



International
Domestic
Workers
Federation

Volume 1.0 | 4 Interviews | 9 First-person Stories

DOMESTIC ABUSE WORK

GBV IN THE
WORLD OF
WORK

NOTHING BUT STRENGTH

MARCH 8, 2023

*Domestic Workers
Organize against
Gender-Based
Violence*



Content

01 PAGE 04	INTERVIEW: Carmen Britez
02 PAGE 08	THE STORY OF Francia
03 PAGE 12	THE STORY OF Evad-ney
04 PAGE 15	INTERVIEW: Asmaou Bah Dou-kouré

05 PAGE 18	THE STORY OF Charuka
06 PAGE 20	THE STORY OF Magdalena
07 PAGE 22	INTERVIEW: Sandrine Akaffou
08 PAGE 25	THE STORY OF Mariam

09 PAGE 28	THE STORY OF Angele
10 PAGE 31	THE STORY OF Nellie
11 PAGE 34	INTERVIEW: Shiella Estrada
12 PAGE 39	THE STORY OF Angela
13 PAGE 41	THE STORY OF Mimi

Introduction

Violence and harassment take many forms. Whether a single or a repeated occurrence, whether it aims or results in violence, whether it is physical, psychological, sexual, or economic, bears no difference. All of it is unacceptable, and none of it is the survivor's fault. And we now have a powerful tool to combat it: the ILO Convention against Violence and Harassment in the World of Work (C190).

How have domestic workers experienced GBV? And what remedies have they found?

In the IDWF campaign, Domestic Workers, not Abuse, we are working with our affiliates to document this structural violence, understand its causes and impacts, and find ways for justice to prevail.

In this story collection, as diverse as the domestic workers' experiences have been, they still have one thing in common: they found no better resource against GBV than the support of the movement.

01

IN CONVERSATION WITH CARMEN BRITZ

Labour violence will not stop until people start seeing us as workers

Argentina ratified ILO Convention 190 in February 2021 and, in 2009, the country had already passed Law No. 26485, which provided comprehensive protection to women. Despite these efforts, in 2022 there was one femicide every 33 hours in the country. Domestic workers are the women who are most affected by gender violence and harassment in the workplace. They are victims of different forms of violence: physical assault, psychological abuse, discrimination, humiliation and ill treatment, sexual harassment, economic violence, and violations of labour rights. Most of these victims are young migrant women.

This grim reality poses several questions and, at the same time, calls for action. Carmen Britz, representative of the Argentine Union of Private Household Personnel (UPACP) and acting President of the International Domestic Workers Federation (IDWF), shares with us her perspective on this issue and leaves us with a powerful message.

KEYNOTE

Why do you think Argentina is not able to prevent and eradicate gender violence and harassment despite having a good legal framework and implementing on-going public policies to protect women?

In Argentina there are many institutions that defend women's rights (there is even a Women's Police Service). However, it is very difficult to prove acts of violence in a private work environment, such as the domestic work environment, and that makes most complaints fall through the cracks. It is beyond belief that when a worker files a complaint for violence, the employer gets away by arguing that the worker is hurt because she fell down or hit herself... because the judges believe the employer rather than the worker! Our judicial system is not efficient in managing complaints for violence. The system should adopt new mechanisms to prove attacks and enhance its processes.

Several studies show that the rate of complaints filed by domestic workers who are victims of GBV or harassment in the workplace is very low. Why?

Many workers do not file complaints because they are afraid to lose their jobs.

It is very common for an employer faced with a potential complaint for violence to accuse the worker of theft. And the workers suffer so much trauma from the violence they experience that they become paralyzed. It has become natural for some workers to be beaten up by their employers or to be treated as an object that belongs to them. These employers do not see the worker as such, they don't see them as a human being that has any rights. In this sense, it is interesting to highlight what we have detected in the UPACP social media: every time we post something or advertise a campaign against violence, there are many views but very few comments. This means that workers are scared of interacting because they know that our social media is also visited by their employers.

Which are the factors that make domestic workers more vulnerable to violence and harassment in the workplace?

The main factor is that domestic workers work in a private place where they are alone with their employers, far from the public eye. The migrant domestic workers' situation deserves special attention. They arrive in the country out of necessity, to have a better quality of life for them and their families, but they sometimes end up falling victims to human trafficking. Employment agencies bring them under false promises, they take away their documents and leave them unprotected and in a situation of complete subordination. Moreover, since migrant workers are not aware of the local laws, they don't know what their rights are or where to go if these rights are violated. This lack of information makes them become dependent on their employers who many times are the only

In the background, a scared woman huddles on the floor with her hands around her knees and tears across her face. Superimposed is a shadow of someone with short hair.

“Don’t accept ill treatment or discrimination. There is always a way out.”

resource they have to find a place to live. Economic need is another factor that makes domestic workers more vulnerable to physical and psychological violence as well as to violation of their labour rights. Lack of registration of a worker is also a form of violence. In Argentina, almost 1.5 million domestic workers work under informal arrangements, which accounts for 75% of the sector.

How can this situation be reversed?

It is crucial to make visible that paid domestic work IS work, just like any other, and that homeowners that hire domestic workers’ services ARE employers. Our society needs a change of mindset. Until then, labour violence will not stop. At the same time, we need to continue training domestic workers on their labour rights and the steps to be taken upon acts of violence (like we do at the UPACP Training School). We also need to promote change within the domestic workers’ community so that they know that they can and SHOULD report these events; that they are not walking that road alone.

Have you noticed any progress since Argentina ratified C190?

After the ratification of C190, Congress started working on several bills to fight gender-based violence with a special focus on the care economy. Likewise, UPACP has proposed that

domestic workers have access to free day-care centres for their children and the elderly under their care for them to be able to work and provide wellbeing to their families too. As regards fighting informality, together with the government we created a program called “Registered” (Registradas in Spanish), which has been running for three years and is now offering additional benefits to employers that foster inclusion by hiring transgender workers or workers with disabilities.

What does UPACP do when a case of violence or harassment comes to their knowledge?

A women’s centre called “Women’s House” (Casa de la Mujer in Spanish) was created to provide assistance and support to those comrades who are victims of violence. We provide them with psychological support, medical assistance, and legal counselling. We also work, on an ongoing basis, with government bodies to fight informality and violence and we are part of the National Network against Violence and Harassment in the Workplace, which brings together 101 unions from different sectors.

How do violence and harassment affect the workers’ physical and mental health?

I think the best way to answer this question is to share the case of a worker who showed up at our Women’s House a few days ago seeking help. She is a victim of intimate gender-based violence:

her former partner frequently rapes her and beats her up. However, she does not want to report him; she is only asking for psychological support to endure these acts of violence. Our team of specialists is working with her to make her aware of the fact that the abuse and ill treatment she is receiving are not natural.

What would you tell domestic workers that are victims of violence or harassment in the workplace?

I want to tell them that I understand their situation, I understand their fear, I understand that they cannot lose their jobs because they need to provide for their families... But I also tell them that they are human beings that deserve dignity and that their work is worthy. It is because of their work that their children have access to food and education. Don’t accept ill treatment or discrimination. There is always a way out. Ask your union for help. The best support comes from other domestic workers that go through what you are going through. You are not alone. We are here to support you. You need to take care of yourselves, physically and mentally. If domestic workers don’t look after themselves, no one else will. The support of our International Federation is key for the world to know that we are not alone, for the world to see us as workers with the same rights as other workers. Without domestic workers, who not only look after their own families but also their employers’ families, society would not be what it is today.



Photograph of Carmen Britez, President of the International Domestic Workers Federation

The Story of **FRANCIA****LATIN AMERICA**Age of Gender Identity exploration **15**Nationality
NICA-RAGUAGender Identity
TRANS WOMAN

IN DEFENCE OF THE DIGNITY OF TRANS DOMESTIC WORKERS

I'm Francia Blanco, one of the founders of the Trans Domestic Workers Union of Nicaragua (SI-TRADOTRANS) and a leader of the National Federation of Domestic Workers (FETRADOMOV). Today I want to share my story, which is the story of many trans women, so that all of them know that they are not alone and that living and working in decent conditions is possible.

I took on my gender identity when I was fifteen. I was still a child, barely a young adult, but I decided to face my family and tell them who I really was. At that time, though, twenty-two years ago, the term “trans” was not known yet. All the different identities were thrown into the same “basket”: we were considered to be gay. So I told my parents I was “gay” because, although inaccurate, we used that terminology to self-define at the time. I clearly remember my mother’s response: she remained silent. My father, however, came from a macho culture and was shocked; he rejected me and yelled that he was not willing to tolerate a “freak” that would bring only shame to the family.

By the time I finished high school and started studying systems engineering, my family situation had become even more complicated. So, I set out to be economically independent and started working in a thrift store. At that point, my father’s hurtful comments and violence became unbearable; they were destroying me. I made the decision to leave my family home. Without even telling anybody I left for Guatemala.

It was in that country where Francia Blanco was born as a transgender woman, where I had the



way to earn a livelihood. However, in Guatemala, domestic workers are subject to all sorts of ill-treatment. And if they belong to the LGBTI community, labour exploitation is even worse. I was literally locked in a house for twelve months without earning a salary. My employers withheld my identity document and kept me uncommunicated. I was a victim not only of labour exploitation by that family, but also of human trafficking.

I was able to run away from that living hell too. However, I had to resort to sex work once again to survive. After I saved sufficient money to go back to Nicaragua my dreams were shattered again. I was undocumented, and I thus fell into the hands of a swindler who promised to help me in exchange for money. When I reached the Nicaraguan border I found out my identity document was false. I was a very young and naive girl at the time and that’s why I became part of a harmful circle of uncaring people who used me for their own benefit.

