

**Women in paid domestic work and their
children.**

An exploratory study.

THESIS

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by

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Abstract.

This study explores the views and experiences of domestic workers with regard to service conditions of their occupation, the arrangements they make for the care of their own children and the frequency of contact they make with their children.

Data was obtained through use of pre – coded self administered questionnaires which were employed to 50 domestic women who are working in East London and its suburbs and have children under the age of 16 years.

Semi – structured interviews were tape recorded and transcribed and the analysis process looked at general trends where qualitative data was obtained. Quantitative data was tabulated in frequency tables and interpreted by means of graphs.

The study is pioneering efforts in the Eastern Cape and South Africa in general as well as setting a way forward for further exploration of this subject. It is hoped that the study will make a worthwhile contribution and bring upfront valuable information that could be used when addressing issues of domestic workers.

The study also indirectly challenges those professions and disciplines who have been advocating on behalf of domestic workers to mobilize these workers towards taking part in the uplifting of their standards and to finish up the good work they had already started until their aims have been achieved.

DEDICATION:

This thesis is dedicated to my late parents Henry Velebhayi & Nomsokolo Nontembiso Blou who have made me what I am today.

I shall always remember your contribution in my life.

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Chapter 1

1.1. Introduction.

Domestic service constitutes one of the largest sources of employment for black women in South Africa, yet it is a largely understudied occupation.

Domestic service in South Africa is a social institution that is significant in four senses:

- * It constitutes the second largest source of employment of black women.
- * The development of domestic service into a predominantly black female institution reflects changing patterns of sexual and racial domination.
- * It has been one of the most significant interracial contact white experiences. Cock (1980:8) believes that many white South African children learnt the attitudes of racial domination from domestic relationships with servants, especially 'nannies'.
- * It is also marked by the opportunities opened through it in that it has been a point of incorporation into urban industrial society for many black women.

Domestic workers are amongst the most exploited groups in a society marked by extreme inequality.

Domestic service absorbs considerable numbers of largely unskilled workers who perform this domestic labour on a dual level. They are responsible for these functions in their own households, while fulfilling a large

part of these in the households of their employers as domestic servants.

As an occupational group, almost 90% of the sample in this study comprise of migrant workers who send money to a family living in the nearby rural areas.

The study draws on insights from both historical and psychological effects in order to illustrate the image and the plight of domestic workers clearly.

1.2. Reasons for the choice of the research.

Because the occupation draws a large number of women who are not well educated and apparently have no other alternative of finding better paying jobs, the researcher desired to learn more of what is happening in this occupation.

Furthermore, researchers have taken little notice and made very few publications to highlight and make the larger community aware of the plight of domestic workers.

There has been some campaigns made by South African Women Unions (SADWU) together with COSATU and the department of labour that are not understood by the public, therefore the researcher was curious to investigate the knowledge of domestic workers in terms of their rights and the efforts made by the said unions and the labour Act.

The study therefore serves as an inspirational research effort to explore and bring upfront the unexplored phenomena so that the researchers could take the process forward.

1.3. Objectives of the study.

The objectives of the study are to:

- * Explore the child – care arrangements that domestic workers make for their children and their satisfaction with these.
- * Explore the frequency of contact the domestic workers have with their own children and the particular challenges they associate with this.
- * Explore general working conditions (hours, wages, leave, family responsibility leave etc) and support available to domestic workers from their employers.

1.4. Anticipated Value of the findings.

Since the study will be using both survey and semi – structured qualitative interviews, rich information, which will also involve the nature of the relationship patterns between domestic workers and their children, will be gathered.

Such information could contribute in bringing awareness about the plight of this occupation and influence researchers to embark on more studies that will benefit both domestic workers and their children.

1.5. Limitations of the study.

The findings may not be generalized as the geographical area covered is small and the category recruited in the sample excluded a large population in this occupation. However, considering the fact the nature of the study is exploratory, this was not considered inappropriate.

Limitations of the study will be discussed in detail in chapter 5.

1.6. Problems experienced.

The following problems were experienced during the course of this research:

- * The researcher struggled to obtain the recent South African literature offering a wide perspective on the subject under investigation.
- * There was a great resistance from domestic workers in other areas as a result a large sample was recruited from Beacon Bay and Gonubie.
- * The study was also costly monetary wise and time wise in that the researcher had to move from one area to another recruiting respondents

A detailed account of the problems encountered in the process can be found in chapter 5 of this report.

1.7. Ethical considerations.

The researcher had to respect the respondents right to privacy and respect in the sense that they were not compelled to respond to the questionnaire. Those who did not wish to participate were accorded that right without confrontation.

The researcher also assured the respondents of anonymity as were assured that though their names were asked, they were at no stage going to be published and or revealed.

1.8. Research design and methodology.

The study is exploratory in nature and does not necessarily seek explanations and or relationships between variables, but only describe what is happening in the domestic service as compared to why it happening.

1.8.1. Design.

The study conducted in East London was limited to domestic workers with children under 16 years old and are working in East London only.

A sample of 50 domestic workers was drawn using random sampling method that means selecting and interviewing subjects that the researcher came across at the streets, taxi ranks, shopping centers etc. At some stage the researcher resorted to snow balling as it became difficult to recruit domestic workers randomly.

1.8.2. Methodology.

Pre - coded self - administered questionnaires, (formulated from the information yielded by the 3 in depth interviews during the first phase) were employed.

Semi - structured interviews were tape recorded and transcribed and the analysis process looked at general trends where qualitative data was obtained whilst quantitative data was tabulated in frequency tables and interpreted by means of graphs.

1.9. Organization of the report.

In this chapter, the study is briefly introduced by placing it into context while describing the objectives and the

anticipated value and thereafter examining the scope and limitations.

Chapters 2, 3 & 4 deal with the literature reviews. Chapter 2 focuses on the history and definitions of domestic service, chapter 3 deals in details with service conditions with regard to the Basic Conditions of Employment Act and the last chapter endeavours to reflect the effects and the impact of the occupation on domestic workers and their children.

The empirical aspects of the study can be found in the next chapters. Chapter 5 will describe fully the research design and methodology as well as the problems encountered in the process.

Chapter 6 will present the findings of the study. These will take the form of tables and graphs as well as qualitative data. The findings will also be discussed in this chapter.

Conclusions and recommendations for further research can be found in chapter 7. Such conclusions and recommendations will draw the study together and provide some indication of future research questions suggested by this study.

Finally, the Bibliography and Appendices will follow the main body of this report.

