



# A MANUAL FOR HOUSEHOLD WORKERS AND EMPLOYERS IN JAMAICA

Know Your Rights and Obligations

By the Jamaica Household Workers Union (JHWU)

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Every Household Worker's Right!

As Domestic Workers globally become more and more organized, several effective handbooks, guides and templates have recently been created. Our booklet draws on the good practices and recommendations, as relevant to Jamaica, that enables Decent Work for Household Workers from the following documents:

Uganda: Know Your Rights and Obligations – Domestic Workers

Handbook in Uganda

· Myanmar: Hiring a Domestic Worker: A Good Practice Guide

USA: Employment Guide for Domestic Workers, Montgomery

County Commission for Women, Maryland

UAE: Know Your Rights – A Booklet for Domestic Workers in Quatar

Our Manual is primarily produced in a digital format so that it can be shared by many and also updated with changes to laws and regulations. It is our hope that it will be a 'living document' and be strengthened with continued input from Household Workers and Household Employers.

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# 1) Preface

This handbook is intended to raise awareness of Household Workers, Employers, the Community, Law Enforcement agencies and Legislators on the rights and importance of this sector in Jamaica, With an estimated 58,000 to 100,000 Household Workers across Jamaica, and the majority being women, it is important that Household Workers are also protected against exploitation, violence and harassment from their Employers.

The handbook is produced by the **Jamaica Household Workers Union** and contains information on the rights of Household Workers and relevant legislation as well as the International Labour Organization's (ILO) Convention 189. It also provides basic knowledge to Household Workers and Employers on how to relate in the household as a place of work. Establishing a partnership based on professionalism and mutual respect between the Employer and Househoold Worker is our goal.

#### Note to Household Workers

According to the International Labour Organization (ILO), a domestic worker is any person engaged in domestic work within an employment relationship.

Indeed, Household Workers are people who work in a private home at jobs like cleaning, cooking, laundry, caring for a child, or caring for someone who is sick or elderly. Outside the house, they may do gardening or driving. They provide essential services and are seen as key members of the caring economy. If you do any of these things on a regular basis, you are a Household Worker. This handbook was written to help Household Workers like you know your responsibilities and rights. Almost all of the laws that protect workers in Jamaica apply to you, including worker's rights, protections and benefits.

#### Note to Employers

If you have engaged the services of someone to come into your home and care for your children or other family members, and/or clean your home or do other domestic services in exchange for pay—whether that person lives in your home or not—then you have entered into an employer-employee agreement. You are the employer. Many people mistakenly think of these relationships as familial and informal, but they are essentially a relationship between an employer and an employee and should be treated professionally and ethically as such. Consider what you expect from your own or your spouse's employer:

- regular and fair pay
- regular hours and compensation for extra hours worked or extra services performed
- regularly scheduled breaks for meals
- a clear job description
- payment of required statutory contributions
- respect

These are the same kinds of compensation issues that you should consider in making the decision to bring an employee into your home.

This manual can be a great help to you as the employer, as it contains useful information about the laws governing employer-employee relationships, and about good employment practices. It also includes a guide that can help you discuss these and other important questions related to the job for which you are hiring someone, and assist you in developing a written agreement.



# 2) The Jamaica Household Workers Union



#### About The JHWU

The Jamaica Household Workers Association (JHWA) was established in 1991 to represent the needs and interests of household workers. Traditionally, household workers did not have an organized means of expressing the issues and problems facing them. The JHWA enabled them to bring their concerns both to the government and to the public's attention for discussion and action.

In 2013, the JHWA evolved into the Jamaica Household Workers Union (JHWU) where the Union is able to effectively advocate on behalf of the Household Workers sector and represent its members without going to the government if there are grievances.

The aim of the Jamaica Household Workers Union (JHWU) is to:

- Ensure fair and just working conditions and wages for household workers
- Protect the rights of those who provide domestic service
- Provide skills training in household management and other areas
- Empower its members in achieving their personal and on-the-job goals





The Jamaica Household Workers Union (JHWU) has 6900 members and 13 chapters. Chapters are located in:

- St. Elizabeth (2)
- St. Ann (2)
- · St. Mary
- St. Catherine
- · Portland (2)

- · St. Thomas
- Kingston (2)
- · St. Andrew
- Clarendon

#### Definition of a Trade Union

A Trade Union is a workers representative, voluntary, continuous, permanent, independent and democratic organization formed, run, managed and financed by the workers themselves for the purpose of advancing, advocating, promoting, protecting and defending their social-economic interests at work through collective bargaining.

In Jamaica, the TRADE UNION ACT was established in 1919 and provides the legal framework for Trade Unions to operate. The Trade Union Act underwent significant amendment in 1938 after the workers rebellion. The Act was then amended four times: in 1959, 1969, 1979 and then in 2002.

Jamaica Household Workers Union (JHWU) is a registered Trade Union with the Registrar General's Department (RGD) of Jamaica.





#### Benefits Of Joining The Jamaica Household Workers Union (JHWU)

- Representation of Household Worker's interests like other workers through advocacy, review of labour laws and setting of By-laws to protect Household Workers
- Education, Sensitization and Training about Household Workers and their labour rights, regulations and obligations
- Provision of training opportunities for Household Workers to achieve formal certification and also up-skill
- Improvement of work conditions e.g Issuance of employment contract, support negotiations of Terms and Conditions, and salary/wages
- Securing jobs through grievance handling, problem or dispute settlement/ representation
- Identification of job opportunities in domestic services, connecting Household Workers with potential employers
- Provision of 'helpline' service to assist Household Workers in crisis
- · Provision of a support network of Household Workers

Since its inception, the JHWU through its effective activism has secured the protection of rights of Household Workers in a variety of ways. We have lobbied for a fair increase in the minimum wage and will continue to do so in the future. The adoption of the ILO's C-189 protocol by the Government of Jamaica in 2016 was an important achievement in securing Decent Work provisions for members of a long-abused and unrecognized profession.



# HOW TO JOIN THE JAMAICA HOUSEHOLD WORKERS UNION (JHWU):

Membership is open to all persons working as household workers across Jamaica. Contact our office for further information!

#### Visit us:

Jamaica Household Workers Union 4 Ellesmere Road Kingston 10, Jamaica



union\_jhwa@yahoo.com



www.JHWU.org



(876) 906-2849



(876) 397-9664



https://www.facebook.com/JHWUJ



@union\_jhwa

The JHWU welcomes the support of individuals and groups.