Finally, I was able to return to my country with many lessons learned. I went back to school and got a degree in English. It was then that I discovered activism and realized that, as a trans woman, I had to raise my voice for domestic workers who were undergoing or could undergo a similar experience to mine. My colleagues from FETRADOMOV and I saw the need to create a union that would protect

freedom to assume my identity, the femininity that was within me and that I had not been allowed to express. But it was in that country also that my worst nightmare was about to start. I was an eighteen-year-old young woman who arrived in an unknown land, full of dreams and an easy prey to abusers. I was sold to a “club” (a place where sexual services are offered) where I was forced to become a sex worker. I carried out that activity during seven months against my will, making an enormous internal effort not to get emotionally hurt by the experience.

When I managed to flee from that place, I devoted my time to a beautiful occupation: domestic work, a very dignified



An image of a large megaphone with the trans colors emanating from it, and trans flags with 'X' signs on them in the background.



I was literally locked in a house for twelve months without earning a salary. My employers withheld my identity document and kept me uncommunicated. I was a victim not only of labour exploitation by that family, but also of human trafficking.

the labour rights of the trans community; a group that had been marked historically by either the lack of access to work or employment in inhumane conditions (there are still trans domestic workers who get paid in kind).

Founding SITRADOTRANS was a real ordeal. We were creating a union that was one-of-a-kind around the world, with all the challenges that it entailed. But we derived strength from knowing that we were the reflection of many other comrades and that gave us the bravery to fight to make them visible, to teach them about their rights and to raise awareness about what the world has in stock for trans women; particularly if they are domestic workers.

The journey was well worth it. Today I feel protected and sheltered by SITRADOTRANS, FETRADOMOV and the IDWF. I'm happy to be able to tell my story, which is so similar to that of so many other women who have been even less fortunate than me and have lost their lives. I want to send a support and union message to my sisters to let them know they are not alone. Don't forget that becoming members of a union is very important to be able to place our demands in decision-making spaces and ensure the creation of public policies that allow trans and cisgender women do our work—which is already decent work—under decent conditions and for a decent salary.



MY BODY. MY rights

Slavery Days are Over!

The Story of
EVADNEY

CARIBBEAN

Live-in
WORKER

Nationality
JAMAICAN

Single
MOTHER

My name is Evadney Pitter, a member of the Jamaica Household Workers Union (JHWU). Today, I share my story of sexual harassment and violations that I have suffered as a Domestic Worker. Our workplace is in the home and too often our Employers feel they have the right to do anything to us. Too often they feel entitled to our bodies like the “Bakkra Master” of slavery days. I share my story so others across the world know that slavery is over and we are not the property of anyone. Domestic Work is work and we have rights!

When I was in my early 30’s the factory I used to work at closed. When that factory shut down, my 5 children were all I could think of – how would I manage to feed them, to take care of them? A friend introduced me to Domestic Work then. I was to take care of a little girl who lived with her father, as her parents had separated, and her mother migrated. I did my work with care and such diligence, but something felt wrong.

Not even a month had passed at this job when my boss came into my room one night. You see the door never had a lock. I was sleeping so I never heard when he came in. He then held me down on the bed and I woke up frightened. He started to push himself on me. I thank



A vector image of hands in chains that have been broken open, symbolizing the end of slavery.

God to this day that I had on shorts so he could not get to penetrate me. I fought and fought him off. But he was so aroused that he ejaculated all over. I could not believe it. I was traumatized. Shocked! I felt so violated! He then got up and left the room. I prayed and prayed to God to help me. The next morning, I quarreled with him about it. I had to stand up for myself somehow. He didn’t want his daughter to hear and tried to silence me. That day I walked off the job. I was so scared as I didn’t know how I would take care of my children but I knew I had to escape and find safety. I felt so ashamed about it, that I didn’t tell anyone. I wasn’t part of a Union then; I didn’t have a Sisterhood so I had to go through this alone.

Many years later, while I was a live-in Domestic Worker for a family, I hoped that all would be okay. There was a husband, a wife and 3 children. I thought the husband looked at me strangely when I first started working but I told myself no, that can’t be it – he has a family with his wife here. But when I went to change into my work clothes to start the job, I saw that he was peeping on me. I did my best to cook, clean and take care of the family and tried to stay out of his way as I

“Too often, men feel entitled to our bodies like the “Bakkra Master” of slavery days.

needed the job. One day, while I was preparing breakfast in the kitchen, he came up behind me and hugged me and kissed me on my neck. I could not believe he would do that, after all his wife was nearby in the dining room. On a different day, while I was cleaning the bathroom, the husband asked me “Do you like what you see?” I said I don’t see anything and I quickly left the bathroom. Why did he feel he had the right to do this to me?

I was nervous each night as the door to my room had no lock. The wife had spoken to the husband about fixing it. However, it was never fixed.

I decided I would speak up for myself. I said to the husband “You’re a Christian and when you do these things it’s disrespectful. I don’t come to this job to satisfy you!” He told me I was so attractive and then he apologized. I thought all would be okay.

Then one night I was in my room sleeping. I felt something over me. I opened my eyes and there he was standing up with his penis out of his pants. I jumped up and screamed as I was so frightened. He backed out of my room and went back to the main part of the house. I was in shock again and kept thinking if I didn’t open my eyes, he could have covered my mouth and raped me.

I was now a member of the Jamaica Household Workers Union (JHWU) and I called the 24-hour hotline at our Union to get urgent help. Our President, Shirley Pryce, answered the phone and heard me crying. I was in such a bad state but I told her all that happened. She told me to leave immediately. I told the wife the next morning that I was quitting. She asked me if she raised my pay if I would stay but I said no. My Union taught me that I have rights and no one should disrespect me. Men feel that they can do what they want because I have a family to take care of and would be scared to lose my income. But my Union made me know I had a choice and I left. They helped find work elsewhere.

We, at the JHWU, are all fighting to get our government to ratify Convention 190! I will do all I can to help end violence and harassment in the world of work. We must get our Sexual Harassment Law implemented in Jamaica so anybody who is a victim has a way to get justice. Yes, we work in homes and that makes us more vulnerable than other workers in other workplaces. All employers must respect our work, and respect us as Domestic Workers.

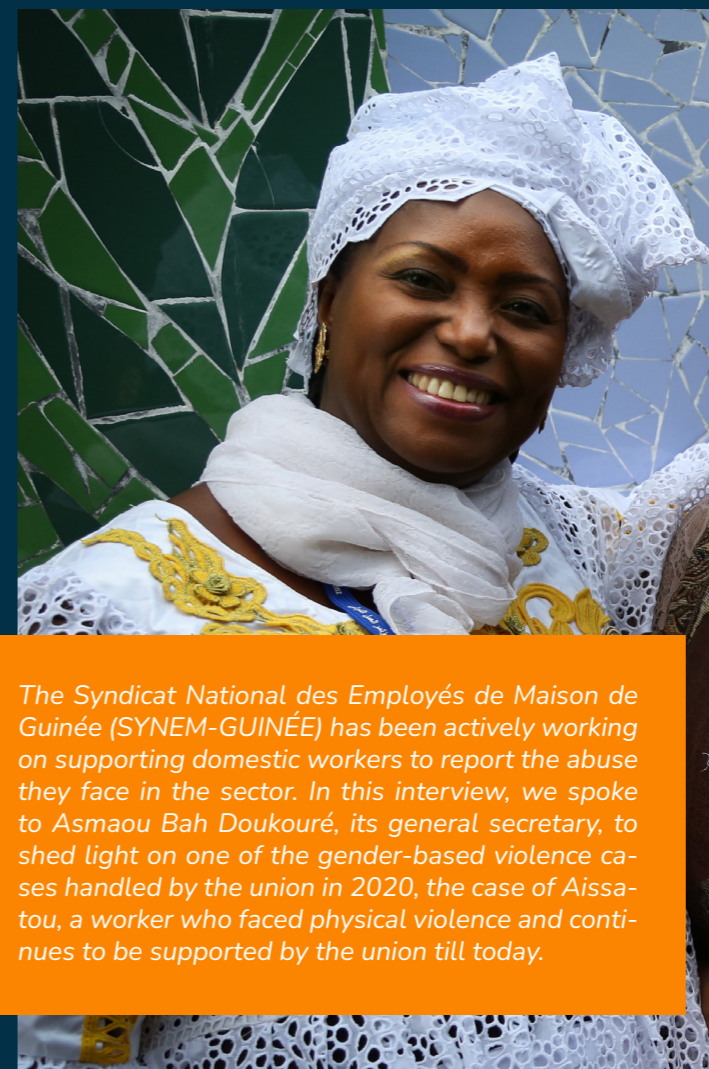
I am now a Chapter Leader in the JHWU and I have been going around educating our members to “Stand Up and Speak Out!” No more silence, our rights cannot be taken from us!

INTERVIEW

SYNEM Guinea

04

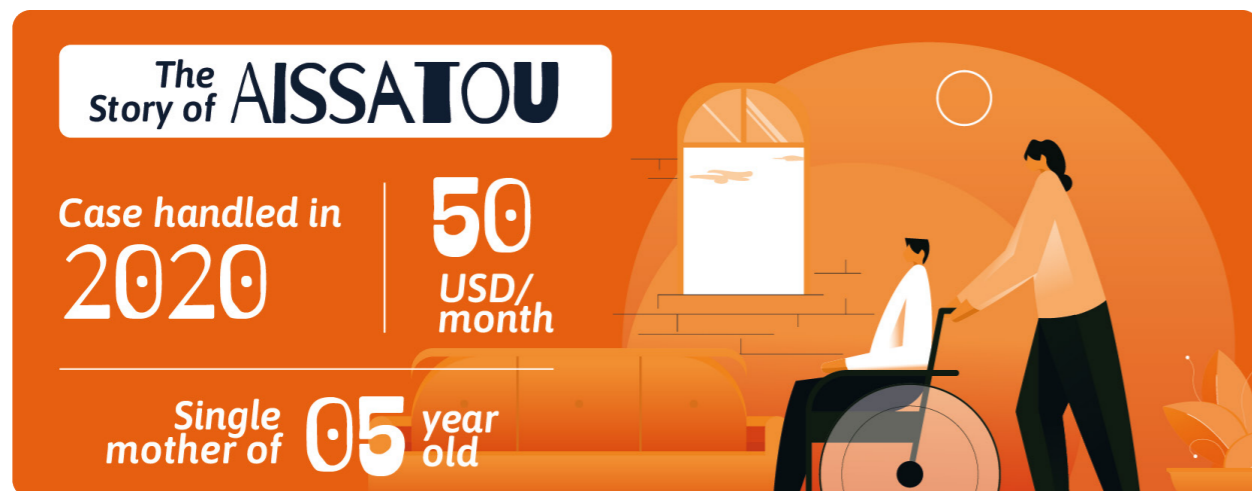
Interview with Asmaou Bah Doukouré Creating a Safer Work Environment for Women Workers



The Syndicat National des Employés de Maison de Guinée (SYNEM-GUINÉE) has been actively working on supporting domestic workers to report the abuse they face in the sector. In this interview, we spoke to Asmaou Bah Doukouré, its general secretary, to shed light on one of the gender-based violence cases handled by the union in 2020, the case of Aissatou, a worker who faced physical violence and continues to be supported by the union till today.

