

**Protection of domestic workers**

267. SHRI A. ELAVARASAN: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether the International Labour Organisation (ILO) has passed a landmark treaty that advocates protection for an estimated 52.6 million domestic workers across the world;

(b) if so, the details thereof;

(c) whether the new convention asked for individual country's ratification, calls for favourable working conditions and to ensure rights of domestic workers through written contracts;

(d) whether the International Convention would nudge India into framing a legislation regulating hiring of domestic workers and ensuring suitable working conditions;

(e) whether Government also proposes to include domestic workers as part of social security schemes like health insurance; and

(f) if so, the details thereof?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) The International Labour Conference of ILO (ILC) at its 100th Session held in Geneva in June, 2011 adopted the Domestic Workers Convention (C-189) supplemented by the Domestic Workers Recommendation (R-201).

(b) and (c) The main provisions of the Domestic Workers Convention and accompanying Recommendation are given in Statement (*See below*). The ratification of an ILO Convention is a voluntary process.

(d) to (f) The Central Government has enacted the Unorganised Workers' Social Security Act, 2008 for providing social security benefits to the unorganized workers which include domestic workers. The Government has also decided to extend health insurance scheme *viz.* Rashtriya Swasthya Bima Yojana (RSBY) to domestic workers.

**Statement**

*Main provisions of Domestic Workers Convention C-189 and  
Recommendation No. 201*

**Main provisions of Domestic Workers. Convention C-189**

The Convention provides that each member state of ILO will take measures to promote the fundamental principles and rights at work for domestic workers by ensuring freedom of association, collective bargaining and elimination of discrimination. Work performed in and for a household has been termed as domestic work. It is stated that steps will be taken to protect domestic workers from all forms

of abuse, harassment and violence and provide fair terms of employment and decent working conditions to them in the form of minimum wage coverage, safe and healthy working environment etc. Member states are required to set a minimum age for domestic workers in consonance with national laws and regulations. The Convention provides for protection of rights of domestic workers migrating abroad for employment by providing for written job offer/contract and regulation of private recruitment agencies to prevent fraudulent practices. It states that accessible complaint mechanisms should be established for domestic workers and system of labour inspection enforced.

**Main provisions of Domestic Workers Recommendation No. 201**

The Recommendation provides for various measures to supplement the provisions of the Convention. These include respecting the principle of confidentiality and privacy by ensuring that no domestic worker is required to undertake HIV or pregnancy test, providing adequate time for rest, leisure activities and family contacts, prohibiting night work and monitoring their working and living conditions. Member states have been advised to establish a model contract of employment for domestic workers indicating details of remuneration, hours of work, accommodation, meals etc. Member states have been encouraged to collect data to support effective policy making regarding domestic work, adopt code of conduct for diplomatic personnel to prevent violation of domestic workers rights and engage in bilateral, regional and multilateral cooperation to address issues relating to abuse of domestic workers. Provision for suitable education and vocational training for domestic workers has been suggested to enhance their professional competence and employment opportunities.

**Labour rights to domestic workers**

268. SHRIMATI KANIMOZHI: Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a) whether Government has taken cognizance of the Convention on Domestic Workers 2011;

(b) if so, by when Government proposes to ratify the Convention as it is binding on India and member-States of the International Labour Organization; and

(c) the details of current steps being taken by Government to provide labour rights to domestic workers in India?

THE MINISTER OF LABOUR AND EMPLOYMENT (SHRI MALLIKARJUN KHARGE): (a) The International Labour Conference of ILO (ILC) at its 100th Session held in Geneva in June, 2011 adopted the Domestic Workers Convention (C-189) supplemented by the Domestic Workers Recommendation (R-201). The Government of India delegation was also present in ILC.