# 3) THE LAWS AND HOUSEHOLD WORKERS IN JAMAICA



This section highlights a number of key rights as set out in the relevant laws of Jamaica. As laws evolve and new laws are enacted, there will be additional rights relevant to Household Workers. In case of any questions, workers should call or visit the Jamaica Household Workers Union or go to the Labour Relations Department of the Ministry of Labour and Social Security.

Ministry of Labour and Social Security
1F North Street
Kingston, Jamaica
Phone: 1 (876) 922-9500-14
Website: http://www.mlss.gov.im



#### The Minimum Wage Act

This Law regulates the hours of work or other terms and conditions of employment.

Jamaica's Minimum Wage is the lowest amount a worker can be legally paid for her/his work. Household workers should NOT be paid any amount below the Minimum Wage. The Minimum Wage Law protects workers from this illegal practice.

NORMAL WORKING DAY = Any day you are required to work and does not include Rest Day

or Public Holiday.

REST DAY = The day set by agreement between the Household Worker and

the Employer

WEEKLY WORKER = 40 hours per week.

WAGE = Remuneration in money and does not include the value of any

lodgings or food or any other benefits.



As of April 1, 2022, the National Minimum Wage is JA\$9000 per 40-hours of work.

The Minimum Wage Law maintains that:

- Time-and-a-half must be paid to workers for all hours over the normal work week (ie. 40 hours per week).
- Double the daily rate must be paid to workers for working on National holidays.

#### The Holidays with Pay Act

This law provides for all workers in terms of vacation leave, sick leave, gratuity and sick benefits for casual workers.

Qualifying period = A period of 12 months commencing on the date of employment

This law states: "worker's earnings" means the regular amounts paid by an employer to a worker for the worker's services. This does not include any amount paid for overtime work or a bonus.

#### Entitlements: Paid Leave

- Service more than 220 days with same employer = 2 working weeks paid leave
- Service over 10 years with same employer = 3 working weeks paid leave
- 220 days and less but more than 110 days = one day paid leave for every 22 days worked

#### Entitlements: Sick Leave

- 5 days of sick leave with pay after 110 days (4 months)
- · 2 weeks sick leave with pay after 1 year.

#### The Labour Relations and Industrial Disputes Act

The Labour Relations and Industrial Disputes Act, and its companion, the Labour Relations

Code guarantee the right of workers to join a union of her/his choice and to engage in collective

bargaining. The Act regulates the arbitration of disputes through the Industrial Disputes Tribunal

and through the provisions of the Code ensure proper communication, consultation, and the proper

procedures for handlings grievances and dealing with disciplinary matters.

#### The Employment (Termination and Redundancy Payment) Act



#### Probation

This law allows for the employer and worker to agree on a 90 day "probation" at the start of employment so that each party can evaluate the other.

During this time, the Household Worker does not have to give notice to leave the job, nor does the employer, to terminate the services of the Household Worker.

#### Notice

After the 3 months (90 days) "probation" is complete, both employer and employees are required to give notice of termination of the contract of employment.

- The worker must give the employer 2 weeks notice
- The employer must give the worker at least 2 weeks notice or 2 weeks pay when notice is not given. This increases the longer the worker is on the job

The notice to be given by the employer must be:

- 1 5 years service = 2 weeks notice
- 5 10 years service = 4 weeks notice
- 10 15 years service = 6 weeks notice
- 15 20 years service = 8 weeks notice
- 20 years or more service = 12 weeks notice

#### Redundancy

If a worker is made redundant, she/he is entitled to 2 weeks pay for each year of service as well as pay for any vacation leave left unused. If the worker has more than 10 years employment in the job, she/he is entitled to 3 weeks per year.

Note that to qualify for redundancy pay, the worker must have been continuously employed for at least two (2) years with the employer in question.

The Right to Redundancy is triggered in the following circumstances:

- Close down of the place of employment
- No more need for worker to do what she/he was employed to do
- · Personal injury at workplace
- Disease arising out of nature of work

There is No Right to Redundancy in the following circumstances:

- Retirement
- · Dismissal for Cause
- · Offer of new job

#### Transportation Home on Redundancy

The Employer shall provide the Employee with suitable transportation, or a sum sufficient to enable her/him to pay for suitable transportation, from her/his place of employment to the home where she/he lived when she/he was engaged under the contract.

 The Employee may recover damages for a breach of that agreement by an action for damages for a breach of conduct.

#### The Disabilities Act

The Disabilities Act requires an employer to make reasonable arrangements (whatever modifications and adjustments are necessary and appropriate) to prevent any disadvantage to an employee who is a person with disability (PWD). A person with disability includes a person who has a long term physical, mental, intellectual or sensory impairment which may hinder her or his full and effective participation in society, on an equal basis with other persons. Reasonable arrangements can range from allowing a diabetic worker scheduled breaks to facilitate the taking of medication/food to making physical adjustments to facilitate wheelchair access.

#### STATUTORY DEDUCTIONS

#### National Insurance Scheme (NIS)

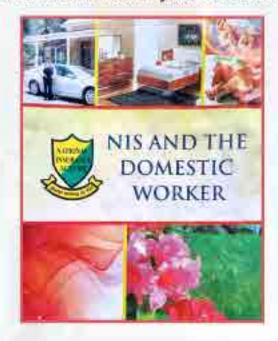
Household Workers ages 18-70 who are earning an income are required to be registered with and contribute to the NIS. Both the Household Worker and the Employer are responsible for making these contributions, weekly, fortnightly or monthly.

The NIS provides some financial protection to Workers and her/his family against loss of income arising from injury on the job, sickness, retirement and death of the breadwinner.

The contribution rate for Household Workers is \$250 per week with effect from January 1, 2021. Both Employers and Domestic Workers must each pay half.

Household Workers are advised to check that Employers file returns on their behalf.

Only workers who have contributed to the NIS may claim a benefit.



#### NIS Benefits for Household Workers

Maternity Allowance: The benefit to the Household Worker is payable as a lump sum equal to eight (8) weeks at the existing National Minimum Wage.

To qualify for the Maternity Allowance, the Household Worker must have been registered under the NIS and made at least 26 weekly contributions during the 52 week period before the expected date of delivery.

#### NIS Benefits for Household Workers (cont'd)

Invalidity Benefit: This benefit is payable to Household Workers who have been diagnosed with a permanent medical condition that renders her/him incapable of work for a continuous period of at least 26 weeks.

To qualify for the Invalidity Benefit, the Household Worker must have contributed at least 156 weeks to NIS before the date of illness.

Retirement Pension: This benefit is payable during the life of the pensioner.