Appendices is comprised of the following:

- * Domestic workers contract.
- * Questionnaire employed in the study.
- * Translated interview transcript

Chapter 2

Literature review.

2.1.Introduction.

The picture of domestic work that emerges is one of people – mainly women who are entering the domestic service not by choice, but rather as a means to alleviate poverty.

Such domestic workers represent a particularly vulnerable category of workers who tend to exhibit universal characteristics globally of isolation, invisibility and low organization.

Cock (1980:5) argues that domestic workers are among the most exploited groups in a society marked with extreme equality. She further believes that the powerlessness and vulnerability of these domestic workers within the institution of domestic service, particularly in South Africa, derives from the discrimination to which both blacks and women in general have been subjected under Apartheid laws.

Domestic workers find themselves within a highly individualized employment relationship, subjected to unequal power relations, which contributes towards their vulnerability.

The challenge is to find a balance between decent employment standards, flexibility to meet the needs of the employers within the sector, and the maintenance or increasing levels of employment.

Domestic workers are also widely viewed as the most **nyamezela** group of workers who have and are still surviving in bad critical working conditions through a protective disguise which enables them to conform to employer's expectations whilst shielding their own real feelings. One can

easily label domestic workers as workers who are trapped in their occupation with no guts to voice their feelings and emotions.

2.2. Domestic service.

Domestic service is a generic term which encompasses a very large field of services which can be considered domestic in nature.

This occupation is generally perceived as an undervalued activity performed by people from disadvantaged social groups. It is also work with perceived low economic value and limited social recognition.

2.2.1. Definition of a domestic worker.

Delpont (1992:205) defines domestic workers as those who, forming part of the employer's residential establishment, are engaged in work of such a character that brings them into close personal proximity with the employer and who are mainly concerned with the employer's household.

In Zimbabwe, a domestic worker is regarded as a person employed in a single private household for rendering such services as yard or garden work, cook, housekeeping and baby – sitting regardless of whether the place of employment is urban or rural, but exclusive of any person rendering such services to any other type of employer.

As a group, domestic workers, living and working in isolation from each other, are fragmented and lack the cohesion and identity of workers in a centralized workplace and such fragmentation makes domestic workers to be less accessible to trade union organization than other workers such as factory or even farm workers.

2.2.2. Definition of a domestic service.

Some authors observe domestic service as a point of entry to wage employment by newcomers to the labour market, although most domestic workers tend to remain in that type of work all their lives.

Domestic employment is often entered into by no choice, but because there is no other option available. The labour itself is often looked upon as inferior, servile, low in status and is poorly paid. It is usually the members of the weakest and most subordinate social strata who end up in the job.

2.3. Categories of domestic workers.

Domestic workers can be easily categorized and differentiated from other workers because of the following characteristics in their field.

1. Domestic workers frequently work irregular hours and often receive part of their payment in kind while other employees generally sell their labour power as a commodity during fixed hours in exchange for money.
2. Domestic work involves ministering to the personal needs of the employer's family, and therefore brings about a close relationship between the employer and the employee.
3. The work is evidently physically and continuously demanding.
4. The educational level and financial status of a domestic worker is generally low.

5. Recruitment and employment occurs verbally and rarely systematized as a result domestic workers are prone to feel insecure in their jobs.

The above are uniform characteristics for all domestic workers and the researcher recognizes also the big gaps between categories resulting from individual work routines. The significance of such categories will be seen in the following discussion illustrating various categories:

* **Full time**

A full time domestic worker is one who works for one employer on a full time basis normally 9 hours per day on a 5 or 6 days a week.

Such an employee may live on the employer's premises but need not necessarily reside there.

* **Part time**

Part time domestic workers work for various employers for various periods of times on one or more days per week.

Some of these domestic workers may work on regular days for specific employers while others work irregularly on a casual basis.

a) Regular day workers.

A domestic worker is a regular day worker if she works for the same employer at least once a week on a regular basis or has worked for the same employer at least four weeks irrespective of the number of hours per day.

b) Casual workers.

A casual domestic worker is a worker who is not employed on a regular basis and she is described in terms of Basic Conditions of Employment as the day worker.

*** Resident or sleep in domestic workers.**

These are domestic workers who reside at their employer's premises even though sometimes she is not a full time worker but works at other employers for certain days.

This has found to be common in East London where domestic workers works 3 days with one 'madam' who provides accommodation and does day work for the other 'madams' the other days.

*** Non - resident or sleep out domestic workers.**

As the number of part time domestic workers increased, the number of live - in domestic workers decreased.

Sleep - out domestic workers has become an in - thing because many domestic workers are now getting involved in the processes of their families and therefore prefer to commute.

2.4. Historical overview and experiences of domestic workers in different countries.

2.4.1. Zimbabwe.

In Zimbabwe, the coming of independence in 1980 apparently heralded a new day for Zimbabwe's domestic workers.

During the years 1980 – 1990, the government took numerous steps to improve the conditions of domestic workers.

Pape (1993:1) confirms that amongst the most important of these were the creation of a legalized system of labour relations and the support of the formation of a domestic workers union. Yet, despite these measures, changes in Zimbabwean political economy minimized the effect of the government policy.

At independence there were about 108, 000 domestic workers in Zimbabwe and they occupied the lowest position amongst the urban working class. Unlike workers in industry, domestic employees were not covered by any labour legislation. The only law that was governing their conditions of service was the Masters and Servants Act of 1903, which among other things, made it a criminal offence for a 'servant' to refuse to perform a 'reasonable' order of the master.

The Riddell Commission of Inquiry into Incomes, Prices and Conditions of Service, set up by the government at independence, examined the situation of domestic workers in considerable detail. The Commission found that a large number of domestic workers earned no more than 10\$ per month. Aside from low wages, the Riddell Commission Report noted that domestic workers faced several other problems. The most prominent of these was the separation from their families. Even by 1980's most domestic workers lived at the back of their employer's property.

2.4.1.(a) Government Intervention in the Domestic Sector.

Independence elevated domestic workers into fully fledged citizens and statutory members of the working class.

- * Like all Zimbabweans, domestic workers obtained the franchise.

- * Workplace rights that included the right to join trade union, to be paid a minimum wage and to be covered under labour legislation as well.
- * In addition, much broader access to social services, particularly education and health care, became a reality for domestic workers and their family members.

The initial action taken to directly upgrade domestic workers was the setting of the first minimum wage law for the sector. The new minimum of 30\$ a month, represented an increase of more than 100 % for the majority of domestic workers.

The official title of Statutory Instrument 925C was the Employment Domestic Workers Regulations, 1981. The most important aspects of the law covered food, accommodation, maternity leave, overtime, hours of work and records of employment.

Instrument 925C stated that a maximum working week was not to exceed 54 hours, with no single day greater than 9.5 hours.

Whereas before independence many domestic workers had no full days off, the new law stated that an employee shall each week have one day off which shall be at least 24 continuous hours. If a worker exceeded the specified number of hours, the said worker was supposed to be paid one and half times the normal rate as overtime.

The bill also guaranteed days off on national holidays. In the area of sick and holiday leave, the Act made provision for twelve working days of annual leave and two months of unpaid sick leave for all employees who had worked for an employer for at least a year.

With regard to maternity leave, the Act decreed that irrespective of their marital status a woman was entitled to unpaid leave of 42 days prior to and 42 days following delivery. The statute also banned the retrenchment of an employee who is requesting maternity leave.

Lastly, conditions of employment and dismissal were overhauled. The notion that a one month's notice from either the employer or the employee required was still maintained, though the spirit of the new law shifted the burden of notice from the employee to the employer. If an employee was summarily dismissed they had to be given one month's pay unless the Minister agrees otherwise.

Under a government advocating Marxism – Leninism and professing loyalty to the working class, domestic workers logically could have expected a transformation of their role as personal servants. An example of this cited by Weston Muzembe in Pape, explained how some of his fellow domestic workers looked on life saying '*Our bosses were always asking us to make tea for them, but now we are going to ask them to make tea for us as well*'.

This ideology created a great division amongst the domestic workers as some believed that the 'bosses' money was more important than the ideology of the ruling party.

To ensure that the legislation achieved its goal of bringing domestic workers under a legal labour relations umbrella, the government needed some means of enforcement. Given the extremely decentralized nature of domestic employment, an army of civil servants would have been necessary to adequately investigate even a small fraction of workplaces.

Rather than opting for the employment of a massive inspection force, the government chose to back the formation of a union. With the full blessings of the authorities, the

Zimbabwean Domestic Workers Union (ZDAWU) was launched in 1980.

2.4.1.(b) Zimbabwean Domestic Workers Union (ZDAWU).

- * The union used various tactics in struggling for the new - found rights of its members.
- * They organized meetings and produced radio programmes to familiarize domestic workers with the new conditions of service.
- * Representatives from the union also went from gate to gate soliciting members and investigating existing complaints.

By mid 1982 it was evident that the great advances promised to domestic workers by the new legislation would not be won without a considerable struggle because many employers were resisting the tide of change.

To begin with a large number of employers simply sacked their workers rather than pay them minimum wage. By May 1982, the Domestic Workers Union had received reports of hundreds of domestic workers who had been retrenched over the pay rise.

The union's general secretary described this as a slap in the government's face and demanded that the Minister of labour and social services act quickly to stop the mass sackings.

While union was busy engaging in talks and negotiations with some employers on job restoration, a number of desperate workers took the law into their own hands by making arrangements in direct violation of the law.

Some of the workers went back to their employers to beg for restoration and were prepared to settle for what they could get.

There was also another force which was obstructing the post independence struggle of the domestic workers, black employers. The union reported that they received astounding reports of black employers exploiting their fellow workers by not paying them the minimum wage set by the government.

Despite these obstacles to the advancement of domestic workers, the union and the workers themselves managed some fairly effective action during the early years of independence. Comrade Gwenzi, who worked for the union claim that between 1983 – 1984 period alone the union recovered nearly \$500, 000 from employers for wages which had been underpaid or not paid at all.

Similarly the union handled more than 3 000 grievance cases regarding hours of work, conditions of service, leave and sackings. By winning such victories for its membership, the union developed an image as a fighting organization as a result the ZDAWU expanded rapidly. By 1985, the union had offices in several cities including Mutare, Kadoma, Masvingo, Bulawayo and Gweru. Its total membership stood near 9 000.

So while the government and the union took considerable strides towards improving the conditions of service for the domestic workers who had been on the job for many years, their efforts were largely overtaken by other forces in the political economy. Thus although many workers were getting far more money and taking more holidays than before, their lives were generally very similar. Their gains in pay had been eroded by inflation and many other improvements in their working conditions had gradually fallen by the wayside without protest, because of the army of unemployed ready to charge through the gate at the first sign of job vacancy.

By 1990 inflation, unemployment and lack of political interest in the domestic sector meant that many conditions similar to those of the colonial era were reappearing in household labour relations and this led to a gradual point of ZDAWU being discredited. One of its tarnished image was fraudulent organizer. On several occasions newspapers reported that individuals unaffiliated to the union went from house to house collecting money in the name of ZDAWU meaning that domestic workers were defrauded of their money. Even more serious than the problem of impostors were accusations of corruption on the part of genuine union officials.

Further confirmation of the workers' fears about the union came in mid 1989 when the ZDAWU reached a state of near total bankruptcy. Several of its regional offices had closed and there were insufficient funds to cover the rent on its Harare headquarters.

When it could not even raise enough funds to pay its dues to Zimbabwe Congress of Trade Unions (ZCTU) the central trade union body, the ZCTU suspended ZDAWU membership and began to rebuild the union from the shop floor.

2.4.1.(c) Conclusion.

1. Independence meant a wide range of changes for domestic workers, however, in the end reforms not only failed to bring total liberation to the domestic sector, but even their intended effects were muted by alterations in the political economy of Zimbabwe.
2. The government took a number of important measures to attempt to alleviate the most severe forms of oppression of the colonial period.
3. Laws as embodied in Instrument 925C and minimum wage provision brought some domestic

workers under the umbrella of a legal based system of labour relations for the first time.

4. Despite the progressive trust of these measures, their ultimate impact was undermined. In particular, the rise in unemployment and inflation weakened domestic workers' bargaining position and real standard of living to the point where most were unable to exert the pressure needed to maintain the gains of the early 1980's.
5. Shifts in the political economy essentially divided the domestic sector into two distinct groupings. The first was predominantly male and employed in the low - density suburbs by both black and white employers. This was the pre - independence domestic sector partially reformed through labour legislation and unionization.
6. The second was predominantly female employed in the more modest low - density suburbs and high - density areas by black employers. These workers remained almost totally outside the influence of labour legislation.
7. While government policy made no conscious attempt to create such a division in the domestic sector, they allowed it to occur by default.
8. Because at this same time inflation, unemployment and increasing corruption amongst government leaders became the dominant features of the political economy, social reform and redistribution in general moved further and further off their priority list and the plight of domestic workers gradually faded altogether from the political agenda.

2.5. Singapore.

Yeoh and Huang (1998:2) argue that paid domestic labour is not a new phenomenon. In support of studies conducted by Glenn, 1981, Miller, 1983, Gregson and Lowe, 1994 . respectively, they believe that domestic service was one of the most important occupational categories for women in the 19th century and it continues to persist.

Within the context of south – east Asia and its closest neighbours, increasing disparities between the more rapid economic development of some countries to the slower development of their neighbours have created employment opportunities in the richer economies for the migrant workers both male and females in many jobs, primarily those characterized by low skills, low pay and low status, which locals are no longer willing to do including domestic service.

One of the most striking and rapidly increasing of these migrant flows within the east and south – east Asia has been that of women from Phillipines, Indonesia, Sri Lanka, Thailand, India and most recently Myanmar migrating to work as paid domestic workers in the region 's higher growth countries of Hong Kong, Singapore and Malaysia where they are in demand as substitutes in the reproductive sphere for the increasing number of women in host countries entering the formal waged economy.

These migrant women who enter a domestic service are viewed first and foremost as workers. Thus governments of sending countries are primarily concerned with enhancing the women's remittances as measures to overcome deficits in balance of payments, rather than withdrawing up policies on wages and conditions of service to protect these women in the sphere of paid work.

Similarly, in receiving countries, state policy often treats foreign domestic workers as no more than a form of commodified labour to be bought and sold in the open market, and a short – term solution to the crisis of social reproduction in newly industrializing countries.

Yet migrant women who enter domestic service have lives beyond their work and the private confines of the home. How these women experience and negotiate public space and how these spatial experiences are represented have been little explored. Yeoh et al (1998:3) state that public and private spaces are experienced very differently, for instance, for live – in domestic workers has temporary ‘home’ in a foreign land is also her place of employment where she is subject to a certain degree of scrutiny and surveillance integral to the social relations of waged work.

Singapore’s state policy, however opposes long term – migration. Foreign workers are seen as ‘buffers’ and are subject to repatriation during periods of economic downturn.

In the case of foreign domestic workers, the state has from time to time expressed its fear of over dependence on and perceived social and economic ills generated by the presence of these maids in large numbers. A battery of controls is in place to regulate the number of foreign domestic workers including a maids levy of \$330 per month (which is more than a monthly salary which most maids earn in Singapore), a security bond of S\$5000, and a mandatory bi – annual medical examination to certify medical fitness for continuing employment. The latter serves to militate against the domestic workers’ fuller incorporation into the receiving society.

Furthermore, foreign domestic workers are also viewed as aliens who have no part to play in public life and therefore no place in the public arena belonging to the citizenry. They are neither incorporated as employees in the public sphere with

social and legal rights under the jurisdiction of the state, nor a member of the familial where relations are governed by non – market affinities.

They are therefore not covered by Employment Act; the number of off days, like other terms and conditions of service depends on the contractual agreement drawn up between an employer and the maid, usually through the placement agency or mediator.

It sounds as if maids in Singapore have a slavery image. Their lives, (even after working hours), are mostly controlled by their employers though a managing director of a maid agency claimed that this is not as horrible as it sounds.

He argues that these maids are not deprived of social contact as they invariably meet each other in the supermarkets or when they are in the play grounds with their charges, further adding that some of them are even included in their employers' family outings (The Straits Times, 11 January 1985)

On the other hand, Yeoh et al (1998:14) confirming the control and intimidation of the maids by the employers, states that maids tend to focus on non – compliance and mutedness, rather than to constitute a direct challenge to their employers authority.

2.6. America.

In America, the servant shortage in the 1920's had reached the point where the wives were having to pick up their own nightdresses from the floor.

Domestic servants were so highly mobilized and aware of their rights to the extent of being assertive and known to take no nonsense.

This is attributed to the fact that the women's magazines were full of articles with titles like 'Servants Are People Too' and 'Put Yourself In Her Place' as a result in many cities housewives pledged themselves to observe codes of hours and wages.

Domestic workers were not prepared to shoulder all housework while the lady of the house and her daughters did nothing or indulge in footling pastimes. They saw their function as to lighten the labours of someone who already had her hands full, and not to take all the work out of her hands. Sometimes, on being hired, they stipulated that the lady of the house should perform a proportion of the duties.

A nine - hour day with paid overtime here, sixty - hour a week there and fort four - hour weekly routine else became a theme. It also seems that this routine and or pattern was extremely strenuous and taxing for employers as a result many desperate employers resorted to employing unmarried mothers and even mental patients.

As the revolution receded father into distance, servants also went to greater pains to assert its doctrines of equality. Grattan in Turner (1982:186) recalls that the maids refused to say 'Ma'am' and called the younger members of the family by their Christian names un prefixed by 'Master' or 'Miss' and they also found it inconsistent with the principles of democracy to eat in the kitchen over their laps while their employers sit and dine at tables.

Men and women who undertook labours in America preferred to call themselves 'Helps'.

The word 'servant' is long in disgrace in America such that those who employ daily labour must do so on a basis of equality and even beware of seeming to give orders. For

instance, housewives, in order to create a workable atmosphere, would suggest as follows; *Please lets clean out the dining room* instead of straight order like – *Please clean out the dining room.*

It seems as if domestic servants in America are mobilized and assertive in such a way that protects their rights in some ways, as compared to what is happening in other countries especially in South Africa.

Despite their mobility and collective bargaining, some other fundamental rights are still not legally recognized. Turner (1982:72) claims that any domestic servant who receives a pension from her employer, she is privileged and not entitled. Though masters and employers had a personal responsibility towards those who had served them long but the state cared little or nothing for the welfare of domestic servants.

This was an unwritten rule and a much broken one with little or ineffective follow - ups with verbal clauses that a master should maintain his servant in sickness.

2.7. Great Britain.

Hugget (1977:7) claims that in England, there had never been so many domestic servants, both indoors and out, as there were in the Victorian 'age.

It seems as if they were everywhere. He further gives an imaginary picture where in the streets, maids walked respectfully a few paces behind her mistress with a social distinctions between them being emphasized by the maid's less voluminous crinoline and the plainness of her cloak and skirt.

The servant industry of the private family and personal charity expanded as rapidly in the Victorian age as the caring

industry has in the modern era of paid social work for the public sector.

Some young servants, particularly in the towns, were overworked and under paid whilst they also had to find their own bed in any dark corner of the kitchen and who were often beaten or cuffed when the other maidservants in country towns and remote villages had a far more pleasant life, and are becoming household treasures as highly valued and as familiar as an heirloom which brings pleasure and a sense of security to its custodian.

The memories of the insults, deprivations and petty oppressions to which so many servants were subjected passed into oral folklore of the working classes, where it helped in mainly private ways to sustain the dichotomy of 'them and us'.

Although servant accommodation was often Spartan even in the most magnificent houses, an excessive consciousness of rank, which was no less pronounced downstairs than it was upstairs, made it necessary to provide many extra bedrooms and work rooms for the servants hierarchy.

Senior servants were provided with a small suite of rooms while lower servants rarely benefited from any intimacy of contact with upper servants or even their employers. Servants were so jealous of their own domain that any intrusion could sometimes erupt into violence.

Such maids were so remote from their employers by being neither seen nor heard except at the daily family prayers.

In one great house, at least the maids had to face the wall if they happened to meet their master or their mistress in the corridor.

It is further known that in England the employment of self professed cooks to prepare spuedo – French in the middle class homes under instructions of mistresses who usually had at best theoretical knowledge of those exotic culinary delights became an in replacing an excessive dependence on expensive ingredients.

2.7.1. Duties of the domestics:

Duties of the housemaids involved emptying the wash basins and chamber – pots to cleaning house, polishing door plates, cleaning out bird cage and lighting any other fires that were necessary.

During her morning ‘ work, the house maid would be expected to answer the front and back doors bell

Domestic work in service went on until eleven at night in a continual round of cleaning, cooking, clearing away, bill paying, sewing etc. In some instances it included boot cleaning, knife cleaning, cleaning of silver and plate covers of serving dishes, cleaning and trimming of oil lamps, drawing and carrying water, carrying boxes and hampers to and fro railway stations, carrying visitors luggage up and down stairs, washing and even looking after infants and children of their employers and their relatives.

Cullwick (1984:3) believes that domestic service in England may not have been slavery in the legal sense, but, based on specific experiences of the majority of domestic workers with regard to their daily routine including the continual attentive presence that was demanded of them, this occupation showed clearly that it was slavery in many ways and more in everyday sense.

2.8. Canada.

In Toronto, employers are often white women, while domestic workers are often migrant or immigrant women, especially 'third world' women of colour.

Domestic workers are one of the Canada's largest group of temporary foreign workers and the majority of legally documented, foreign domestic workers reside in the Toronto area. At the same time, Toronto has seen an exceptionally large increase in the numbers of women in paid employment (especially those working as managers and professionals in the advanced services) which has been linked to the increased demand for paid domestic workers.

Because a large proportion of Canada's foreign domestic workers are from the 'third world' and so to some extent, the legacy of colonialism and the subsequent geographies of underdevelopment and poverty help to generate the international supply of domestic workers. On the other hand, the demand for domestic workers results from socio - economic changes within Canada i.e.;

1. The continuing shortage of affordable quality child - care,
2. The increase in dual - income and dual - career couples,
3. The feminisation of employment particularly high status occupations.

Since 1981, Canada's federal policies have strictly stipulated that foreign domestic workers can only enter Canada if they live - in for two years. Various advocacy groups have lobbied to remove the live - in requirement, but the government insist that the demand is only for live - in domestic workers and that live - out jobs in domestic work can be easily filled by workers already in Canada.

Domestic workers are highly vulnerable to abusive conditions as a result of the live – in requirement and the ambiguity of the social space constructed out of relations between live – in domestic workers and their employers.

Felicity Jamaican, a domestic worker interviewed defined living – in as being on call 24 hours a day. She argues that it means that when an employer feels like going to a party at 10.00 o'clock, then that's OK, the nanny is there and she does not get paid for that.

'When you live – in they can demand a lot, because they see that you are there. In the night, if they want something to eat or drink, they will call you. As long as they are awake, then you have to stay awake with them too'.

Many of the domestic workers interviewed in Toronto said they felt like intruders in their employers' homes. They reported that they often segregated to selected areas of the household at specific times of the day. After serving food for the employers, one has to wait until they had finished eating the meal before crawling out of one's room to get something to eat.

Waged domestic workers are commonly expected to offer time and services out of good will to their employers' families in ways that would be unthinkable in most public employment situations in an advanced capital state.

Domestic workers are reluctant to escape such imposition, however, because of their requisite live – in status and the perpetual threat of deportation associated with workplace conflict or employer reprisals.

Changing jobs entailed bureaucratic delays, considerable expense and could reduce their chances of being viewed as reliable and hard working when they came to submit their application for landed – immigrant status. Lack of freedom to

change jobs, negotiate with the employers or even complain about the employers' treatment was expressed by the number of 'third world' women.

Each time one changes a job, one has to pay immigration fee \$100 while it also leaves a bad record hence a lot of domestic workers prefer to take abuse and do not bother changing an abusive employment.

Stiell and England (1997:3) describe the situation and the relationship between the employer and the domestic worker as a class difference where the employer is selling her labour to the other for wages.

There is also evidence that strongly suggest that in Canada paid domestic work has become racialised. Key to the process of racialisation is the ideology that a domestic worker's relative worth is judged relative to the poverty or wealth of her country of her origin. European women seem to be accorded more prestige than the 'third world' women.

Moreover, it seems that Europeans may receive higher pay, better treatment and be regarded as 'nannies' in the strictest sense of doing mainly child - care. 'Third world' women may receive less pay and be treated less well, while being deemed 'domestics' who are expected to do extensive housework as well as child - care.

2.9. South Africa.

Domestic service is wide spread in South Africa while in Southern African societies domestic service is the least prestigious of all occupations.

It is largely a black female institution. Clearly in many white South African families including those elevated black homes (by educational standards and financial status), household

maintenance depends largely on the skill and hard work of the domestic servants. Yet domestic servants are in no real sense members of the household they serve. They are dependants for whom employers assume differing degrees of responsibility, in various combinations of authority and affection. They are given privileges, but not rights, and have no sense of job security.

Such domestic workers perform this domestic labour on a dual level. They are responsible for these functions in their own household, while fulfilling a large part of these in the households of their employers as domestic servants (Cock 1980:12). They are, however, often full members of neither the employers' household or their own.

In South Africa, practically individuals wishing to enter the domestic service market do not negotiate about contractual terms. The study conducted found that very few have ever engaged in systematic talks particularly with regard to service conditions. The reality of free - market forces in this arena of employment explains the relative powerlessness of the prospective employee.

Therefore, in the context of domestic employment, there are seldom negotiations in which the parties can present demands. Where negotiations have been conducted, it becomes so clear that the domestic worker and her respective employer are not on equal negotiating footing. This is sort of a 'take it or leave it' situation and because often the domestic is desperate, she takes what comes around without any nonsense.

It has been found that domestic workers in this sample have a regimented lifestyle, in that they have to follow certain rules that limit their freedom of movement within the workplace. For instance some are allowed limited or no visitation rights from family or friends.

Domestic workers in South Africa experience various problems that impacts on their vulnerability which will be discussed in the following chapters 3 & 4.

Poor working conditions are common features of the sector and the job itself is characterized by high level of job in security. Therefore the said chapters will be dealing in detail with service conditions and the effects of this occupation on domestic workers and their children with regard to parenting patterns respectively.

2.10. Conclusion.

In the olden days, the widespread withdrawal of domestic labour caused much hardship to the old and the mothers of big families.

The inclusion of domestic workers in the Basic Conditions of Employment Act seem to be threatening many employers in as far as the wage issue is concerned.

Many domestic workers are ambivalent about the outcome in fear of losing their jobs as they feel many employers and the society at large will instead adapt themselves to living without domestics rather than observing wage increase and lessening working hours.

On the other hand Turner (1982:293) strongly suggest that the government should advocate a national corporation to regulate, train and place domestic workers while taking steps to fix wages and working hours of domestic service.

The literature on the experiences of the paid domestic workers whether live – in or out highlights a set of commonalities nation wide. It tends to be characterized by oppressive material conditions including isolation, loneliness, powerlessness and invisibility.

Exploitation is frequent experience, imposed by long working hours, unpaid overtime and limited time off. For some domestic workers, working in what they see as a low status occupation means that stigma, low self esteem and low self worth are also relatively common.

While domestic workers are subject to good deal of psychological violence, physical violence is rare except in England where domestic workers retained a child – like status and often used to be severely punished by their employers.

Cock (1980:53) concludes that in South Africa, cheap black domestic labour is the instrument and strategy whereby white women, middle class and professional black women escape from some of the constraints of their domestic roles.

However, she also claims that it is arguable that paid domestic work in other people's homes involves an exposure to a particular set of frustrations and resentments, generated by extreme asymmetry of power and wealth involved. For example domestic workers are exposed to the frustration of daily experience of difference between their own standard of living and the living standards of their employers.

She further believes that there is much in the domestic servant's situation which is suggestive of slavery, and views them as trapped workers in a condition of subjugation, inferiority and immobility within which they are subject to intensive exploitation.

Of course not all employer – employee relations in paid domestic work are exploitative and abusive. In this study, there has been few occasions where respondents praised their employers and felt good about their relationship. Such domestic workers also claim that their own children are

benefiting from this occupation and further attribute their children's achievements to their employers for their support.

Lamphere, Ragone and Zavela (1997:274) claim that domestic staff country wide consider domestic work as the work of the last resort because of the relatively low wage and unsatisfactory service conditions stipulated by the literature above.

Rights Now (March 2001) strongly argue that until this culture of domestic work is changed in South Africa, women employed in this sector will remain exploited because of the nature of their work in the private household and the continued prevalence of extreme economic and social power imbalances.

Despite their vulnerability, domestic workers are not helpless victims. Their strategies for survival and struggles to organize have been persistent themes in Canada. They have created coping strategies within their workplace as well as networks and informal support groups with other domestic workers.

There are also collective, formal acts of struggle and resistance by domestic workers although attempts at unionizing have not always been successful. For instance, domestic workers fight advocacy group such as International Coalition to End Domestic Workers' Exploitation (INTERCEDE) have been prominent in their struggles to improve domestic workers' rights, especially regarding employment legislation, access to collective bargaining and the removal of live-in stipulation.

Meanwhile in South Africa black domestic workers use various based on the indigenous concept of 'UBUNTU' which is characterized by its strength on generosity and love (Daily Dispatch 4 Dec 2000:10) to deal with child-care. For example services of extended families and neighbours are utilized while on the other side they engage in inter household exchanges e.g. sharing maize meal or food but not with the

aim of returning it later but rather with the knowledge that the neighbourhood who has been helpful will herself need some favour in future (Muthwa 1994:171).

Chapter 3.

3. Service Conditions and the Law.

3.1. Introduction.

Since early 1980's the majority of workers in South Africa have been protected against unfair treatment by their employers and have had minimum conditions of employment ensured through legislation, but a large sector of the workforce, almost one million domestic workers has been denied these rights.

Although a National Manpower Commission (NMC) report on possible regulations of conditions of employment of domestic workers was presented to the government in 1984, legislation for the protection of domestic workers was not introduced in 1987 or in the first sitting of the 1988 parliamentary session. Domestic workers, therefore, like agricultural workers, were still not protected by any labour laws.

Domestic workers are excluded from the majority of legislation dealing with labour and employment issues in South Africa, including the Labour Relations Act 28 of 1956, the Wage Act 5 of 1957, the Unemployment Insurance Act 30 of 1966 and the Workman's Compensation Act 30 of 1941.

According to Basson, Louw & Strydom (1994:1) domestic workers are covered by the Machinery and Occupational Safety Act 6 of 1983, the purpose of which is to provide for the health and safety of persons at their place of work and in the course of their employment. The Manpower Training Act 56 of 1981, which aims to promote and organise the training of manpower, also applies to domestic workers.

The most significant piece of legislation which is set to affect the employment conditions of domestic workers is the

amended Basic Conditions of Employment Act 3 of 1983.

Domestic workers have, to date, been excluded from the ambit of this statute, which provides for basic or minimum conditions of employment of workers. However, in terms of the Basic Conditions of Employment Amendment Act, the principal Act has been extended to cover the employment of domestic workers.

To a certain extent the plight of domestic workers has now been addressed through their inclusion in a statute which provides for minimum terms and conditions of employment.

3.2. Employment of Domestic Workers.

There are no formal rules governing the appointment of a person as a domestic worker. Generally, the consideration of a person for the position of the domestic worker and her subsequent appointment takes place in an entirely informal way.

Prospective workers are often introduced by word of mouth and after an interview' lasting for a few minutes, either offered or refused employment. It may also be noted that a number of organisations which arrange for the employment of domestic workers have sprung up. These organisations may be subject to control measures contained in the Guidance and Placement Act 62 of 1981.

This Act provides for the establishment of, and control over, guidance and placement centres and advisory employment boards, and for the registration and control of private employment offices.

