



DOMESTIC WORKER/EMPLOYER RELATIONSHIP

PACSA Factsheet No.36

January 1992

INTRODUCTION

Many contradictions exist in the domestic worker/employer relationship which cause tension. Some employers complain of their domestic workers being inefficient, 'sullen' and petty thieves, but do not pay them a living wage, give them benefits and adequate live-in accommodation. Many employers will give domestic workers a key to their home, leave children in their care, and have other demanding expectations, yet they are not prepared to invest in their training and development. Furthermore communication between the domestic worker and the employer often occurs informally leaving room for misunderstandings.



Principles can be drawn from the bible to guide us in improving the domestic worker/employer relationship

CONTENTS

ALTHOUGH SOME CLAIM TO HAVE AN AFFECTIONATE AND EASY RELATIONSHIP WITH THEIR EMPLOYER OR DOMESTIC WORKER, MANY OTHERS HAVE HAD TENSE AND STORMY EXPERIENCES.



THIS FACTSHEET WILL EXPLAIN WHY THE WORKING RELATIONSHIP IS OFTEN UNSATISFACTORY

IT WILL ALSO MAKE SUGGESTIONS OF HOW THE WORKING RELATIONSHIP CAN BE IMPROVED FOR BOTH WORKER AND EMPLOYER



Many of the bible stories describe the relationship between masters and slaves/servants, the 'powerful' and the 'powerless'. At this time in history the keeping of servants and slaves was an accepted practice, within which God challenged masters not to cheat or take advantage of hired servants (Leviticus 19:13 and Deuteronomy 24:14) and challenged servants to be obedient, respectful and honouring of their masters.

Jesus spoke to people about their attitudes towards being a slave or a master. He said that it was necessary for all to serve in the Kingdom of God. He demonstrated this by washing the feet of others. Paul said that : "There is neither Jew nor Greek, There is neither slave nor freeman, There is neither male nor female, You are all one in Christ" (Gal 3.28).

Our equality and dignity in God's eyes has influenced the present worldwide move to establish basic human rights. All are encouraged to respect and protect the human rights of others and to ask with courage, determination and persistence for their own human rights to be acknowledged.

JOB SATISFACTION

Domestic work does not create much opportunity for job satisfaction, advancement or promotion. The work can be dull, repetitive, lonely and physically tiring.

The work offers little incentive for conscientiousness and self motivation. The negative fear of loss of employment, rather than positive incentives, is what motivates most domestic workers in their jobs.

RECOMMENDATIONS: * It is suggested that the employer plans for the development of the domestic worker through training in skills such as cooking, sewing, vegetable gardening and basic literacy



The domestic worker cares for the important needs of the employer's family but her own needs are often neglected.

RECOMMENDED PAY:

Skilled full-time workers should be paid **R673.00 a month** which should include meals and protective clothing. **Overtime** should be at the rate of **R7.00**. (Skilled workers are classed as those workers who cook, speak two languages, who undertake added tasks such as looking after children and the elderly).

Semi-skilled full-time workers should be paid **R523.00 a month** with meals, accommodation and protective clothing. **Overtime R5.23 an hour**. Where the worker lives out, transport costs should be added.

A **part-time skilled worker** (that is someone who works less than 25 hours a week for one employer) should be compensated at **R54.00 for an eight-hour day**. Breakfast and lunch and transport costs should be added to this. The **hourly rate** would be **R7.00** with **overtime** pinned at **R7.00**.

The **semi-skilled worker** should receive **R42.00 a day** with two meals and transport costs. The hourly rate and overtime rate per hour being **R5.23**

PAYMENT

A survey conducted in 1991 showed that many domestic workers in the Pietermaritzburg region were being paid wages falling far short of their basic living requirements. It is not unknown to find domestic workers in the city who are paid R120 p.m. after 20 years of full-time service.

Unfair payment can lead to resentment and demotivation in the domestic worker resulting in inefficient working habits. Domestic workers need to know their right for a fair wage for work done.

Asking for a living wage has often resulted in the domestic workers being retrenched because employers claim not to be able to afford this.