To qualify for the Pension benefit, the Household Worker must reach retirement age as defined by law and must have made 10 full years of continuous contributions.



NI Gold: This is a health insurance plan which provides comprehensive medical coverage for all NIS pensioners. Once a pension is awarded, the pensioner automatically qualifies for coverage under this plan.

No premium is paid by the pensioner to access this benefit.

Orphan Benefit: This benefit is payable to the guardian of a child or children under the age of 18 whose parents are now deceased. The contribution of either parent is used to determine the qualification for this benefit.

#### NIS Benefits for Household Workers (cont'd)

Funeral Grant: This benefit is payable upon the death of

- · A NIS pensioner or her/his spouse, or
- A NIS contributor who has satisfied the required contribution conditions or her/his spouse

Widow's/Widower's Benefit: This benefit is payable to the spouse of a deceased NIS contributor or pensioner. The payment of this benefit can be either for the short-term (one year or more) or long-term (for the life of the beneficiary) depending on the conditions.



#### National Housing Trust (NHT)

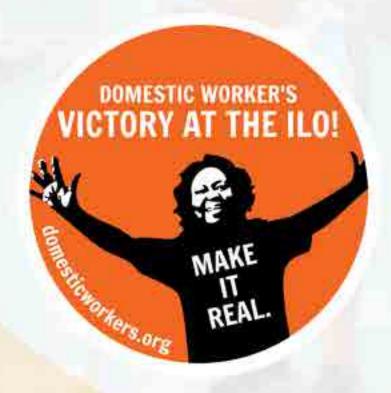
Household Workers ages 18-65 who are gainfully employed are required to make NHT contributions, which is equal to 2% of earnings. Regular contributors to the NHT are eligible to apply for mortgage loans and grants from this institution.



# 4) INTERNATIONAL LABOUR ORGANISATION (ILO) CONVENTION 189 and YOU!

Convention 189 (C-189) is an agreement to protect the rights of female and male household workers around the world. Governments that sign C-189 agree to change local laws and take other actions to protect the rights of these workers.

Through its effective activism, the JHWU has secured the protection of rights of Household Workers in a variety of ways. The adoption of the ILO's C-189 protocol by the Government of Jamaica in 2016 was one such achievement securing decent work provisions for members of a long-abused and unrecognized profession.

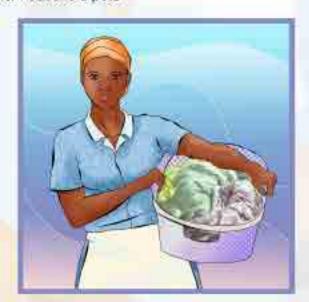


Decent Work provisions in C-189 include provisions such as an employment contract, annual leave, maternity leave and other rights for ALL Household Workers. ALL categories of Household Workers include:

- · 'Days' worker or a 'Live-in' worker
- · Female or Male doing work such as:
  - o Washing
  - o Cleaning



- o Cooking
- o Gardening
- o Caring for children, the elderly or the sick
- o Looking after household pets



#### C-189 Rights of Household Workers

Convention 189 protects their right to:

- Join a union like the Jamaica Household Workers Union (JHWU)
- Respect for their occupation (Article 3)
- A minimum age for work (Not before age 15 years) (Article 4)
- Protection from abuse, harassment and violence (Article 5)
- Fair & decent working conditions; decent living conditions for 'live-in' helpers. (Article 6)
- Clear terms and conditions of employment, and if possible a job letter that includes (Article 7):
  - Name & address of employer, worker & workplace
  - Date to start work
  - Type of work and normal working hours
  - o Amount of pay and when it will be paid
  - Vacation & sick leave, rest periods (for 'live-in' workers)
  - How the employment can be ended and notice period for employer or employee
  - Food & housing; trial period; return passage (if relevant)
- A written contract and protection if they work overseas (Article 8)
- Choose a job as a 'live-in' or 'live-out' worker. 'Live-in' workers have a right to leave during their time off. (Article 9)
- Keep their passports if they are working overseas. (Article 9)
- Overtime pay, rest and leave (Article 10)
  - Live-in workers have a right to privacy and 24 hours time-off for rest
- Minimum wage and equal pay for male and female household workers (Article 11)
- Regular pay in cash either weekly, or every two weeks, or monthly (Article 12).
- A safe and healthy work environment (Article 13)
- Social Security benefits and Maternity leave through NIS (Article 14)
- Protection from unfair treatment by employment agencies (Article 15)
- Have access to a special court to settle disagreements between workers and employer (Article 16)
- Be able to register complaints about wages, abuse, harassment or violence and have them settled (Article 17)
- Laws that protect the rights of household workers (Article 18)

As the Government of Jamaica ratified C-189, they are in the process of updating all relevant local laws to protect the rights of Household Workers.

The Jamaica Household Workers Union will continue to advocate for and sensitize Employers, Labour Inspectors, Trade Unions and all citizens to take action to support and promote Household Workers' rights.

# 5) HOUSEHOLD WORKERS RESPONSIBILITIES



- . Know what you are supposed to do and what not to do.
- Take care of the safety and security of your Employer's home and property.
- Take care of children left in your care.
- · General House work (washing clothes, gardening, cooking, etc)
- Do not misuse/mishandle or steal from your Employer's home and property.
- · Report what happened at home during the absence of your Employer.

### 6) RIGHTS OF HOUSEHOLD WORKERS:

#### (i) Right To Be Issued With An Employment Contract:

How to employ a Household Worker:

- Engage and agree on working terms like hours of work, days of rest, maternity leave, and annual leave etc
- Terms should be fair and consistent with the labour laws of Jamaica concerning employment, workers compensation, occupational safety and health and social security
- Issue the Household Worker with a contract signed by both parties with witnesses
- Orient and induct the Household Worker on the job

(See section 7 for more detailed guidance)



#### (II) Right To Respect And Equal Treatment:

How to manage and interact with a Household Worker while on the job:

- Treat the Household Worker like any other employee or worker.
- Treat a Household Worker with respect.
- Treat a Household Worker as one of the managers of the home.
- Sanction a Household Worker to correct conduct and improve performance (do not abuse/mistreat).



#### (I) Right To A Fair Hearing:



How to handle a Household Worker's case/ grievance at the place of work:

- A Household Worker has a right to a fair hearing in case of wrong-doing.
- Conduct a hearing for a Household Worker before a disciplinary action is taken against her/him at the place of work/home.
- A Household Worker has a right to representation by the Union.

#### What is the IDT?

The Industrial Disputes Tribunal (IDT) deals with disputes involving unionised as well as non-unionised workers. The objectives of the IDT are to:

- Facilitate the settlement of industrial disputes
- · Hand down Awards in accordance with the law
- Achieve peaceful dispute resolution.

#### (IV) Right To Representation:

Where a Household Worker may report a case/ grievance for representation.

THE EMPLOYER: If the domestic worker is in conflict with the employer's family member or fellow employee the case may be reported to the employer for settlement.

GRIEVANCE: A violation of Household Worker's rights by an Employer.



In a situation where the employer is the cause of the case then the Household Worker has a right to report the case to the Jamaica Household Workers Union (free of charge) by calling or visiting the offices (see contact information on page 6).

As a Union, the JHWU stands ready to listen and assess situations reported by members of the Household Workers Union. Based on our assessment, we will advise which rights have been violated and determine whether a grievance exists.

Most Household Workers rights are contained in the Contract, Written or Oral. As such, this is the first basis to determine if there is a real grievance against the Employer. If the grievance is a clear-cut violation of the contract, it will be easy to prove. Even then we will have to be persistent in standing up for your rights and we will be!

If the situation involves an interpretation of the contract, it will not be so easy to prove.

#### Possible Kinds of Grievance



- o Physical working conditions
- o Unsafe or unhealthy working conditions
- o Abuse of authority
- o Intimidation or coercion
- o Discrimination

#### Recording the Grievance

Trying to recall times, places and actions from memory is highly ineffective in grievance handling. It is important to write down the details of what happened so you can share it accurately with the JHWU when filing your grievance.

Use the five W's as a guide:

WHO: Refers to the employee filing the grievance

WHEN: The time and date on which the grievance actually happened; the date on which

the grievance is officially written

WHERE: Refers to the exact place where the grievance took place
WHY: Refers to the reason the complaint is considered a grievance

WHAT: Refers to what should be done about the grievance - the corrective action

desired and what adjustment is expected

#### If the Grievance is valid, the procedure is:

- The Parties shall first try to settle any dispute or differences by negotiation.
- If Step 1 fails, the Household Worker may engage the JHWU to assist in the negotiations to come to an agreed resolution.
- If Step 2 fails, any or all parties may request the Minister of Labour, in writing, to assist in settling the matter by means of conciliation.
- 4) If Step 3 fails, any or all parties may request the Minister of Labour, in writing, to refer the matter to the Industrial Disputes Tribunal (IDT) for settlement.

# 7) Tools and Templates for Household Employers and Household Workers



While all the previous sections are relevant to both Household Workers and Household Employers, we put together these sample contracts and templates for Job Descriptions to make it easier to establish contracts that are understood by all. Clear expectations and mutual understanding help to establish the base for partnership in the home.

Sometimes employers don't know all the conditions and obligations that should apply to someone employed as a Domestic Worker so they don't follow them. Or sometimes they don't implement the conditions or fulfill obligations because they think it will cost too much money.

These Sample Contracts and Job Descriptions will help busy but well-intentioned Household Employers as they seek to provide fair wages and conditions to Household Workers who perform essential household duties and provide care for their loved ones. There is a mutual benefit from providing fair pay, reasonable hours of work, regular rest breaks and a safe and respectful workplace (also known as 'Decent Work').

#### FOR THE EMPLOYER: TOOL #1 SELF-ASSESSMENT CHECKLIST

Before hiring a Household Worker, please review the following checklist (Fig. 1) to have a better understanding of what it means to provide a decent workplace. This checklist will help to show which areas are most important for an employer and household. It also outlines the practical steps to develop a domestic employment relationship, support a fair working place and follow good practice.

#### Self-Assessment Checklist

	Yes	To Do	Need Support
Determine your Needs			
I know the type of tasks the domestic worker is responsible for			
I understand well my expectations			
I have a job description for the domestic worker			
I communicated all the above to the worker I employed			
Contracts and Conditions			
I have in place a written contract with the domestic worker which includes a job description			
The contract covers termination terms for both myself and the worker			
Salary and Fair Wages			
I provide a fair pay allowing the worker to make a decent living			
I pay regularly and on time			
I've increased the wages when responsibilities in- crease (i.e. caring for an additional child or adding new house cleaning tasks)			

Fig. 1.

#### Self-Assessment Checklist (continued)

	Yes	To Do	Need Support
Salary and Fair Wages (continued)			
I've increased the wages to reflect the inflation rate			
I've provided overtime pay for longer hours of work			
I have not deducted housing and food from the wage of live-in worker			
Working Hours and Leave			
The live-in worker has at least 10 hours of uninterrupted rest			
I have provided paid annual leave to the worker			
I have provided the worker with paid sick leave			
I have provided days-off on public holidays			
Creating a Safe Work Environment			
I pay NIS for the worker			
I have provided the worker with a safe and friendly environment			

Fig. 1 (cont'd).

# Self-Assessment Checklist (continued) Yes To Do Need Support Creating a Safe Work Environment (continued) I have provided the worker with access to kitchen facilities to prepare food, get water, snacks Communication and Development I communicate in a friendly and polite way I have a monthly/quarterly catch up with the domestic worker I provide the worker with training opportunities

Fig. 1 (cont'd).

### TOOL #2 JOB DESCRIPTION – UNDERSTAND AND PRIORITIZE YOUR EXPECTATIONS

Whether you have decided that you want to hire a domestic worker or there is already someone working in your household, a Job Description can be very helpful in building a successful working relationship. Identify clearly what your needs are and prioritize them.

Think of the main types of skills the Household Worker should have and determine which of these skills are the most important to you and your family.

Once you have the Job Description, prepare to communicate expectations transparently to the person you intend to hire.

#### Check Fig. 2 to help create a Job Description

We have also included a sample detailed Job Description for a Live-In Nanny as that role is highly sensitive and often requires more specific information (See **Tool 2A**).

#### Tool 2A: Job Description: Live-In Nanny

Your primary responsibility is to provide a safe, loving, and stimulating environment for the children childcare. Children should be encouraged to have fun indoors and outdoors, every day. Responsibilities include:

- Organize creative activities and educational games (e.g. drawing, crafting and puppet games)
- Read to and with the children
- Organize appropriate outdoor activities with the children.
- Plan and prepare children's meals and snacks
- Supervising children's meals
- Cleaning and washing up after children's meals
- Help children wash up and take baths
- Grooming, bathing, brushing hair and providing the children overall goals in hygiene
- Teach children appropriate social behaviors, such as being respectful to each other and helping out with chores
- Dress children appropriate to the child's activities.
- · Tidy up play areas and children's rooms daily

- Ensure children's bedrooms, play areas and bathrooms are thoroughly cleaned once per week
- · Washing and Ironing children's clothes
- · Assist young students with homework or projects
- · Ensure children's safety during indoor and outdoor activities
- · Take care of children in case of injury or illness
- Perform housekeeping tasks as needed
- · Transport children to and from school and extracurricular activities
- Work with parents to ensure children's growth and social development

#### Requirements (ideally)

- Previous experience as a Nanny
- Excellent understanding of child development in different age stages
- Ability to come up with creative ideas to educate and engage children
- · Multitasking skills
- A pleasant and patient personality
- · A driving license
- High school diploma; further training in child development is a plus
- First aid certification is a plus

#### Key Nanny Skills and Competencies

- flexibility
- adaptability
- · ability to multitask
- · emotional maturity
- · good judgment skills
- · planning and organizing skills
- stress tolerance
- · high energy level
- · enthusiasm

## Job Description: Check all boxes that apply

Cleaning	
Dusting Cleaning bathroom Washing windows Wiping Furniture Mopping floors	Sweeping floors  Making beds  Vacuuming  Others
Cooking	
Breakfast Lunch Dinner	Cleaning after meals Grocery shopping Baking
Laundry	
Hand Washing Machine washing Washing bedding Folding Washing shoes	Hanging out laundry Machine dry Ironing Others
Gardening	
Mowing lawns Weeding Trimming Pool cleaning	
Childcare	
Babysitting Bathing Preparing milk/food Dropping off at school Picking up from school	

## Job Description (continued): Check all boxes that apply

Elderly Care	
Feeding and hydration	Giving medicine
Dressing and grooming	Making bed
Bathing	Toileting and continence aids
Mobility support	Others
Pet Care	
Walking _ times/ day	Feeding/ Water
Bathing	Cleaning animal's waste
Giving medicine	Others
Automobile	
Washing car	Maintenance
Filling gasoline	Others
General driving duties and errands	
Additional Notes	
	Add sections and tasks that you would like a domestic worker in your home to be responsible for during their employment.

Fig. 2 (cont'd).

# TOOL #3: FINDING THE RIGHT HOUSEHOLD WORKER

Choosing a Household Worker can be a stressful experience as a new person will be working in the home or responsible for loved ones. It is understandable that employers want to find the right domestic worker through appropriate and trustworthy channels. As with any employment arrangement, prioritise trusted referral and accountable process.

### Tool 3A: The Interview Process

It is important to thoroughly interview potential candidates to understand their level of skills and knowledge as a Household Worker.

- Prepare your questions for the interview (see Fig. 3)
- Arrange to meet in a comfortable, secure place (it can be your home or elsewhere depending on comfort level)
- Ask for references and letters of recommendation and take time to read the documents
- Outline your home circumstances (family members, ages, pets etc.) and particular requirements
- Ask your questions and provide an opportunity to the candidate to ask questions
- Think of some situational questions to better understand the experience, capability and problem-solving skills
- Discuss the wages and conditions of employment



### **Interview Checklist**

#### Introduction

- · Greet a candidate and offer a seat
- Introduce yourself and encourage the candidate to introduce themself.
- · Fleview the recommendation letter
- As an employer, provide a description of the household and family including an overview of the role and responsibilities
- This is an opportunity to describe the house, family members, number of children, pets, etc.

#### For example, ask:

Where do you live?

How would you describe yourself and your family?

### Your Expectations

Before you start the interview, provide a description of your needs, expectations and job description.

Discuss the position and the key duties and responsibilities. It's important to clearly communicate and ask if the candidate understands the position and expectations.

### For example, ask:

Do you understand the job and responsibilities?

Have you worked with children before?

Are you afraid of cats of dogs?

### Experience and Skills

Now that you have described the role and your expectations, ask about the candidate's experience and past duties.

Try and ask many open-ended questions to get as much information as possible to help you decide whether this person has the skill experience and attitude you need to work in your household.

### For example, ask:

Please describe your last job, where did you work and what were your main responsibilities?

Do you have experience taking care of elder people/children? Out of all the skills you have, what are you best at doing? Do you have any special skills?

Have you ever received training? If so, what type of training and where did you go?

#### Knowledge

Once skills and experiences have been discussed, you can ask more detailed questions related to equipment, recipes cleaning products etc.

#### For example, ask:

Please show me how you normally clean the kitchen? How do you plan what meals to cook?

### What recipes do you enjoy

cooking? Where do you normally buy

ingredients?

How do you keep records of the money spent?

#### Benefits and Expectations

Now that you have clearly communicated your expectations, consider if the skills and experience meet your planned salary and expectations.

If you are satisfied with the responses provided by the candidate, you can discuss the expected salary, days off and other benefits. This is also a good time to bring up the contract and explain its purpose and how it works

### For example, ask:

What is your expected salary? What days do you prefer for your day off?

Are you flexible with your day off?

# Tool #4: MAKING SURE JOB ROLES AND RESPONSIBILITIES ARE UNDERSTOOD

A Job Description covered in Tool #2 is a good way to help outline key duties you expect the Household Worker to perform. This is a starting point to help the Household Worker understand their responsibilities.

Sometimes the Employer's understanding of certain roles and the way to perform them can be different to the Household Worker's understanding. Dissatisfaction on both sides can arise when an Employer is vague about the importance or expected frequency of tasks.

If certain maintenance or household tasks are important to you – such as weekly fridge cleaning or bathroom cleaning, then take your time to explain this to the worker. Alternatively, develop a detailed list of tasks you want the Household Worker to carry out, be sure to specify the frequency of how often it should be performed. Please see the diagram below for a sample of a Work Schedule (Fig. 4.) It can be used as reference and customized to make your own.

Weekly View							
Task	Mon	Toe	Word	Thurs	Fri	Sat	Sun
Sweep floors	田川	<b>3</b> U	21	E	Ell		100
Clean bathrooms	Tal o	Til.				- 7	
				13):	13)		
			111		<b>E</b>		1.1
			- 12				
	44	44		ш			
With the same	Fall I	Fe D		1.1	147	- 14	
Monthly View					Hanney		ARIO OCCUPATION OF THE PARTY OF
Tosk	Wook 1		Week2		Week3		Wook 4
Change linens							
Wash our	1,00		11,6				1.0
ay anisoda							
Monthly Tasks							
Wash Car				_			
(3ean Reing	eithur	1		_	-		
Additional Notes							
211111111111111111111111111111111111111							
							_

Fig. 4.

### Tool #5: CONTRACTS AND CONDITIONS

Establishing a relationship with the Household Worker through a contract provides benefits to both Household Employers and Workers.

### Contracts:

- · Set expectations and provide boundaries
- Outline responsibilities as an Employer
- · Describes the role and day-today duties
- Benefits and terms of the agreement for the Household Worker.

A contract of employment is the agreement between the employer and employee which governs the relationship. The status of the Household Worker relative to the employer, may be that of an 'employee' or 'an independent contractor'.

With a 'Contract of Service', the Household Worker is an employee and is protected by labour legislation such as the Minimum Wage Act and the Employment (Termination and Redundancy Payments) Act.

With a 'Contract for Services', the Household Worker is working independently (e.g. a days' worker who carries out work for different persons) and labour legislation does not apply to them. Such a worker would therefore, for example, pay their NHT and NIS contributions themselves.

Contracts also fosters job stability, and helps builds trust between Employers and Workers. For both Household Employers and Household Workers, sitting down together to shape a written agreement is a great way to get to know each other.

Later on, the agreement will serve as an important foundation to help in moments of transition or challenge and can ensure accountability on both sides.

### Preparing the Contract

Take your time to sit down to discuss a contract that reflects Employer's expectations and responsibilities as well as that of the Household Worker. Agree on:

- Working hours
- Working days
- Other terms and.
- Benefits

As you both proceed, re-assure each other that introducing a written document is not a sign of mistrust.

Instead, the agreement is a means to prevent confusion, encourage communication, and respect each other's rights.

Check Tool #5A and #5B for samples of employment contracts for Live-In Household Workers and Day's Workers.

### Tool #5A: SAMPLE EMPLOYMENT CONTRACTS

### **Employment Contract for Live-In Household Workers**

Employer	
Name:	
Address:	
3	
/v	
Employee	
Name;	
Address:	
-	
The employer and the employee named above sh	all also be referred to as the parties to this
contract.	
1. Effective Date of Contract	
This contract will take effect as of	
TO CAR THE PART OF	
2. Place of work	
The employee's place of work will be	
3. Job Title	
The employee is employed as a	in accordance with the
	50 FO/USE PENGERGRANG PENGEN
designations set out in Appendix 1 of this contrac	Sec.
VAN SHIT WAR WILLIAM I	
4. Job description	
The duties relating to this job is as set out in Appe	endix 1 of this contract or as amended,
	7

agreed and signed by both parties to this contract.

### 5. Termination of Contract

- (i) Termination of this contract shall be in writing. Notice for termination of this contract shall be in keeping with the Employment (Termination and Redundancy Payments) Act.
- (ii) In the event of termination of employment at the initiative of the employer, for reasons other than serious misconduct, the employer agrees to give the employee time off during the period of notice to enable the employee to seek new employment and accommodation.

### 6. Redundancy Payment

In case of Redundancy, the compensation shall be in keeping with the Employment (Termination and Redundancy Payments) Act.

### 7. Salary and Wages

- (i) Salary and wages shall be agreed and shall not be lower than the amount specified by the Minimum Wage Act. This will be paid in cash on a weekly, fortnightly or monthly basis as agreed by the employer and employee parties to this contract.
- (ii) The weekly wage shall be JA\$
- (iii) At the time of payment of salary and wages, an easily understandable written account of the total due to the employee, as well as the specific amounts and purpose of any deductions made, shall be given to the employee.
- (iv) Salary and wages shall be reviewed on completion of each year's service in order to make the necessary inflationary adjustment.

### 8. Statutory Deductions

(i) The employer agrees to ensure that the appropriate contributions of the National Insurance Scheme (NIS) are in compliance with the law.

#### 9. Hours of Work

- Normal working hours will be 8 hours per day and 40 hours per week.
- (ii) The normal work week will consist of any five (5) of seven (7) days agreed between the employer and employee.
- (iii) Work in excess of eight hours per day shall be paid for at time and one half the normal daily rate.
- (iv) Any time worked over these hours will be considered overtime. Overtime will only be worked when agreed upon between the parties to this contract.

#### 10.Meal Intervals

Both parties agree that a meal break of a minimum of 30 minutes shall be given within each eight-hour period of normal working hours.

### 11. Periods of Weekly Rest and Day-Offs

- (i) The employee shall be entitled to a minimum of one day-off (i.e. 24 consecutive hours) as weekly rest. If required to work on the first day-off, this work shall be paid at time and one half the normal daily rate.
- (ii) If required to work on the second day-off, the work shall be paid at double the normal daily rate.
- (iii) If a public holiday falls on a day-off, an additional day shall be granted.

### 12. Work on Public Holidays

(i) Work on a public holiday is entirely voluntary. Parties to this contract from time to time may agree to work on a public holiday. If required to work on a public holiday, the employee shall be paid at twice the normal daily rate.

### 13. Vacation Leave

- (i) Vacation leave shall be granted after every 12 months of continuous service in keeping with the Holiday with Pay Order. Minimum vacation leave entitlement shall be two weeks.
- (ii) If a public holiday falls during the vacation period such holiday shall not be counted as part of the vacation leave.

#### 14. Sick leave

Paid sick leave entitlement shall be 10 working days per annum. In keeping with the Holiday with Pay Order, sick leave will become due after working 110 days.

#### 15. Maternity leave

- (i) Maternity leave entitlement shall be 12 weeks, 8 weeks with full pay.
- (ii) The parties to this Agreement agree that the terms and conditions of the Maternity Leave Act shall apply.

### 16. Occupational Safety and Health

- (i) The employer agrees to ensure that the workplace is a safe and healthy environment which protects the physical and psychological well-being of the employee.
- (ii) In respecting the employee's safety, the employer agrees to ensure that all appropriate equipment is provided to the employee to carry out duties safely.
- (iii) The employee agrees to respect the safety guidelines by exercising due care in the use of the appropriate tools, equipment provided.
- (iv) The employee also agrees to be vigilant and notify the employer when any risk to safety and health presents itself in the household.
- (v) In the event of an accident, the employer shall ensure that the employee is provided with medical attention with as little delay as possible.

### 17. Accommodation and Meals

- (i) As a condition of the requirement to live-in accommodation provided by the employer, the employee shall be provided with:
  - a. a separate private room that is suitably furnished, adequately ventilated and with adequate lighting. The room is to be equipped with a lock and the key.
  - access to sanitary facilities which can either be private or shared.
- (ii) The employer shall also provide each day meals of good quality and sufficient quantity in keeping with the prevailing conditions within the household.

### 18. Disciplinary Process

No disciplinary action shall be taken unless due process is followed in keeping with the Labour Relations Code (1976).

### 19. Terms and Conditions

The parties agree that the terms and conditions of this contract shall remain in force until amended by the parties of this contract.

SIGNED AT	ON THIS _	DAY OF	OF 2
THE EMPLOYER			
THE EMPLOYEE			
WITNESSES			

### Appendix 1: Job Description

To be drafted by the Employer based on the specific Terms of Reference of the Job.

### Tool #5B: SAMPLE EMPLOYMENT CONTRACTS

### **Employment Contract for Day's Workers**

Employer Name:	
Address:	
-	
Employee	
Name;	
Address:	
-	
-	-
The employer and the employee named above shall a	also be referred to as the parties to this
contract.	
1. Effective Date of Contract	
This contract will take effect as of	
The section in site street as at	
2. Place of work	
The employee's place of work will be	
ATTES STEPHEN SEE STEPHEN ST. ADMIN. WILL SEE	
27 V2-17 MAX 22 A S	
3. Job Title	- 125 and 15 access (1500) - 150
The employee is employed as a	in accordance with the
designations set out in Appendix 1 of this contract,	
designations set out in Appendix 1 of this contract.	9
Job description  The duties relating to this job is as set out in Appen	

### 5. Termination of Contract

- (i) Termination of this contract shall be in writing. Notice for termination of this contract shall be in keeping with the Employment (Termination and Redundancy Payments) Act.
- (ii) In the event of termination of employment at the initiative of the employer, for reasons other than serious misconduct, the employer agrees to give the employee time off during the period of notice to enable the employee to seek new employment.

### 6. Salary and Wages

- (i) Salary and wages shall be agreed and shall not be lower than the amount specified by the Minimum Wage Act. This will be paid in cash on a daily, weekly or fortnightly basis as agreed by the Employer and Employee parties to this contract.
- (ii) The weekly wage shall be JA\$\_\_\_\_\_
- (iii) At the time of payment of salary and wages, an easily understandable written account of the total due to the employee, as well as the specific amounts and purpose of any deductions made, shall be given to the employee.
- (iv) Salary and wages shall be reviewed on completion of each year's service in order to make the necessary inflationary adjustment.

### 7. Statutory Deductions

(i) The employee agrees to ensure that they make the appropriate contribution to the National Insurance Scheme (NIS) in compliance with the law.

#### 8. Hours of Work

(i) Normal working hours will be	
(ii) The normal work day/ week will consist of	as agreed between
the employer and employee.	

- (iii) Work in excess of eight hours per day shall be paid for at time and one half the normal daily rate.
- (iv) Any time worked over these hours will be considered overtime. Overtime will only be worked when agreed upon between the parties to this contract.

### 9. Meal Intervals

Both parties agree that a meal break of a minimum of 30 minutes shall be given within each eight-hour period of normal working hours.

### 10. Work on Public Holidays

- (i) Work on a public holiday is entirely voluntary. Parties to this contract from time to time may agree to work on a public holiday. If required to work on a public holiday, the employee shall be paid at twice the normal daily rate.
- (ii) Vacation leave shall be granted after every 12 months of continuous service in keeping with the Holiday with Pay Order. Minimum vacation leave entitlement shall be two weeks.
- (iii) If a public holiday falls during the vacation period such holiday shall not be counted as part of the vacation leave.

#### 11. Sick leave

Paid sick leave entitlement shall be 10 working days per annum. In keeping with the Holiday with Pay Order, sick leave will become due after working 110 days.

### 12. Maternity leave

- (i) Maternity leave entitlement shall be 12 weeks, 8 weeks with full pay.
- (ii) The parties to this Agreement agree that the terms and conditions of the Maternity Leave Act shall apply.

### 13. Occupational Safety and Health

- (i) The employer agrees to ensure that the workplace is a safe and healthy environment which protects the physical and psychological well-being of the employee.
- (iii) In respecting the employee's safety, the employer agrees to ensure that all appropriate equipment is provided to the employee to carry out duties safely.
- (iii) The employee agrees to respect the safety guidelines by exercising due care in the use of the appropriate tools, equipment provided.
- (iv) The employee also agrees to be vigilant and notify the employer when any risk to safety and health presents itself in the household.
- (v) In the event of an accident, the employer shall ensure that the employee is provided with medical attention with as little delay as possible.

### 14. Meals and Conveniences

- (i) The employer shall also provide each working day, one (1) meal of good quality and sufficient quantity in keeping with the prevailing conditions within the household.
- (ii) The employee shall be provided with access to sanitary facilities.

15. Disci	plinary I	Process
-----------	-----------	---------

No disciplinary action shall be taken unless due process is followed in keeping with the Labour Relations Code (1976).

### 16. Terms and Conditions

The parties agree that the terms and conditions of this contract shall remain in force until amended by the parties of this contract.

SIGNED AT	ON THIS	_DAY OF	OF 2
THE EMPLOYE	н		
THE EMPLOYE	Ē		
WITNESSES			
	-	1	

### Appendix 1: Job Description

To be drafted by the Employer based on the specific Terms of Reference of the Job.

### **TOOL #6 SALARY AND FAIR WAGES**

The minimum wage is the very basic wage any worker is required by law to receive. Unfortunately, domestic work is undervalued even though it enables Household Employers to join the skilled workforce and helps relieve the pressures of balancing work and home responsibilities.

Employers can consider setting a fair wage above the minimum wage by taking into account the skills, knowledge, tasks and responsibilities required of the domestic worker.

### Calculating how much to pay can depend on:

- Expenence of the domestic worker (e.g. relevance and duration of experience)
- Practical training or qualifications (e.g. first aid, cooking)
- Knowledge and skills (e.g. nutrition, hygiene, languages)
- Difficulty and volume of work (e.g. multiple daily tasks, managing a budget, childcare)
- Cost of living or increases to the cost of living (i.e. inflation)

### Check template in Fig. 5 for creating a Payslip.

The total salary paid to a Household Worker can vary depending on the overtime they are required to work above the agreed hours in an employment contract. Remember the laws state that:

- Time-and-a-half must be paid to workers for all hours over the normal work day or week
- Workers must be paid double the daily rate if working on public holidays.

Also note, an annual bonus is a regular way to show appreciation for good work. It is common in Jamaica to pay the bonus to Household Workers before the Christmas Holidays.

### When should you think about a salary increase?

It is good practice to increase a worker's wage when responsibilities or volume of work increases (i.e. caring for an additional child or adding new house cleaning tasks). Another factor to remember is that the cost of living changes over time and the wage should also increase to reflect this. A three percent (3%) minimum annual increase is fair guidance.

The Bank of Jamaica (BOJ) is a useful resource to keep up to date with the inflation rate, which describes increases to the cost of living as a percentage.

## Payslip

Name of Empl	loyer:						
Address of En	nployment:						_
Name of Work	er						_
Job Title:							
Pay period fro	m		to				
The regular bo	onus rate: _			JA\$ per da	y/ per week		
The overtime	rate:		JAS	per hour			
The holiday ra	te:		JA\$ p	er hour			
Day	Start Time	Break	End Time	Regular Hours	Overtime Hours	Holiday Hours	Total
Monday							
Tuesday							
Wednesday							
Thursday							
Friday							
Saturday							
Sunday							
Total Due:							
Allowances (s	pecify, if any	):					
Deductions (if	any):						
Grand Total:							
Signature of E	mployer				Signature o	f Worker	
_							

### Tool #7: CREATE A DECENT WORKPLACE

What is considered normal working hours for a domestic worker?

The eight-hour working day is now an internationally accepted legal norm for workers.

Understandably, the nature of domestic work is different from office or factory work as the needs of household members are different. However, long and unpredictable working hours damage workers' health and well-being and, in turn, reduce the quality of work they perform.

Employers should discuss and agree with the Household Workers they hire on the timing suitable for them and the worker. Good practice is to keep these hours to a maximum of 8 hours per day, excluding a break time. At times you may need the Household Worker for longer hours. This should be considered overtime. Be sure to provide at least a 30-minute break after 4 hours of continuous work.

It is not fair to expect that if a domestic worker lives-in, they are considered to be available for work around the clock. If a worker does not have enough sleep, fatigue may lead to health issues, mistakes or accidents.

Please refer to Section "ILO Convention 189 and You!" (pgs. 15-17) for other factors to be considered in establishing Decent Work conditions for the Household Worker.

### Tool #8: Check-in and Evaluations

Building good communication requires some amount of effort but can lead to lasting benefits. Having clear and respectful communication between the Employer and the Household Worker can create a positive impact on all aspects of the working relationship and environment. In the intimate household setting, it is good practice to show respect and consideration includes asking about a Household Worker's family, showing appreciation regularly, asking how the day is and paying wages and benefits on time.

#### **Encourage Questions**

The Household Worker needs to feel comfortable asking questions to get to know the Employers and the Employer's priorities. Home environments are very specific to the personalities of those who inhabit them. What an Employer considers a "normal" household standard in the areas of cleanliness, noisiness, discipline, and diet may be new to a Household Worker. Employers should let their Household Worker know that they are willing to answer questions.

#### Check-Ins

Schedule regular check-ins with Household Workers, preferably every few months to help understand any challenges or progress they have made. If you agreed on a Job Description, use this as a way to guide your conversation. This will also allow you to review the tasks and responsibilities you have set and determine if you are both satisfied with the work and the conditions.

Check the template below (Fig. 6.) for a sample Evaluation Form, which will help Employers get feedback from their Household Workers.

### **Evaluation Form**

Are you satisfied with	Very Satisfied	Satisfied	Not Sattsfied	Very Unhappy
your workload		П		
your working hours				
your work environment				
your salary				
your living conditions			П	
relationship with employer		(0		
time to talk to family				
your time to rest			П	
meals provided to you				
your safety		(3)		PED)

Ask the Employee if they have any other thoughts or concerns that they would like to share with you. Take time to ensure that you are interested in learning about their feelings and opinions.

Fig. 6.

Over time, these regular check-ins will lead to identifying training opportunities and more importantly, boost the confidence and capability of the Household Worker.

Investing in the development of the Household Worker's skills and knowledge can improve their quality of work, build their productivity, and boost their confidence. Some training programs can help improve cooking skills, cleaning skills, and First Aid etc.

You can call the Jamaica Household Workers Union (JHWU) Training Institute for our list of full programmes and short courses to improve the skills of your Household Workers.

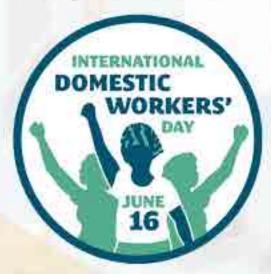
## 8) JAMAICA HOUSEHOLD WORKERS UNION (JHWU) ON THE MOVE

 Jamaica Household Workers Union Anniversary-Every June 16th



Celebrating the JHWU's 30th Anniversary

 Annual International Domestic Workers Day Celebration- Every June 16th



### Support with Care Packages



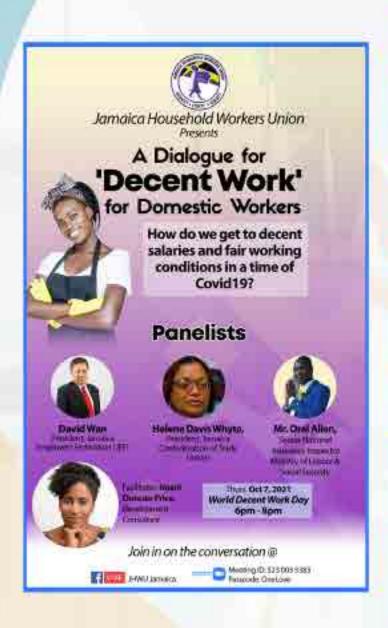


 Training Programmes for Household Workers -Household Management, Cooking, Cleaning, Childcare, Elderly Care, etc.





# Household Workers Training about their Rights and Obligations









Trainings to Prevent Sexual Harassment

 Door to Door Recruitment: The Union visits Homes and Communities to Talk to Domestic Workers about their Rights







### Special Meetings and Projects





### Monthly Meetings



Household workers receive Identification (ID) cards.







# 10) JHWU and Domestic Workers at Work





## 10) AFFILIATION and PARTNERS

The Jamaica Household Workers Union (JHWU) is affiliated to:

International Domestic Workers Federation (IDWF) www.idwfed.org info@idwfed.org

The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)

www.iuf.org iuf@iuf.org

Caribbean Domestic Workers' Network

Association of Women's Organisations in Jamaica (AWOJA)

The Jamaica Household Workers Union (JHWU) partners with:

Jamaica Confederation of Trade Unions (JCTU) ictu@cwjamaica.com. (876) 977-3545

> Bureau of Gender Affairs bgajamaica.info@gmail.com (876) 929-6660 | (876)-754-8577

Many other stakeholders in the private sector, NGO sector, government and international arena.

# Notes