Work seekers may register in the centre and must keep the centre informed of their employment status whilst registered.

An employer who employs a work seeker who has been referred by the centre must inform the centre of that fact.

Once the interview is complete, the domestic worker may be offered employment. She is free to accept or reject this offer. If she accepts, a contract of employment exists. Bear in mind that the contract needs not be in writing, a verbal contract is binding on the parties. It is however, suggested that the contract should be in writing for the sake of clarity and to avoid any disputes as to actual terms at a later stage.

3.2.1. The Contract.

The provision of contract of employment or issuing of written particulars of employment was a common demand and could form the cornerstone through which the employer - employee relationship could be formalised.

A service contract, as defined by Mureinik (1980:263) is an agreement in which one party, the servant, agrees to work for another, the master and in which the servant occupies a subordinate position.

It should be remembered that the terms of the contract might not be less favourable than the minimum terms laid down in the Basic Conditions of Employment Act (Basson et al 1994:8). The Act covers the number of hours, which may be worked, meal intervals, overtime, working on Sundays and public holidays, annual leave and sick leave.

The parties themselves must arrange aspects for that are not covered by the Act. These would include house rules and most importantly, the rate of pay.

It is possible that a domestic worker may be illiterate. If she is unable to read and write, it is suggested that the employer should put the contract in writing. The contract should then

be read aloud and explained to the worker by a person of her choice.

Once the worker understands and agrees to the terms of contract, she can indicate her consent by placing a mark on contract.

3.2.2. Disciplinary Code.

A disciplinary code can also be included in the contract though there is no obligation on an employer to draw up a disciplinary code. Nevertheless, a clearly drafted code ensures that a domestic worker is aware of the disciplinary standards, which will be applied to her (Rycroft & Jordaan 1990:50).

The contents of the code should be explained to the worker and she should be given a copy thereof. The code should state the type of the behaviour, which will lead to disciplinary action and the action that will be taken. Less serious transgressions may include late arrivals or taking an extended tea break, while on the other hand drunkenness on duty would probably be regarded as a more serious one.

Disciplinary action is usually taken on a progressive basis meaning that it progresses from informal action such as verbal warning, to a written warning and eventually to dismissal.

The employer should inform the worker of the period of time for which the warning will remain valid because a warning should not remain valid indefinitely. It is suggested that a warning should remain valid for a period of six months. Generally, dismissal occurs when other forms of disciplinary action have failed or when a worker on a final written warning repeats the behaviour in respect of which she received that warning.

3. 3. Basic Conditions of Employment Act.

3.3.1. Introduction.

The Basic Conditions of Employment Act 3 of 1983 provides basic rights for employees with regard to employment conditions such as hours of work, meal intervals, overtime, work on Sundays and public holidays, annual leave and sick leave.

Until recently domestic workers in private households were excluded from the Act. However, in terms of the Basic Conditions of Employment Amendment Act, the Act has been extended to cover the employment of domestic workers in private households (Wedderburn 1986:142).

Furthermore, the Act does not cover every situation, which may arise. For example tea times, weekends and afternoons off are not addressed and must be arranged by the parties concerned.

In addition, two very significant issues are not addressed by the Act. These are salary and maternity leave issues. It is therefore suggested that the employer and the domestic worker enter into a written contract of employment.

Presently, the Basic Conditions of Employment, Act 1997, is already applicable to domestic workers. These conditions compare positively with international standards. Observations from the hearing conducted by department of labour indicated that there is lack of awareness about some aspects of the legislation (Government Gazette, vol 433, 10 July 2001).

3.3.2. Wages.

The low wages paid to domestic workers has been an issue since 1985. Estimates by the South African Domestic Workers

Association (SADWA) in February were that the average live – in domestic worker in Johannesburg worked between 10 and 12 hours a day and earned about R100 a month.

A survey of domestic workers' wages in Grahamstown undertaken by the Grahamstown community association's workgroup on unemployment revealed that domestic worker's wages in the area had remained virtually unchanged for the previous five years - R50 a month for a five or six day week. The survey showed that wages varied from just under R20 a month to approximately R170 a month.

In October 1985, it was alleged that the Italian consul in Durban, Mr Sembiante, was paying his domestic worker R70 a month. He then increased her wage to R90 a month. SADWA said, however, that Sembiante should raise the wage to its suggested minimum (Swanepoel 1992:15).

In November 1985, various domestic workers' organisation from Cape Town, Durban, East London, Johannesburg and Port Elizabeth launched a joint country - wide campaign for better wages and working conditions.

Investigations undertaken by Sowetan Sunday Mirror showed that domestic workers in Soweto were being paid as little as R15 a month.

Hamilton, Beale, Markowitz & Shelton (1988:149) reported that a survey conducted by the Eastern Cape Herald of 50 household found that domestics in affluent white suburbs were earning R100 a month, but lower middle class area half that amount. Clearly, as would be expected, earnings for domestics are distinguished according to location.

In December, SADWA, DWASA and Domestic Workers Association (DWA) sent a delegation to Pretoria to hand a letter to the National Manpower Commission (NMC) into domestic workers conditions.

A few days later, Dr Piet van der Merwe, announced that the report had been completed, but that it was unlikely that legislation arising from it was to be introduced before the 1986 parliamentary session.

According to the Markinor Gallup Poll, there had been an 88% increase in the average monthly income of full time domestic workers from R52 in 1982 to R98 in 1987.

The average wage for a domestic worker was highest (R149) in high income English - speaking lower urban homes and lowest (R59) in Afrikaans speaking lower income homes. The poll also showed that the average income for a domestic worker in Cape Town was R80, in the Eastern Cape R50, in Natal R100 and in the Transvaal R110 (Race Relations Survey 1986:324).

About 20% of the cases heard in the Durban Small Claims Court involved domestic workers suing their employers for wages a legal adviser at the court said in October 1987. He also maintained that rifts between servants and employers could be avoided if there was a better awareness of the law.

In 1987 the South African Domestic Union (SADWU) demanded minimum wages of R150 a month for semi - skilled workers and R200 a month for skilled workers. The union suggested that domestic workers should not work longer than 8 hours a day and that they should be provided with 3 meals a day and working clothes. Their transport should also be paid for. SADWU recommended a minimum wage of R18.10 a day for casual workers and R2.50 an hour for overtime work.

The union demanded that maternity benefits should be paid to pregnant workers 8 weeks before the date of confinement and 6 weeks after giving birth. The 3 weeks annual leave with full pay was also recommended by SADWU.