SYNEM Guinée is one of the few examples of successful collaborations with local authorities to support workers filing complaints of abuse against their employers. Can you give us an example of a case you have handled and brought to justice?

In 2020, we have supported a worker named Aissatou handle a case of abuse against her and be reintegrated in society. She has been a live-in worker with her employer for five months, getting paid 500,000 Guinean Franks (50 USD) per month, in order to raise her 5-year-old daughter. She lived in poverty, as a divorced single mother, she needed the money and was working in the city while her daughter stayed back with the grandmother. It was Aissatou’s sister who found her this employment, and although Aissatou faced regular physical abuse, she continued to work for the family taking care of a disabled person. One day, the female employer accused Aissatou of stealing money and a phone from the house. Aissatou said that she is innocent, so in effort to force a confession out of her, the woman employer sent after a young man from the neighborhood to tie her up and electrocute her with an iron. The man applied the iron three times of Aissatou’s thigh, leaving six scars. He also attempted to rape her, but was stopped by a neighbor. Injured and abused, Aissatou did not confess to the theft. So instead of being sent to a hospital, she was sent to the police office



that refused to put her under arrest as she was severely injured. They sent her back to the employer's house. This is when SYNEM-Guinee took charge of the case.

How was SYNEM-Guinee able to assist Aissatou?

As the union works with the brigade for the defense of vulnerable populations, we were able to pull some strings and send her into a hospital to attend to her wounds. We approached the Guinean organization for the Defense of Human Rights (OGDH) to take charge of the case and we filed a complaint against her female employer. The union also mediated this case for Aissatou to receive public support and for us to raise awareness about the violence endured in the domestic work sector.

After Aissatou was discharged from the hospital, I took her in to stay with me at my house for two weeks, as she needed care

for her recovery. Her employer was called into a tribunal of first instance to be judged, and served 4 months in prison but was rapidly discharged with the rise of COVID-19 in 2020, as she had diabetes and being confined with other prisoners could have had impacts on her health. She was therefore released on parole. The perpetrator escaped and the police roams the neighborhood from time to time in search for him, but he was not found yet.

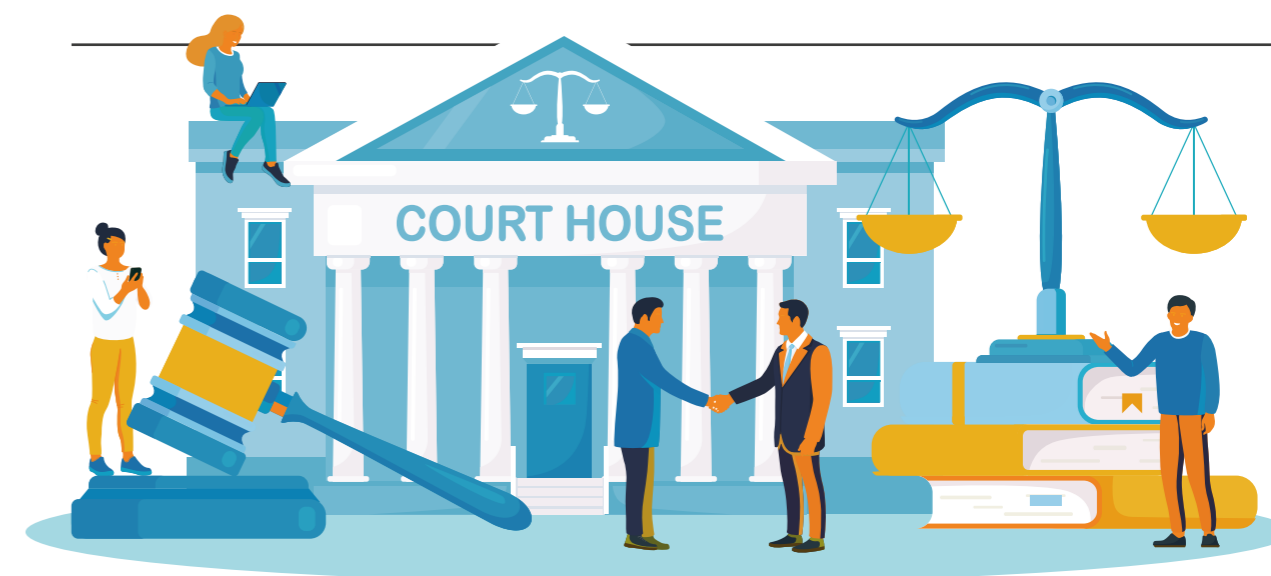
The work of our union did not stop here. We supported Aissatou create a small income generating activity so she can support herself and her daughter. We also put her daughter to school, paying the costs through volunteer contributions. As Aissatou recovers and becomes reintegrated in the society, she will be able to create the better future for herself and her family with our support.

This is not but one instance of abuse that is disproportionately

experienced by domestic workers. How does SYNEM-Guinee work to raise awareness on the issue with its larger membership and with local authorities?

We regularly hold informal talks in the community under a palaver. In Africa, meeting under the palaver is a custom to create and maintain social ties. It is an egalitarian practice in which community participates, which makes settlements of disputes and intimate sharing possible.

During the rainy season when it is not possible to meet under a tree, we lay out mats, bring Calabash, and invite women to discuss what is it that we are facing as domestic workers. The most recent encounter was amazing and everyone cried at the same time in response to the powerful sharing. I started by giving examples of hardships in my own life to encourage more personal sharing. I remember one story that marked me a lot; it is of a young woman who was orphaned at



a young age. Her father has passed away and her mother was sick requiring medication for survival. She did not have the money to save her mother as she worked as a domestic worker and what she needed exceeded what she had. If medication was not administered to her mother immediately, she would have passed. The young woman attempted to borrow money from a man who told her that he would give her the sum in exchange for sex. The young woman refused that he takes advantage of her vulnerable situation and looked for alternatives, reaching every single person she knows, friends, family, and neighbors, to try and gather the amount of money. It was in vain. After exhausting all options, she went to the man and took his offer. He gave her the money. And although she made it in time, her mother passed away. On top of the grief of losing her mother, the young woman felt violated for nothing. Now she

was all alone, living in poverty and feeling violated. Had her mother survived, it would have provided her with some solace. But life can be cruel.

This is one of many experiences that the women shared in the session. When we discuss these intimate details of our lives, it is as if we have been friends for ages, it brings us closer, in an environment where there is no judgement but only solidarity. It is not only solidarity that we build, but also mechanisms to identify and report abuse. We share best practices, whom to speak to and what to do in case of danger. First and foremost, we explain the necessity to report abuse so it is not normalized in the sector.

That is necessary, of course, because we cannot change things that are not acknowledged. In many contexts, coming out with a story of abuse is difficult not only because of the stigma, but also the impunity of the perpetrator. How is the situation in Guinea?

Here, if the aggressor is known and caught, he will be persecuted to the extent of his crime. We have worked a lot with the competent authorities in order to engrave this practice. This is why we are comfortable supporting survivors to disclose the abuse to the judicial police and the gendarmerie for the defense of vulnerable populations. We work hand in hand and we do not stop our support after the resolution of the case. We work further to support the social reintegration of the survivors. We have well-rounded support and we are currently looking for someone to provide the needed psychosocial support to our members. This is work that we cannot do alone. It is a collective effort that you also contribute to. And for that we are grateful. Together we are stronger, and we are able to fight against victim-blaming and create a safer work environment for our members.

I WILL NOT STOP TILL I AM REVINDICATED

I am Charuka, I am a domestic worker from Sri Lanka and a mother of three children, living and working in Kandy. As my husband's income alone was not sufficient to sustain our family, I have been working in domestic service. For 6 years, I worked for a family that later moved overseas. Before leaving, they recommended me for work for another family in the same neighborhood as they were satisfied with my work.

The new family was composed of my female employer, a doctor, her husband, a banker, her mother and two children. It was a day job, I would go in the morning and come back in the evening. I had access to the house key, so that I can enter the house when the employers are not at home, complete my responsibilities and go back home locking the door. My wages was also left out for me to collect as I was paid daily. I was satisfied with the arrangement.

It was after two years of service that things took a different turn. I came to work while my female employer was not in the house, as per our usual arrangement. When I arrived, I did not find the key under the flower pot, where it was usually left. Instead, the house was open because the mother of my employer had let in some workers to work on the terrace. The mother instructed me on my daily duties. I proceeded to do my job, collected my wage, and left. In the evening, I received a phone call from my employer. She said that gold jewelry and cash of LKR 100,000 (275 USD) were missing, and asked me if I kept it aside. I said no, as I have not seen anything.

The next day, the employer was present, and informed that they haven't found the items yet, but they will keep looking. The employer's mother

then asked me if I took the items. I did not, furthermore, there was also a CCTV camera in the room which could have resolved the issue. The next day, my employer's husband has stopped my employment and gave me my wage for two weeks. I was upset. But there was nothing I could do to change the employer's decision.