If a domestic worker is desperate for work and the employer cannot realistically afford to meet the basic wage recommendations it is suggested: *that the number of hours worked be reduced to match the pay the employer can afford.* that the domestic worker be paid in kind ie taught language skills. Alternatively give the worker space in your garden to grow vegetables or teach her to use your sewing machine. * that employers motivate for tax relief on wages paid to domestic workers .

For further information contact the Pietermaritzburg Advice Office
(phone: 426368)

DOMESTIC WORKERS UNIONS:

Although SADWU, South African Domestic Workers Union does exist, many domestic workers struggle to benefit from the collective bargaining and support offered by most unions. It is harder for domestic workers to organise than other workers because they are isolated, have irregular working hours and poor access to transport.

DOMESTIC WORKERS AND THE LAW:

The National Manpower Commission is in the process of changing labour legislation to include domestic workers. However in the past domestic workers have not been protected by the law, which meant that there was no obligation for their employers to meet their needs for a living wage and other conditions of service such as paid leave, medical aid, UIF, pension.

ADEQUATE ACCOMMODATION

Live-in domestic worker's homes should be provided with : * a door with a lock * a burglar- proofed window that opens * curtains, an electric light, chair, table, cupboard, bed with a good mattress, and a heater * a ceiling and floor covering * ablution facilities (a toilet that works, and shower or bath) * electrical fittings * facilities for cooking (such as a kettle and hotplate)

COMMUNICATION PROBLEMS

Many disputes arise out of misunderstandings during communication. Difficulties in communication are often caused by language differences and illiteracy and innumeracy amongst domestic workers. The informality of the home setting often results in the terms of employment and instructions being discussed casually, if at all. The enormous differences in social class position in the relationship, makes it very difficult for domestic workers to assert themselves sufficiently to ensure that their conditions of service are just and secured. The silence of many domestic workers is often seen as agreement by the employer.

RECOMMENDATIONS: * Drawing up a work contract outlining the terms of employment * making time for discussion regularly * keeping a written record of overtime, leave, payment etc * getting a fluent interpreter for important discussions



Communication often occurs informally leaving much room for misunderstandings

PENSIONS:

Many domestic workers reach retirement with little financial preparation. The disintegration of the traditional extended family has made domestic workers particularly vulnerable to poverty in old age. Although everyone over a certain age is entitled to a government pension, this is fast becoming inadequate for their needs. Furthermore, if the pensioner has any private income over a certain proportion of the government pension, they lose the government pension.

RECOMMENDATION: It is recommended that the domestic worker and employer discuss the pension funds available and use one appropriate to the worker's needs

DRAWING UP A CONTRACT OF EMPLOYMENT

To avoid disputes and misunderstandings it is important to spend time talking about the job and agreeing on what is to be done on both sides.

A written contract of employment protects the interests of both worker and employer. It can be done at the beginning of the work relationship or at some time later.

If it is agreed upon and signed by both the worker and the employer it serves as a legal document to be used in the event of a dispute.

Worker, make sure that your rights are protected. Take your time to understand fully what is written in the contract (ask for a translated copy of the contract or help from someone you trust)



Employer, realise that a worker may have difficulty in putting forward requests. Discuss every section of the contract to make sure that it is understood.

Name:

Address:

Telephone no:

ID Number:

1. EMPLOYMENT PERIOD

- * starting date of work
- * trial period
- * notice period and the way in which notice will be given
- * reasons for dismissal

2. SPECIFICATION OF TASKS

- * What the tasks are
- * When and how often the tasks are to be done

3. WAGES

- * rate of wages
- * when wages will be paid
- * how wages will be paid
- * deductions

- * overtime rates
- * increases in the future, and dates when they will be paid
- * payment when a worker leaves the job
- * days, and hours of work each day
- * time off
- * bonuses (annual and long service)

5. LEAVE

- * how much holiday/sick leave a worker is entitled to
- * notice for holiday leave
- * payment of wages during holiday/sick leave
- * accumulation of holiday/sick leave over a set time
- * payment of unused holiday/sick leave when a worker leaves the job

- * unpaid holiday/sick leave
- * requirement or not of a medical certificate
- * maternity/paternity leave
- * special leave

6. BENEFITS

- * medical payments, including for injury while working
- * pension and retirement age
- * accommodation
- * meals
- * clothing
- * transport allowance

7. DISCIPLINARY MATTERS/GRIEVANCE PROCEDURE

Date:

Signed: