Trade union leader, Bangladesh Workers Party

He agreed about their collective failure for not to achieve goals for organizing domestic workers. He hopes that the next conference of ILO will address especially on domestic workers. If we do not treat domestic workers with humane dignity, their creativity and productivity are also destroyed.



**Ms. Farida Yasmin**

Deputy Director of BLAST

She addressed the necessity of collective approach to fight with the problem. Besides recruiting agency or individual and domestic workers, government and guardians need to bring within the scope of awareness.

**Ms. Habibunnessa**

Nari Pakkha

She urged participants to think whether the village court will be entitled with new duties of solving problems for migrant domestic workers from rural to countrywide.

**Ms. Dr. Israt Shamim**

President, CWCS

She stated that we may initiate our journey through formal registration system of domestic workers including the nature of work, salary structure, medical leaves and working hours. She puts her opinion in support for a new law. It would be easy for police to file cases using new law in time of death, murder, suicide, etc. of domestic workers.



**Sultana Kamal**

Executive Director of Ain O Shalish Kendra (ASK)



Former Advisor of the Caretaker Government Ms. Kamal, took part in the meeting as a special guest. She reminds participants that the services of domestic workers are so implied that we can not perceive those unless their absence falls us in difficulty. Good practices need to initiate among all levels of citizens. Every citizen should remember and be inspired with the spirit of liberation war for an equal society for all. There may be debate whether for a new law or amending the existing laws, but no disregard for a process to ensure the rights of domestic workers. It is also more important to implement the laws precisely. Recommendations through national advocacy may make it fruitful to promote legislatures feeling the necessity of such a law.

## Mahbubul Alam

Editor, The Daily Independent

Mr. Alam said rights of the domestic workers couldn't be protected only by enacting laws. Besides formulating laws, awareness should be created among the people about their rights and laws should be enforced. He also added "The destitute situation of the domestic workers has been prevailing from the days of yore. But their fate could not be changed due to vested interests. There is no similarity between our speech in a seminar and our behaviour with the domestic workers. We have to change this mentality first if we really want to protect their rights," Law alone is not enough to protect their rights. There is a plethora of laws in the country and some of the laws were formulated more than once in the last 39 years after the independence. A social movement has to be launched to change the attitude of people towards the domestic workers.



In closing speech, Ms. Tahrunnesa Abdullah, Program Director Democracywatch, thanks all participants to attend the seminar and also to make it successful with active and spontaneous participation.

## Suranjit Sengupta

Member of Parliament , Chairman, Parliamentary Standing Committee  
Law, Justice and Parliamentary Affairs



Mr. Sengupta said that people join the undignified profession of domestic workers due to poverty. Poverty alleviation with employment generation and education is the only way to make their lives better. He also said more than 6 core people out of 15 cores in the country live below poverty line and so the existing situation of the domestic workers can not be changed unless the poverty and illiteracy can be removed from the country. The poor people need food and so they need work. They are hungry and so don't have enough time to see whether their rights are protected or not. Due to this vicious cycle of poverty they are ignorant about their rights. So,

first of all, before formulating a law to protect their rights, we have to wake them up otherwise it will be a law for the sleeping people, he added. There are a lot of laws in the country but all of them don't have equal application due to ignorance of the people about their rights. So, the people, especially for whom the law is formulated, have to be made aware about their rights, he added. "The domestic workers have no organization. They should be organized first. It's more a social problem than a legal problem. It's more a political problem than a social problem. This problem

could be easily resolved if the domestic workers were organized and motivated. He also said the government is willing to formulate law to protect the rights of this deprived and people but we have to think of the interests of both the victim and the beneficiary. Mr. Sen Gupta requested Democracywatch to proceed with legal review, making drafts and proposals for submitting to concerning Parliamentary Committee.

In closing speech, Ms. Tahrunnesa Abdullah, Program Director Democracywatch, thanked all participants to attend the seminar and also to make it successful with active and spontaneous participation.

### **Recommendations of Keynote Paper:**

The statute should declare a number of rights to be enjoyed by the domestic workers. The following list, even though not exhaustive, may be a starting point.

1. The right to livelihood.
2. The right not to be employed as bonded labour.
3. Prohibition of discrimination in employment on grounds of religion, race, caste, creed, sex, place of birth or any other reason.
4. A minimum age of employment to be determined by the government.
5. The right for written contract with regard to terms and conditions of employment.
6. The right to minimum wages to be fixed by an independent Wage Board.
7. The right to form unions for collective bargaining through appropriate mechanisms.
8. The right to get occupational and other safety measures.
9. Right to get protection from sexual harassment at work place.
10. Right to get medical care, employment, injury benefit, maternity benefits, group insurance, housing, gratuity, bonus and pension benefits.



# Lessons Learnt

**Lessons Learnt**

Democracywatch is working to ensure the rights of domestic workers rights from grass-root level. During this period Democracywatch faced lot of difficulties and risks. This kind of project is not very easy when the question of rights of workers comes in. It is sometimes hard to arrange a real platform for general people where they can raise their voices.

People have become aware of the PRDW concept but their expectations are high. They thought that this project would give direct service delivery. It is up to us to make them understand that it will contribute indirectly in the development process and also ensure people's participation in ensuring the domestic workers rights.

People are not convinced about NGO activists. A Lot of NGOs worked here previously. But most of them are doing credit programs and maintaining businessman relationship with local people. That's why they were surprised and unable to trust when they became aware about our activities. Finally we make them understand that this type work will definitely help in their development process.

Continuity of the project activities is the main theme to gain the ultimate result regarding this issue. A comprehensive plan of action and fun is required for further advancement of this project and the ultimate goal.



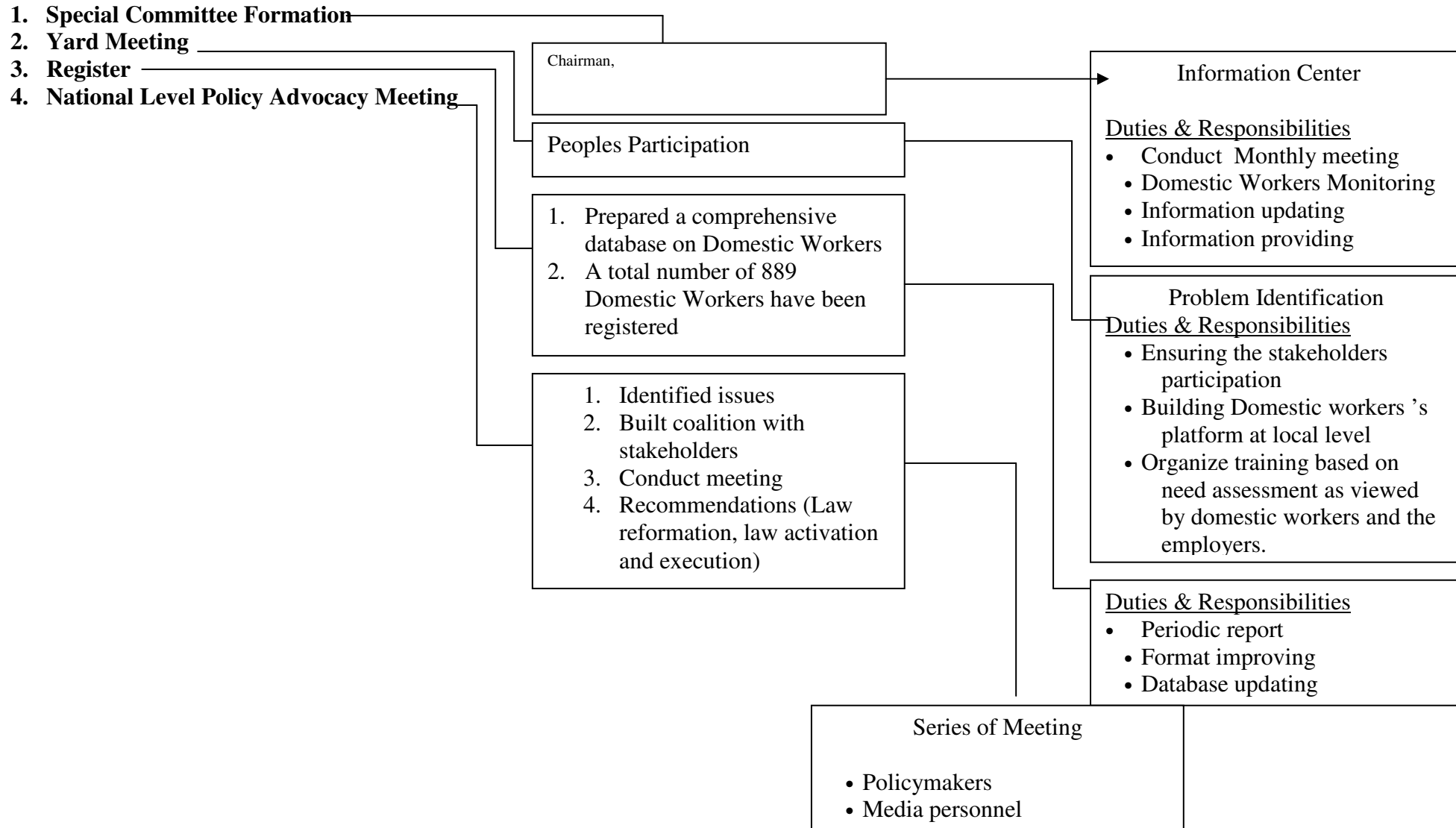
# Achievements

We have passed several months and achieved enormous success with in this period which are given below

1. 4 Special Committee have been formed
2. 889 domestic workers have been registered
3. 3,603 participants have been informed regarding this issue through 109 Yard Meetings
4. Produced a well-thought keynote paper for policymakers
5. Addressed the issue in National Level through massive media coverage
6. Introduced the rights issues of domestic workers at local level
7. Created a wave among the different stakeholders
8. Confirmed peoples participation in rights issue
9. Confirmed Government officials participation in rights issue
10. Regular monthly meeting between the special committee and the people.
11. UP Members are sitting on a regular basis with special committee
12. Different professional peoples are aware regarding the rights Discussion is going on with the Chairman and local people to establish the rights of domestic workers
13. Women members of are now actively raising their voice in this regard

# Way Forward

## Way Forward



## WAY FORWARD

**Introduction:** After completion of the pilot project we have shared our progress and achievement with a number of stakeholders and as a result of our sharing following way forward was suggested:

Program achievement was made in four major areas as mentioned below:

**Pilot Phase Achievement -1:** Formation of seven members of special committee at the local level to continue to deal with the issues of domestic workers.

**Way forward:**

- Seven members special committees will be strengthen further to carry out activities effectively.
- The committee will have regular monthly meetings to listen to the grievances of the domestic workers and their guardians, as well as the employer and to review the domestic workers problems and progress.
- The committee will monitor the domestic workers present status who are working in the locality as well as those migrated to other areas
- Updating the database
- Preparation of periodic reports based on the database
- To act as an information center as where they are going for various stakeholders.

**Pilot Phase Achievement -2:** Regular Yard Meetings in four Union of Dinajpur and Nilphamari: In order to promote the People's participation leading to a movement for domestic workers.

**Way forward:**

Yard meetings will continue for:

- Identification of Problems & Demands of the domestic workers from grass route level.
- Ensuring the stakeholders participation to promote the rights of domestic workers.
- Building Domestic workers's platform at local level to strengthen the domestic workers movement nationally. This will create a pressure group for formation and implementation of National policy.
- Organize training based on need assessment as viewed by domestic workers and the employers.

**Pilot Phase Achievement -3:** Registration of the domestic workers was initiated to prepare a database for domestic workers at local level. A total number of 889 Domestic Workers have been registered.

**Way forward:**

- Continue the database for the domestic workers at local level.

- Preparation of Periodic report based on the database.
- Improving the format for database as and when necessary
- Updating the database

**Pilot Phase Achievement -4:** National level advocacy meeting was arranged to share the field level findings on problems and issues of domestic workers as well as review of Bangladesh Labor act 2006.

**Way forward:**

Arrange series of meeting with Policymakers and Media personnel to facilitate policy decisions and create awareness among stakeholders leading to formation of a pressure group.

Arrange training for media personnel to take up domestic workers issues and their pride, to write about domestic workers situation and advocacy for policy change from human rights point of view. So that they will recommended for domestic workers law review and put concrete recommendations to media.

**Pilot Phase Achievement -5: Expansion of the program:** During the project period the project was implemented in four unions of Nilfamari and Dinajpur.

**Way forward:**

- The program will be expanded to cover all the unions of Nilfamari and Dinajpur for further intervention.

Program needs to be expanded besides Nilfamari, Dinajpur and Mymensingh from where domestic workers come to Dhaka.