A few weeks later, as I was with my children, I got a phone call from the police asking me to come. When I arrived, my former employer and her husband were there and they accused me of stealing the money and jewelry. I was interrogated, threatened and slapped by the police. I told them that I had worked for my previous employer for 6 years and nothing went missing, but the police kept insisting that I stole the items. When my children saw what was happening to me, they started crying in terror. So, the police separated me from my children: they took me to a different station and called my husband to come get the kids. The next day, I was released on bail.

I was very upset that I was let out on bail and not exonerated. This had a deep psychological impact on me. Worse, my family and I resided in worker settlements near a tea estate in Kandy, where the police turned up to look for the missing items. This spread the rumor in the community about the alleged robbery. My community members stopped talking to me. They even stopped talking to my children. No other kids would play or interact with them. Since that news had spread, it has been so difficult to find new employment.

The Domestic Workers Union (DWU) of Sri Lanka heard of my case. They reached out to me and invited me to join and talk about it, even though I was never part of a union before. They registe-



red my membership, approached a lawyer, and filed a case against the employer. In the initial few hearings, the employer never came. He tried telling me that the items have been recovered but would not do so publicly.

It is in the union that I learned that I was not alone. Sathiya, president of DWU, who has supported my case, explained that the union has been established with the motive to protect and provide support to these vulnerable women. The union recognizes that in such cases, there is no loss or damage to the employer, government or police: it is just the worker who suffers. Since Sri Lanka currently has no domestic worker law or ordinance, the union operates as a support group.

My court case is still ongoing, and my lawyer is fighting for me and is hopeful for the right decision. However, the employer's stalling and boycotting the trial has prevented a fast resolution. While I now found employment in another household through the union and I have the strength to carry on, justice must be restored because the false allegations not only damaged my reputation and livelihood, but also my family's wellbeing, including my children. Together with my union, I am now determined to win this case and I will not stop.

FREEDOM OF EXPRESSION MEANS:

I am free to report my abuser



Stylized photograph of Magdalena

I am Magdalena Swartbooi, 46 years-old, a single mother of three kids and a domestic worker, based in Windhoek, Namibia. Before becoming a domestic worker, I worked at a lodge as a waitress and in its laundry room as a washer as well in a different city. I resigned from that job as my parents were working full-time and there was no one to look after my children, so I needed to return home.

When I arrived in the city in 2006, my mother had arranged for me to work as a domestic worker so I can continue to support my kids as a single mother of three. At the time, I did not have any knowledge of my rights as a domestic worker. I just worked for bread and butter. And I did that for a decade for the same employer, from 2006 to 2016.

I had signed the Standard Employment Contract drafted by Government of Namibia, and my employer was paying me through a bank account. In 2016, I asked my employer for my payment slip. I needed to buy furniture for my house which required this document. My employer got upset, as she did not appreciate my request. She started insulting me and the insults soon turned physical when she was pointing her finger at me, then started poking at my breast as I was moving backwards away from her. She continued doing it until I was cornered. Her husband walked in and asked what was happening. I tried to explain the situation, but no one listened. My employer's husband requested that I leave their house immediately.

I left, feeling confused and humiliated. I also felt that my freedom of expression was taken away from me, as nothing warranted such behavior

The Story of **MAGDALENA**

AFRICA

Mother of **3**

Nationality
NAMIBIA

Worked for **10** years

Instead of asking a domestic worker "Why didn't you leave?" Say: "We hear you. We believe you. We stand with you."

and physical harm caused. I simply asked for what should have been a right of mine. I spent some sleepless nights worried about my situation, as my abrupt dismissal caused financial harm to me and my children. From being concerned about getting furniture for my house, I now had to worry about putting food on the table. The pain in my breast was increasing so I went to the doctor for treatment and to the police station to report the incident, the harm caused and that my employer has dismissed me from the workplace. Nothing happened.

So I decided to exercise another form of my freedom of expression: to report the abuse to the ministry of labor. The labor inspector called my employer who gave a false statement that I disrespected her in her house, then she refused to listen to him any further. One of the inspectors had suggested that I become a member of the Namibian Domestic and Allied Workers Union (NDAWU) as I was not a member at the time. He even gave me directions on where it is situated. I went there immediately and was received by the general secretary, Nellie Dina Kahua and her deputy general secretary, Magrietha Saal. The union did not stop at a phone call, but requested a meeting with the employer for conflict resolution. NDAWU represented me, while the employer used a private consultant.

At the consultation, the employer was withholding my severance pay until I withdraw the case from the police station. After that, they agreed to pay it in addition to paying for my medical expenses and the transportation I had paid out of pocket during my follow-up at the hospital. The union's intervention not only helped me, but was an eye-opener to other workers.

My advice for my fellow domestic workers is simple: look after yourselves. We are living and working in an unprepared environment, where many forms of abuse exist and can have serious physical and emotional repercussions. If you're concerned about a friend who may be experiencing violence the same way I did, please intervene. Let's help each find the safety and support we need.

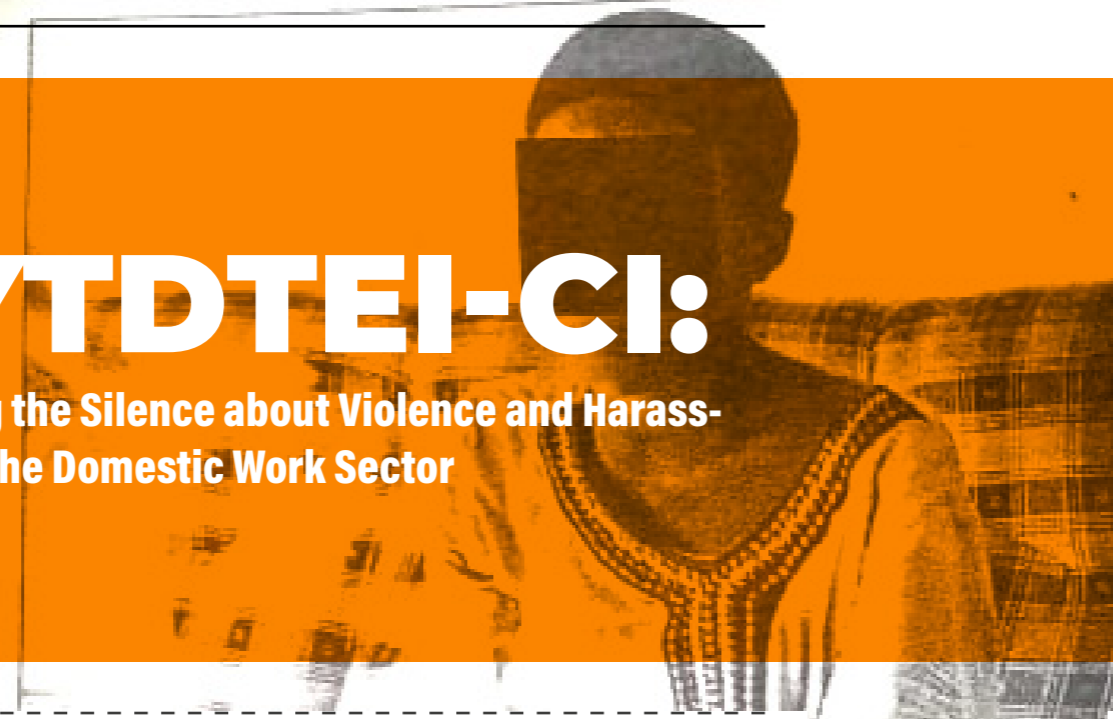
And when the violence we experience has a sexual nature, a victim's sobriety, clothes, and sexuality are irrelevant. An important step to break the cycle of abuse is to create the conditions for survivors to speak up. And this duty falls on all of us.

Instead of asking a domestic worker "Why didn't you leave?" Say: "We hear you. We believe you. We stand with you." Ensure she can have the freedom and safety she needs to speak up, so she can call out for help, just like I did.

La servante de 14 ans, victime, débauchée

La Centrale syndicale Dignité à son chevet

Le syndicat des travailleuses / eurs domestiques et travailleuses de l'économie informelle de Côte d'Ivoire, dont la Secrétaire générale (Sg) est Marcelline Adopo epse Douai, accompagnée d'une délégation, a rendu visite, à Yopougan, le dimanche 19 septembre 2021, à la famille de la travailleuse domestique K.N.D. âgée de 14 ans, victime de maltraitance. A cette occasion, il lui a été demandé de raconter son vécu de travail. Selon Marcelline Adopo epse Douai, il en ressort que, depuis 8 mois, K.N.D est au service de sa patronne qui habite à Ahatta avec ses trois (3) garçons. Le de ceux-ci ont été maltraités. L'aidante a subi une violence physique, sexuelle et psychologique. Elle a été soumise à des coups et à des humiliations. Elle a été obligée de travailler sans salaire et sans protection. Elle a été victime de harcèlement et de violence de la part de son employeur. Elle a été obligée de travailler dans des conditions de travail précaires et dangereuses. Elle a été victime de discrimination et de violence basée sur son genre et son statut de travailleuse domestique. Elle a été obligée de travailler sans salaire et sans protection. Elle a été victime de harcèlement et de violence de la part de son employeur. Elle a été obligée de travailler dans des conditions de travail précaires et dangereuses. Elle a été victime de discrimination et de violence basée sur son genre et son statut de travailleuse domestique.



INTERVIEW

The Union of Domestic Workers and Informal Economy Workers in Ivory Coast (SYTDTEI.CI) works in synergy with women organizations and local authorities to raise awareness about the rights of domestic workers, as well as provide support in cases of injustice, including violence and abuse. We spoke to Sandrine Akaffou, the Assistant General Secretary of the union about an abuse case that has shaken the country in 2021 and about the union's role in supporting the survivor.

Le syndicat demande que la justice soit en cours, afin que justice soit faite. Trois (3) personnes se permettent d'abuser de la travailleuse domestique parce qu'elle est vulnérable parce qu'elle a besoin d'argent. Nous avons nos regards tournés vers les ministères de la Santé, de la Famille et de l'Enfance et la Solidarité pour aider la jeune adolescente qui est en sous le choc. Le syndicat des travailleuses / eurs domestiques et travailleuses de l'économie informelle de Côte d'Ivoire. Il faut souligner que, c'est au nom de la présidente la Confédération ivoirienne des syndicats libres Dignité (Cisl-Dignité), Boga Dago Elie, que la délégation, conduite par Marcelline Adopo Epse Douai, est allée apporter un soutien financier et a fait un don en nature à la famille de la survivante.

07 SYTDTEI-CI:

Breaking the Silence about Violence and Harassment in the Domestic Work Sector

With us today is Sandrine Akaffou, a seasoned leader from the domestic worker movement, who has worked on unionizing since 2013. Thank you, Sandrine, for joining us. You have an interesting experience, because you have been both a domestic worker for over five years, and also an employer of a domestic worker. So you have both experienced and created employment conditions for domestic workers. What can you tell us about the state of violence and harassment in the sector in Ivory Coast?

As long as there are no concrete protections for domestic workers, violence and harassment in the workplace will continue, because it is an isolated profession. It is difficult to tell how many workers are facing abuse, because most cases are unspoken.

Nonetheless, some domestic workers are breaking the silence. A big case came into the light in September of 2021 and SYTDTEI.CI had an active role in supporting the survivor. Can you tell us more about the case?

K.N.D was a fourteen-year-old domestic worker. She lived with her employer, mother of three adolescent boys, 18, 17, and 15 at the time. These boys have regularly sexually assaulted and raped the domestic worker. They threatened her that they would put her through hell if she spoke up. So, she did not have the courage to tell

anyone. After a period of abuse, she did not get her period, so she informed the adolescent sons of her employer of her potential pregnancy. The boys did not seek medical help or the help of an adult. Instead, one of them started giving her traditional herbs and beating and walking on her lower abdomen, hoping to induce an abortion. Their mother noticed, and started helping them.

Did the female employer double-check the pregnancy status of K.N.D before undertaking any action? For example, did she get her a pregnancy test or take her to a doctor?

No. She knew that K.N.D did not get her period for a couple of weeks, so that was sufficient information for her to act on.

And she acted on it by trying to cover for her sons by attempting to forcefully end the pregnancy without knowing what the worker would want. Is abortion legal or criminalized in Ivory Coast?

No. Abortion is illegal except for two situations: rape and when pregnancy poses a danger to the patient. In general, if you're fourteen and pregnant in the Ivory Coast, you are having that child.

This means that in the event the worker would have pursued rape allegations against the employer's sons, she could have accessed the service in a safe manner. However, the female employ-

elle souffre énormément. Elle est en contact avec ses trois fils, qui sont en un état critique. Elle est transportée à l'hôpital. Elle est sérieusement malade. Il faut alors des soins chirurgicaux. Elle est décédée le 6 septembre 2021.

er could not seek professional help because it would incriminate her sons.

Yes. She used traditional methods, some plants and roots we call djeka. Then the domestic worker started getting very sick. So the female employer contacted the recruitment agency. It was not a formalized agency, but a man who arranged the recruitment of this child into domestic work. The man called the child's family and her aunt came to take her to the hospital where she was placed in the emergency room and underwent two operations.

Was the domestic worker's family in touch with their daughter during her time of service?

No. They had no visit rights as she was a full-time live-in worker.

So, her aunt finally took her to the hospital when her health deteriorated. What happened there? Was it the doctor that pressed charges after documenting the rape and the abuse?

It was the family who contacted the Minor's Brigade to pursue the case. It was not the hospital. The family reports that the first medical report stated a severe infection to her womb and that had she stayed an additional two days in the house of her employer, she wouldn't have survived. But later, the doctor's position changed.

Usually, such a situation calls for a forensic doctor that creates a report of the sustained harm in relation to the nature of abuse. Was any information given on the kind of infection that the child suffered in addition to potentially hematomas from the beating? How is her health today and how is she doing?

Today, she is back in her village and her family is protecting themselves from the threats they received from the employer's family. They decided to file a legal case against the employer and her sons. The sons were placed in custody at the juvenile detention center while the investigation happens.

What happened to the man who recruited her to this job?

It was an informal agency so there was no license to revoke. Anyone can start matching workers with employers without the proper documentation or supervision. The man was arrested as she was a minor.

How has your union supported K.N.D?

We act in synergy with women organizations. We supported coordinating work with women jurists, and our union has also contributed financial resources to the medical treatment of the survivor. In such cases, we are able to provide referrals to the needed services and we accompany the case.



“If your voice is stolen from you, we can give you a voice. Speak up. If you stay silent, you will only have silence. If you speak up, we can fight together.”

We also train domestic workers to help them negotiate and navigate difficult situations. It makes a difference when an employer knows that the worker did not fall out of outer space, that she is not alone, that she knows her rights, and that she will not be silent in face of injustice.

As the survivor’s family is being harassed for pursuing a legal case, has it discouraged them from moving forward?

Moving forward has its difficulties as they believe that the doctor’s report was changed through an intervention from the employer’s family. The report now says that their daughter suffered from peritonitis, an infection to her abdomen. In addition to the threats, there was an attempt to bribe the family of the survivor to let go of the case.

If they pursue the case, what are the chances of success? Is there a law in Ivory Coast to protect domestic workers from abuse in the place of work?

No. There is a general law that protects all workers. It is article 5 of the Ivorian Labor Law, the

point 4.5 addresses violence. However, domestic workers struggle for recognition as workers and are still excluded from the labor law. The Ivory Coast is still to ratify C189 and C190.

In addition to the gaps in the legal context, why do you think most domestic workers do not report such cases?

Domestic workers worry about the social cost of disclosure. When they are young, they worry about telling their parents, because of the stigma and the accusations that the worker must have done something wrong to attract the abuse. It is always the victim that gets the blame.

So, what do you tell domestic workers in similar situations?

We are here to support you. Domestic workers are vulnerable because they are isolated in a private home. But you don’t have to be alone going through the hardships. If your voice is stolen from you, we can give you a voice. Speak up. If you stay silent, you will only have silence. If you speak up, we can fight together.

08 | STORY

The Story of **MARIAM**

MENA

Traveled in
2014

Nationality
SIERRA-LEONE

Undocumented for
8 YEARS

It was like my life was taken away from me

The Kafala system is an employer-tied visa regime that controls labor migration in in the Gulf countries, Jordan, and Lebanon. The sponsor, or the Kafel, takes ownership over the legal status of the worker he employs. In the Lebanese Kafala system, a migrant domestic worker is only considered legal if she is a live-in worker in her employer’s house. A migrant domestic worker is only allowed to change the employer once.

My name is Mariam, 26 years old, from Sierra Leone. I have been a domestic worker in Lebanon for nine years now. I came here as soon as I finished high school. I wanted to go to college, but my parents did not have the means to pay a college fee. I kept looking for ways to be able to put myself through college and heard of this program to come to Lebanon through an agency. The salary I was promised was good, and I

was so excited to work for two years then go back to my country to further my education.

In Lebanon, I was placed to work in a household with a married couple with two children. Madam went to work early in the morning and the children had school all day. Mister, on the other hand, wasn’t working. He was always in the house. He had no activity except following me around, harassing

me, trying to touch me. Every day when I wanted to take a shower, I wasn’t allowed to close the door. I was afraid. What if he comes in? I was not allowed to close the door of my room. Worse: There was a camera in my room that I did not know about and that a former domestic worker of his had told me about. He has placed it carefully in the room to watch us. He has seen me naked as I was getting dressed in my room. I was afraid to tell his wife because a friend warned me: “What if she is afraid for the reputation of her husband? What if she tells him that you spoke up and then he kills you?”

I could not make any official complaint either, of course. People here either don’t listen altogether to you, or they don’t believe you. So, what’s the point?

Every day, I was alone in the house with him, with no rights, no guarantees of safety, no dignity. Every day, I was waiting for something horrible to happen. I stayed for nine whole months before I could escape. Nine whole months that felt like my life was taken away from me.



When I left the house after a fight with the employer, I had to act quickly to save myself and I did not have my documents. I still do not have them. They are with him. I tried to fix my papers, but the general security demanded 3,000 USD in fees or to have a new sponsor. I didn't have either, no money to pay, and no local guarantor to take on my paperwork.

So, I was on the streets. At the time, I did not know how to communicate in Arabic. I was looking for help and trying to sign my way out of trouble. I met Syrian women in the neighborhood. They, too, were migrants. They, too, worked a low-paid informal job. They accommodated me for the night, and the following day told me to leave because if their boss sees me, it will be a problem. Before I left, they gave me a plastic bag with a change of clothes. So I was on the streets again walking around trying to find someone to talk to. I could not approach just anyone easily. What if I approach a Lebanese person and he takes me back to my employer or reports me to the police?

I approached some Sudanese men. They were migrants like me, but they also could not understand me. They worked as guards and janitors and they accommodated me for 3 days in their small apartment. Then a Sudanese man came and claimed he knows a woman from Sierra Leone, and that it is better if I go with him so I can meet my sister, the Sierra Leonean woman. He asked that the men find me a black robe and head cover so I can go to his neighborhood without anyone knowing who I am. So I went with him not knowing that he is merely trying to sleep with me or make me his wife.

When we arrived at his house, he bought me food and told me to eat. I was starting to get scared so I said I had just eaten before, but he insisted that I should eat. He was forcing me to eat, so I started eating a sandwich and was not comfortable because he kept staring at me in a way that revealed his true intentions. He then told me to shower. Just like that. I said no because I had already taken a shower before we left, so why should I take a shower again?

He started touching me, started putting his hand under my clothes, trying to touch my breast. I kept saying the only



Every day, I was alone in the house with him, with no rights, no guarantees of safety, no dignity. Nine whole months that felt like my life was taken away from me.

thing I knew how to say in Arabic "Ma baddeh!" (I don't want this). He got upset and left the house slamming the door in my face. Luckily, in the midst of his anger, he did not use a key. Maybe he thought I was too scared to escape. I put on the black dress he required that I wear when he took me from the Sudanese men. And honestly, it is the only time I felt safe because that area was conservative and everyone else was covered as well. I was happy that I can move without people getting suspicious or pointing fingers or looking at me. No one noticed I was Black, as I was fully covered in black. I used the same attire to escape later. Luckily, I had it, it would have been easier for him to spot me if I stood out in the crowd.

For the third time in less than a week, I was wandering the streets with no purpose, again. I didn't know the area. But back then nothing was familiar. It was already midnight and I was so scared that I would need to spend the night on the street, then what would happen to me?

Finally, I ran into an Ethiopian girl and I was crying trying to explain my situation. She knew a woman from Sierra Leone. She took me to see her. This time, she was real.

Since then, Mariam joined domestic worker groups to volunteer supporting her sisters in similar situations. With her friend, she formed a group for domestic workers from Sierra Leone in Lebanon, the Domestic Workers Advocacy Network, so they can be more organized. While Mariam's situation has improved, it is still precarious. She was not able to fix her papers yet. A friend of hers recently volunteered to be her kafeel. She hopes it works out soon. It has been nine years since she last saw her family. No worker should have to go through that.

The Story of **ANGELE**

AFRICA

Age started working **10**

Nationality
IVORY COAST

16 USD/month

AFTER ALL, I WAS ONLY A CHILD

I started working as a domestic worker when I was 10 years old. Well, I did not know at the time that domestic work was going to be my profession. At the time, I was just taken away from my village and sent to another village, and I was scared, not knowing what was waiting for me. I thought I was going to the capital! But it wasn't Abidjan.

My parents needed financial support, they had six children, including me. I was the youngest, but that did not protect me from having to work and to work hard at my age. The employers had promised my family 10,000 West African Francs per month. But they never paid them. I did not know that at first, because I never touched my salary but I thought it was being sent to my family. So I worked for two years, unpaid. I worked from 5 am in the morning until 2 am in the morning. Sometimes, when there wouldn't be any work to do, my employer would still wake me up. I had no rest. I also had no right to food. I would cook for the family, I would make the sauce with fish and vegetables. They will just give me the sauce. No fish. No vegetables.

The first time my female employer beat me, it was because she brought a special bread and I had split it with two other domestic workers and ate it. She

beat me because it was not mine to eat. I was shocked. For something so small, a piece of bread, I was beaten so hard. I was twelve years old. I wanted to leave, but my birth certificate was with my employer, and I could not go anywhere. After all, I was just a child.

To my luck, I recognized a man from my village, who had come to visit in the area I was working. I told him my story, I told him I want to leave. He confronted my employer. She gave him my documents and he took me back to my village, to my parents. My luck did not last long, the female employer called my family and told them she wants me back because I was good at my job. They forced me to go back to her. She hadn't paid them for two years, but it did not matter. My family could not afford having me around. They sent me back, in exchange for some traditional fabric that the employer gave me as a gift. You know the African fabric we carry children in? Yes, that's the one. That was my one time payment.

I lasted for another year. I was being beaten, time and time again. When the employer's marriage fell apart, it was my opportunity to leave. I left. I saw a protest that went to Abidjan. It was my dream to see the capital. I spent my life imagining what it would be like there.

10,000 West African Francs per month is the equivalent of 16USD



FROM DARKNESS TO LIGHT



The union opened my eyes. This is the place where I got my education. It is the place where I never felt alone again.

A vector image of a young black girl crying while kneeling on the floor.



The Story of **NELLIE**

AFRICA

Mother of **6**

Nationality
NAMIBIA

Worked for employers
6 YEARS

So I went. It was an adventure, as I had no one there.

I found a job for 15,000 West African Francs (25.5 USD) per month. This time they did not beat me. But they have exploited every last little franc out of me. Sometimes they would pay me, and others they would not. The salary was irregular, and the work was too much.

I met my husband. We got married and had seven children! My eldest is 26 and my youngest is 7 years old today. I thought my life would get easier now that I had the support of my husband. He was a dressmaker and was making a decent living. But with time and with poor work conditions, he started losing his sight. Today, he is blind. And I am the sole breadwinner for the family. My youngest two children are still in school. But I cannot afford to put the rest of my children through it.

In 2014, I met a union leader from the Union of Domestic Workers and Informal Economy Workers SYTDTEI.CI and it made me so curious. Domestic workers had a space! I did not receive any education in my childhood. I have only taken two classes and I left because I was beaten at school. At the union, I learned that domestic workers have rights. I felt the solidarity of other women. I felt the sisterhood. For example, my son was hospitalized and I did not have the means to pay the fee, so the union helped me. When I needed support with housing, the union was here for me. My home was a small wooden cabin that filled with water every time it rained. The government gave us an eviction notice because a bridge was being built in the area. The union supported me with a monthly downpayment so my family and I could have a place to live. But most importantly, the union opened my eyes. This is the place where I got my education. It is the place where I never felt alone again.

I am Nellie Dina Kahua, and I am the General Secretary of the Namibian Domestic and Allied Workers Union (NDAWU). I started working as a domestic worker in 1997 and I joined the union Namibia Domestic and Allied Workers Union (NDWU) in 2008. I am no stranger to the stories of violence and discrimination that domestic workers experience. I have had my share too.

In every domestic worker's life, there comes a point in time when an unforgettable event will occur. For me, it was in 2001 and I still remember it so vividly. I was only 32 at the time, a young mother of five children, with no choice to sustain her family besides working in the three different private households. I worked for a young white employer two days a week and she found me a second job for another two days a week caring for her elderly parents. My income was still insufficient, and I worked a third job as minimum wage has not been implemented yet. I was

working in my third job for almost a year with no significant misadventures. But one day, as I was cleaning the floor with a mop and a bucket at what must have been 11 am, thinking I was alone in the house, I felt a presence watching me. It was my employer: I did not hear him come behind me as he was very quiet. I turned around to find him naked as he moved towards me with condoms in his hand and he said "let's do it."

I was shocked! I held my mop tight in my hand prepared to react to any move he makes. I told him "What do you want? I am a mother and I have a man!" I gathered all my strength and prayed for god's grace. The man was still standing still, naked, with condoms in his hand. I told him "Stop. I am not your age." He was in his early to mid-twenties. I was throwing whatever arguments I could find to stop him. I was scared of what will happen next as I was alone with him. It was the end of the month and my salary



was due. He got dressed and told me to go back to work. He said to leave the key when I am done. His tone was upset, as if I have taken away a basic right of his. I never spoke to anyone about this incident fearing that I would lose my job or that employers will not hire me again. But the memory continues to scar me till today.

Back then, I lacked the education and knowledge I have today and I did not know how to report. Furthermore, people representing domestic workers

back then were mostly men, and it is not easy to open up to a man about sexual harassment. I only opened up about it recently. It helped me heal and build confidence.

Sexual harassment is not the only form of violence I experienced, for another form of abuse that marked me is severe discrimination based on maternity. From 2006 to 2012, I worked for a South African couple who relocated to Namibia. The woman ran an online embroidery business

from home and the man was a medical doctor. My salary improved but working conditions did not get better. The day I started working at their house, I told them that I have high blood pressure and that from time to time, I need to go for a check-up and refill my prescription medication. They agreed that it was no problem as long as I let them know beforehand.

In 2007, I got pregnant. It was difficult for me to tell them, as I worried that they would fire me. But I had no choice but to tell the female employer and she was not happy. She started complaining on a daily basis. With the pregnancy progressing, I had to do monthly check-ups and she started giving me warnings and calling me names. She was saying that the reason I had high blood pressure is that I got pregnant at a young age and had too many kids. She was shaming me using my pregnancy and my children and this is the biggest insult a woman can receive.

The continuous discrimination



People representing domestic workers back then were mostly men, and it is not easy to open up to a man about sexual harassment.

and verbal abuse significantly damaged both my productivity and my mental health. But I kept on working and missed doctor's appointments for years, because I needed the money. My morale, my immune system, and my interest for work slowed down. She started pressuring me to work until late hours, and she added tasks to help with her business.

In 2009, all my colleagues working for her embroidery business resigned and I asked for a salary installment. She said where she was going to find the money. It was a slap in my face that I was not going to receive my salary. That afternoon, I forgot to switch

on the water-heater, so in the morning, my employer found the water cold. She had the biggest fight with me about it. I walked away from it because I did not want to argue. It was January 2009. My employer never spoke to me again, not even till the very last day I worked for her in 2012. For three years, not a word. Instead, she would send her husband to give me instructions on what I must do.

I became so stressed out, even at home and with my own children. I tried to appear like a normal person, to be strong for my children and I kept the sadness to myself. My story is similar to many others, and I

might never be able to explain this experience fully through words. Perhaps it does not sound like such a big deal to others. But I have never felt the presence of God and never felt this close to him until the moment I wrote the words of my testimonial. Tears just rolled in my eyes.

I am a firm believer that we need to organize ourselves as women workers so there will be no exploitation, especially that trade-unionism is dominated by our male counterparts. Women's voices are so important and I hope I can provide my shoulder for other women to rest on and join my voice to yours as you tell your stories.

11

INTERVIEW



Domestic Workers' Struggle towards Justice despite Systemic Obstruction

THE PROGRESSIVE LABOR UNION

The Progressive Labor Union of Domestic Workers – Hong Kong (PLUDW-HK) is a trade union of migrant domestic workers in Hong Kong. It was established on 27 April 2012, as is affiliated with the IDWF. We spoke to Shiella Estrada, the vice chairperson of the union about the union's journey in establishing a precedent in filing a case remotely through the technology court.

It is our pleasure to be speaking to Shiella Estrada, vice chairperson of the Progressive Labor Union of Domestic Workers in Hong Kong, who has been a trade unionist since 1998. Thank you for joining us, Shiella. We've spoken about the union's big achievement recently with regards to migrant workers using the technology court. Can you tell us a little about that?

It is huge news. This is the very first time in Hong Kong history that the Labor Tribunal allowed the use of the technology court, because the domestic worker had already left the country when it was time for her to give her testimony.

What is the legal context in Hong Kong, when it comes to domestic workers filing complaints of abuse or other maltreatment?

When we want to file a case, we need to file it in the Hong Kong labor first, with hopes of reconciliation. If the Hong Kong labor does not result in an agreement or settlement, the case moves onto the Labor Tribunal. So for example, if there was an unlawful termination of contract, that would be decided by the Hong Kong labor. If the case reaches settlement there, then we push through to the Labor Tribunal. Then, the Labor Tribunal will pass a

judgment on whether the case is unlawful termination or not.

However, the Labor Tribunal is not the only place where we can file for unlawful termination. The Equal Opportunities Commission (EOC) is another pathway. But the problem with the EOC is the long processing times, which isn't advisable or practical for migrant domestic workers because they cannot stay too long in Hong Kong without employment. The advantage of going through EOC is we can appoint a representative, so we can go back home, and the case will continue. But the dilemma is it takes so many years before they finally have the decision.

How long would a case take to process through the EOC?

Usually, we've had cases span across two years, three years, four years, sometimes even seven years. It depends on the case. But in one of our cases, the domestic worker, Baby Jane, had breast cancer and was wrongfully terminated by the employer. Baby Jane has already passed away, but there hasn't even been a single hearing because the employer cannot be found now in Hong Kong.

That sounds absolutely horrible. From my understanding of Baby Jane's case, the case in the Labor Tribunal was already won. In that case, why did you continue to the EOC?

The EOC receives cases related to the four discrimination ordinances, so if the employer violates the Discrimination ordinance, we can go to the EOC. And the amount you can claim at the EOC is much larger than at the labor department. Because at the labor department, at most you can claim one-month payment, the documents on your contract and under the employment ordinance. However, at the EOC, you can ask for the mental damage and the loss of wages in future, so the claim can be much bigger. You can file a claim at EOC, and if the EOC cannot solve your case, the case goes to the district court.

How would you say the international conventions interact with the local legal context? I know that ratifying conventions is not really possible at the moment given the political climate, but does that give domestic workers an angle to lobby, to make particular demands?

The international conventions are a good way of lobbying, especially for Filipinos, since the Philippines ratified C189. So there's a lot of lobbying that we're doing with the Philippine government and the consulate by using international law. Sometimes we use the local law here in Hong Kong, integrating that with international law to strengthen our position. But ultimately we are not allowed to organize rallies or protests so our mobilization will be cultural in many cases.

And in the case of unlawful termination, does the migrant domestic worker have a legal avenue to stay in the country?

Once you get terminated, you only have a two weeks visitor visa to stay in Hong Kong. The immigration department will allow us to stay, but we need to provide proof that we have an appointment at the Hong Kong labor department for the hearing. Based on this, we are allowed to extend the Visa. But the problem is you have to pay for everything on your own. You have to pay for your Visa, you have to pay for your accommodation, your



everyday food. And during this time you cannot work, you cannot go to hospital for a cheaper fee, which prevents workers from staying in Hong Kong if they want to pursue a case or find another job. They push you to leave.

But if you want to pursue the case, there are also support groups who are going to support you, especially if the case is big and it's winnable. and if the migrant worker wants to stand up and fight for Justice. As long as we have the letter, an appointment letter for the next hearing, then they will give you an extension of your Visa.

What happened in the case of the migrant domestic worker that allowed you to file through the technology court?

The domestic worker had already filed the case, and attended the first couple of hearings. By the third, she had needed to go back to her home country. Justice without borders and FAD-WU provided legal and administrative support, making the case stronger. We had to appeal three times because the judge did not consider this a case. So we appealed in the high court, and after that we appealed again in the Supreme Court about allowing the use of the technology court.

There were many requirements to the technology court. The room needed to be locked and empty. They said she must have a lawyer, but the lawyer cannot speak or move her body. It is quite a strict procedure, there was one time where the lawyer moved their hand a little bit, and the judge threatened to dismiss the case.

It is phenomenal how you lobbied for the case to continue online. When you reflect on this case, what are the union's key takeaways? What was the impact of this success?

Winning a case is a really big deal for us, especially because we are migrant workers. Hong Kong keeps on saying that there are no abuses, there is no maltreatment, but that's because migrant domestic workers were not able to file cases, because of the two weeks rule. But now that we know that the technology Court is a viable pathway to justice even after returning to our home country, it changes the game. So the union's morale has significantly improved, especially the leaders. Even though we were told that this would not be allowed every time, that it will be on a case-by-case basis. The process

“The problem is you have to pay for everything on your own. And you cannot work, which prevents workers from staying if they want to pursue a case. They push you to leave.”



The stronger each Union is, the stronger the collective movement. And together, we can find Justice, we can move mountains.

to appeal to the high court to allow the use of the technology court is long and requires a lot of documents. And it is only then that the high court would determine if there is really a need for a technology court.

The process was quite tiring and quite long, but we have a lot of support coming from lawyers with golden hearts who supported the migrant domestic workers cases. They gave free legal advice, legal assistance, such as filing cases with us, accompanying us everywhere. I think the solidarity was there. So as a trade Union of Migrant workers we must have this strong solidarity Network with NGOs, with civil societies especially, with other trade Unions, especially other local unions also here in Hong Kong, so that we can pursue a case. It's hard to build a case, but getting justice feels like being born again. It means we can get justice for other workers who have been abused.

Do you have any advice for unions across different countries, such as learnings or a strategy that could be re-adapted to another context?

I would say it's our education program. We have standardized training, and all our leaders go through them in order to learn about how to become an organizer and how to be a caseworker.

After the training, they are advanced leaders, which means they get an education that is different from the basic one, called Skills Training. Beyond this, we have a strong mentorship program for all leaders for how the leaders apply their learnings.

We also emphasize the importance of mutual respect and solidarity within and beyond our union. We are all strong if we will work together. That's why we want to share our own experiences, so that we can learn from each other. The stronger each Union is, the stronger the collective movement. And together, we can find Justice, we can move mountains.

STORY

The end of a long-winded battle *Angela's fight for Justice*

12

The Story of **ANGELA**

ASIA

Live-in **WORKER**

Nationality **FILIPINO**

Worked for **5 YEARS**

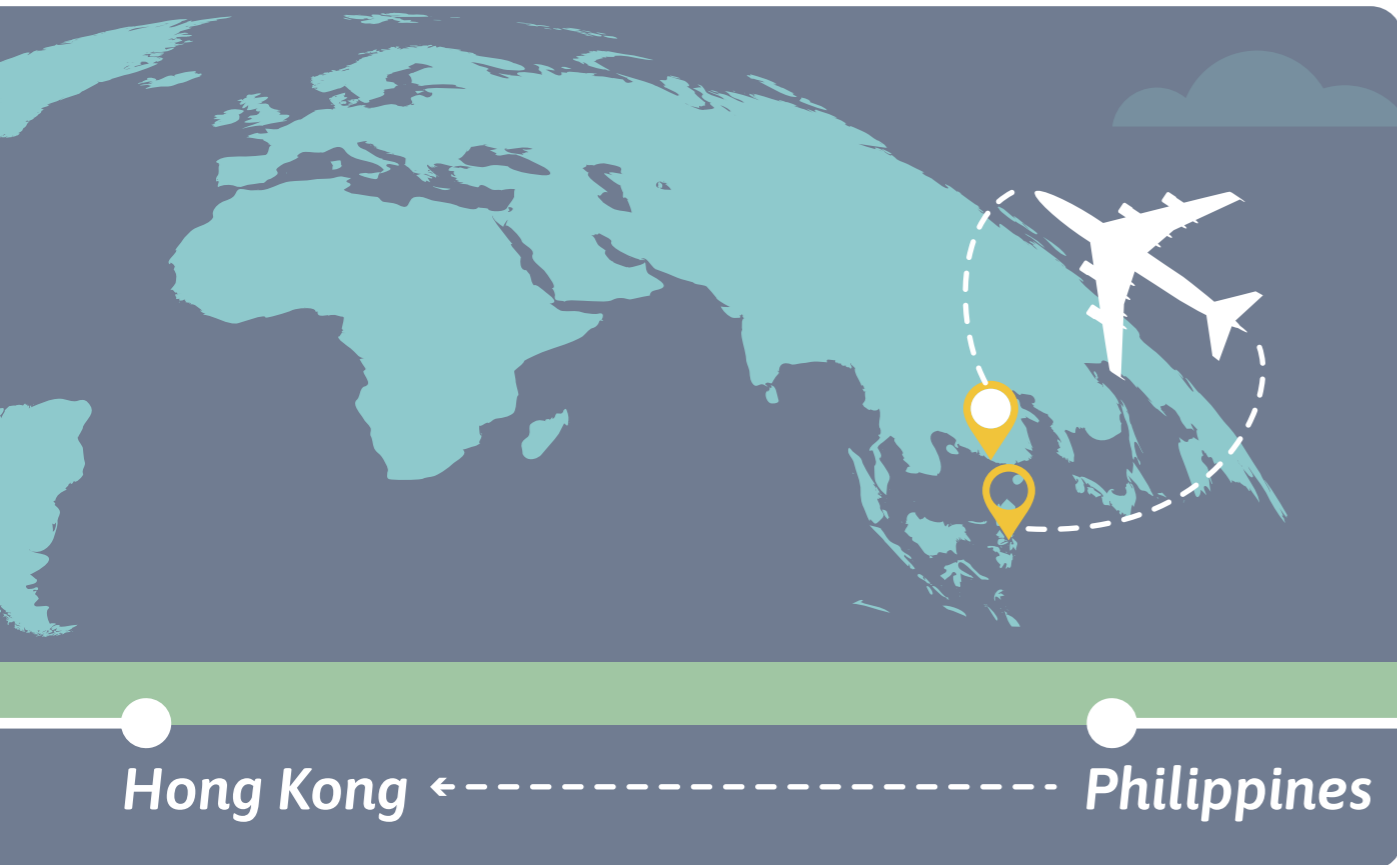
My name is Angela, and I migrated from the Philippines to Hong Kong to work as a domestic worker. I was in my early twenties when I moved, leaving behind my husband, my elderly mother, and my two children. Even though both my husband and I were working in a factory, our income was not enough. We needed to support our children's education, and I needed to pay for my mother's care worker costs, as she was elderly and needed constant supervision. So I decided to come to Hong Kong in hopes of providing better financial support to my family.

I worked in Hong Kong for four years as a domestic worker with no issues. Then I started working with an employer who was really nice in the beginning. Then one day, she started becoming verbally and physically abusive to me. This happened after she separated from her husband. I felt like she took all the anger that she felt when she found out her husband was cheating on her, and took it out on me.

She also didn't make a lot of money. So after her separation from her husband, my wages started to come in later and later in the month. But I stayed. I didn't want to leave because terminating the contract is really expensive, and I loved taking care of the employer's two children. I never dreamed that she would try to fabricate stories to fire me without having to pay the severance fee.

Imagine: she accused me of switching her shampoo bottle and putting chemicals in it that made her scalp itchy, and this is why I was fired. She even called the police a few times and insisted they come to the house, only to tell them that I tampered with her shampoo bottle. After that, she also accused me of putting things that are not good for the body in their food and drink. Of course, none of it is true, and even though the employer claimed to have proof, she was not able to bring any of it to court.

After I was wrongfully terminated in 2009, I stayed in



Hong Kong

Philippines

Hong Kong for six months to try and get justice. It was hell, I didn't have any money, I didn't have any place to sleep. Organizations, unions and friends were gathering money for me to just be able to survive because I was not allowed to have a job during this period. I filed the case at the labor department, and the first hearing, which is supposed to be a reconciliation attempt, took place. Of course the employer did not agree to any of the claims, and so we had to move to the Labor Tribunal. At the tribunal, I was able to attend the first and second hearing. But suddenly, my mother got diagnosed with cancer, and there was no one to take care of her but me. So I left. I wanted to give up on pursuing the case altogether. Pushing and trying again and again to get recognition of your rights and dignity is so tiring.

The Progressive Labor Union of Domestic Workers asked if they could pursue the case anyway by representing the trade union while I was away, and I accepted. At home, I took another job working in a clothes factory in the countryside. The union appealed for me to give my testimony remotely, and to my surprise, the high court approved it. So, over the period of five days, I sat with the lawyer and gave my testimony. I had to coordinate transportation to meet with the lawyer every day, and I had to keep leaving my job every now and then to get documents. Factories are not known for their leniency. I was tired and I did not want to lose my job again, but I pushed through because I wanted the truth to come out. And it did. It has been 13 years since this battle started, and I am finally ready to put it behind me and start a new chapter.

SECTION

13

WORKER, NOT A VICTIM



I am Mimi, a full-time domestic worker, a mother of three, a survivor, on the frontline of a campaign on the rights of migrant domestic workers in the United Kingdom, and also a legal trustee of the voice of domestic workers, a self-help group campaigning for all the rights, freedom and justice for all migrant domestic workers in the United Kingdom. And this is my story:

I left my home country in 2013 to work as a domestic worker in the United Arab Emirates. I applied through an agency and they said I will work in a palace in Dubai. When I reached Dubai, the driver who picked me up from the airport confiscated my passport as soon as I entered the vehicle. He brought me to a building with a sign that said "staff accommodation" where I was locked up for four days. I was abused and exploited. I had no days off, no breaks. I even smuggled a bottle of water in my cleaning materials while I worked so at least I can drink water when I was cleaning the toilet and no one could see me. I was working for what seemed like

The Story of **MIMI**

EUROPE

Started work in **2013**

Diagnosed **PTSD**

Trafficked to **UAE & UK**

24/7, with no holidays or days off. I would start at 6 am and finished at 1 or 2 am. For every little mistake I made, they would deduct money from my salary. There were times when they didn't give my salary at all. I was physically beaten and my documents were confiscated.

Then, in 2014, my employer brought me to the UK. I did not know in which airport we landed. There was a fleet of cars waiting in the runway. After 10 months and two weeks working with them I ran away. I didn't know where to go or whom to talk to. So, I became and remained undocumented from 2014 up to 2016.

When I met The Voice of Domestic Workers, they referred me through a national referral mechanism. I learned that there was positive and reasonable ground that I was potentially a victim of trafficking. However, because I applied for the national referral mechanism and I did not have my visa anymore, I was no longer allowed to work. Instead, I was supported by £5 a day to survive. I have been dependent on the support from the government and from the organization. But I am a worker, not a victim. I didn't leave my home country to seek support from another country or any other organization in general. I left my country to gain my living as a worker and this is how I want to be acknowledged: as a worker. It took me three years before I got my conclusive ground decision about my trafficked status in 2019.

As I wanted to work, I have not disclosed still struggling with Post Traumatic Stress Disorder (PTSD). The judge said that since I am no

longer suffering from it, I can leave to my home country, the Philippines, and in case I experience any symptoms again, the Philippines will have services for it. Isn't it absurd? If I want to work as a domestic worker and I want to be legal here, and if I was offered a 2-year domestic worker visa, why should I tell anyone that I suffer from mental health problems? If I disclose suffering from PTSD and trauma, the UK government will declare me unfit for work due to mental health issues. I was still unable to work and I was depending on everyone. They didn't give me this discretionary leave to remain because they said that I am not suffering from PTSD anymore.

Finally, the UK granted me my two-year domestic visa in December 2019. Ironically, it was not given to me because in March 2020, the pandemic and the lockdown started. So, I didn't get to use it. Instead, I struggled to find a decent job during the pandemic with my visa being expired. And now I am in another application under human rights. The process is still ongoing.

The processing of my application cost me £2,600. I moved from being undocumented, to having no right to work, to having no proper job despite getting the right to a visa, to paying £2,600 for its processing in addition to the health service surcharge. It was hard for me to get back on my feet again because of this flawed system.

We, migrant domestic workers are seeking justice and freedom. Although we already won the right to change employers in 2012, it is imperfect. The right to change employer in 6 months upon entry

make us more vulnerable, because no decent employers will hire a domestic worker for just 6 months. We are still campaigning to restore the pre-2012 domestic worker visa. I was many things: a victim of a system of modern slavery, a subject to the national referral mechanism, a survivor of trafficking. But what I want is for governments and employers to acknowledge domestic workers as workers, because this is who we are. It is who I am: I am Mimi, a domestic worker.

“He brought me to a building with a sign that said “staff accommodation” where I was locked up for four days. I was abused and exploited. I had no days off, no breaks.

CON- CLU- SION

Abuse manifests differently depending on the context of domination and power that women reside and work under. As the domestic work sector lacks both protective legislation and policy implementation, domestic workers face many struggles, including

violence and harassment in the world of work.

What does C190 do?

Like in the story of Francia, it defines GBV as violence directed at workers because of their sex or gender or affecting them disproportionately for the same reasons.

It covers everyone! Including domestic workers and workers of the informal economy, irrespective of their contractual status.

It includes all spaces in the world of work:: online, like work-related messages on social media and the phone, and offline, like the

NEXT steps

place where the worker performs her tasks, but also where she is paid, takes breaks, eats, or rests, as well as in an accommodation provided by the employer in general.

It requires employers and governments to protect workers from third-party violence, like violence by family members of an employer (like in the interview with Akaffou), or violence by someone encountered on the job (like in the interview with Asmaou).

With C190, a worker should have:

- the right to resign with compensation
- reinstatement
- appropriate compensation for damages
- a court order requiring that certain conduct is stopped immediately or that policies or practices are changed.

01

SHARE THIS BOOKLET

Share this booklet with your colleagues. Help us spread the word!

02

SHARE YOUR STORY

Are you or have you supported a domestic worker survivor of GBV? Share your story [using our online form](#).

03

REACH OUT TO US

Would you like your story to be featured in our next collection? Contact your Regional Coordinator and let us know!

04

LOBBY!

Lobby your government to Ratify C190!



GBV Monitor Form

Admin

Name of the domestic worker: _____

Name of the region: _____

Prefers to stay anonymous? Yes No

Reported by (Name of union): _____

Demographic

Nationality: _____

Age: _____

Put an X on what applies:

Registered/Regular migrant	Indigenous	Live-in Worker
Unregistered/irregular migrant	Latinx	Live-out Worker
Black	Employer-tied VISA	Rural migrant
Asian	Employer of a different ethnicity	Mother
Single Mother		

The Story

Date:

Abuser (circle what applies):

Employer Friend of the employer Family of the employer

Other (please specify): _____

Main highlights of the story:

Include details like: what first triggered the string of abuses, what were the worker's coping mechanisms, did she have access to outside support, what steps were taken for her protection, short term and long-term consequences of the instances of abuse.

If the space below is not enough, please add a separate attachment with all the necessary details that the worker would like to disclose.

Story reports in media and social media (newspapers, news websites, social media, etc.):
 Please attach newspapers with the form, and send any links to zeina.shaaban@idwfed.org.

Is the case now:

(Put an X on what applies)

Being investigated by the police or the judiciary
Dropped
Charges never filed
Perpetrator is free
Perpetrator was punished

Did your union provide support for this case? Yes No

If yes, how?

What is the demand you have about this case?

NOTHING BUT STRENGTH

MARCH 8, 2023

*Domestic Workers
Organize against
Gender-Based
Violence*

*Volume 1.0
International Domestic
Workers Federation*

**DOMESTIC
ABUSE
WORK**