The findings of this study confirm that domestic workers are some of the lowest earners in the South African labour market. There is also supporting evidence from the government gazette confirming and illustrating that domestic workers receive substantially lower earnings than other occupational groups except farm workers. The national median wages for domestic workers in 2000 were R409.00 in rural areas and R588.00 per month in urban areas. A domestic worker will earn about 20% of the wage of a clerk.

The wage distribution of the respondents in the study also shows how such wage affects domestic workers' children in terms of provision for education and detailed illustration and discussion of such effects will be fully presented in the following chapter.

On observing the wage distribution impact on domestic workers' children, one can easily count and or anticipate future levels of their achievements together with downfalls as follows:

The study revealed that:

- There are large numbers of domestic workers' children who have not achieved further education beyond grade 12.
- There are large numbers of domestic workers' children who have dropped out of school for some reasons including insufficient funding.
- There are large numbers of domestic workers' children in grade 12 whose future is at stake should their mothers be unable to provide for tertiary education.
- There is a growing number of domestic workers' children who are in the ages of starting educare and lowest grades

who have not started schooling, therefore a delay in education is said to be a common trend because mothers are focusing on other school going kids.

3.3.3. Wage differentiation per area.

There is a strong link between the earnings of domestic workers and the particular area where they live. Stated crudely, domestic workers in poorer provinces are likely to earn lower wages than those living in richer provinces. The differences are quite large in relative terms. The same principle apply in relation to location i.e. whether a domestic worker is in an urban area or rural area.

For this reason, one national wage might not be feasible, at least at this stage, and that differentiation could be based on an urban and rural divide (Government Gazette vol 433, July 10, 2001). Thus the wage schedule must be constructed in such a way that it provides for the different wage levels in different locations.

Because domestic workers wages are relatively low and are not compatible with the volume of work they do on a daily basis, let alone the long hours they work, many domestic workers find it very difficult to cope with the day – to - day demands of making a living. They sometimes rely on the provision of accommodation, extra payments (in kind) and other benefits to make ends meet.

3.3.4. Payment in kind.

Cock (1980:33) argues that in the eastern cape payments in kind vary considerably. It is not very easy to define and even describe this kind of payment as it takes many forms. Some domestic workers in this study reported that they are getting old furniture and material goods, used clothes and bedding, birthday gifts for the entire family, Christmas gifts for the

entire family and sometimes financial help during times of crisis.

She further believes that payment in kind is an important mechanism by the employer of domestic workers promote a personal loyalty and commitment from their employees. Thus the gifts given by employers to domestic employees help to cement their loyalty and reinforce the hierarchical nature of the relationship between them.

One responded reported that her employers have taken over education of her little boy and are staying with him at the employer's home. She was thrilled when expressing the fact that her child is being treated on the same level as the employer's kids in all respects.

This is of course a very rare case. It could be motivated by the fact that this domestic worker has been in their employment for the past 6 years moving from one town to another as she was saying they will be moving to Johannesburg early this year 2002.

3.3.5. Conclusion.

The information gathered in this study confirms that employers seldom comply with the provision in the Basic Conditions of Employment Act that stipulates that a certain amount has to be added to the wage for the calculation of overtime pay, Sunday pay and pro rata leave.

It is therefore necessary that the continuation of the payment in kind be carefully considered because as much as many domestic workers expressed appreciation, many are very concerned and frustrated claiming that it is very difficult to determine the monetary value of such a payment.

3.4. Conditions of Employment.

3.4.1. Introduction

Domestic workers experience various problems that impact on their vulnerability. Poor working conditions are still common features of this occupation even though unions and the department of labour have been working towards addressing such issues.

For many domestic workers the road is too long and bumpy. Many domestic workers in this sample have been in this field for more than ten years and are losing hope day by day, saying the government is dragging feet. Some said probably their issue becomes the last in their agenda and never gets the attention it deserves.

3.4.2. Working hours.

It is true that in the past South African domestic workers were not protected by any legislation stipulating hours of work and other conditions of service

Legislation in the other countries deals with the domestic worker's hours of work in very different ways by either referring to periods of rest or by fixing daily hours.

Mexican law, for instance, does not provide for fixed hours of work but refers to hours of rest.

In Peru, the provision that domestic workers or household helpers must have 8 hours of rest within each 24 hours has been widely interpreted as a licence to employers to exact a 16 hour workday (Government Gazette vol. 433, 10 July 2001).

Canadian law on the other hand stipulates that domestic workers could work up to 12 hours per day.

It is therefore within these parameters that the sectoral determination of domestic workers in South Africa have to find the balance between flexibility and sufficient protection from abuse (Government Gazette, Vol. 433, July 2001).

Assessing the international experience it is clear that the best route to follow in this respect is to determine fixed hours for work and rest period.

In South Africa, The Basic Conditions of Employment Act, 1997 prescribes hours of work on a weekly basis. Basson, Louw & Strydom (1994:14) state that an employer is not supposed to make a domestic worker work for more than 46 hours in any week alternatively 8 to 9 hours a day, five or six days a week. The number of hours worked per day may be agreed upon by the parties with due regard to the requirement of household, provided that the prescribed maximum daily ordinary working hours are not exceeded.

An employer may not require a live – in domestic worker to work for spread – over of more than 14 hours on any day.

Within this 14 hour period, the worker may not actually work for more than the prescribed maximum daily working hours.

The worker and the employer may, however, reach an agreement as to how the domestic worker's working hours are to spread over this 14 – hour time span.

Some respondents in this study stated that they work up to 2.00pm and get a break between this time and 5 o'clock. They return to a duty at 5 o'clock until 8 pm.

The domestic worker who does not live – in may not be required to work for a spread over of more than 12 hours. Actually, she may not work more than the prescribed maximum hours a day (8 to 9 hours).

As much as the number of hours to be worked a day may be arranged in such a manner that suits the needs of the employer, the domestic worker's needs must also be taken into consideration. For instance if a live – out domestic worker agrees to the spread over of 9 hours a day, both the employer and the worker need to consider transport issues otherwise the worker might be stranded if the employer himself does not transport her.

3.4.3. Other matters.

3.4.3.1. Starting and knock off times.

The Basic Conditions of Employment Act still has some loop holes as it does not cover some very important and crucial aspects with regards to service conditions. For instance there is nothing said about starting and knocking off times and this calls for a written agreement between the employer and the domestic worker to prevent unnecessary disputes around times.

3.4.3.2. Week - ends off.

The same procedure needs to be followed with reference to work on week - ends.

3.4.3.3. Meal & tea intervals.

This is a very controversial issue in that both the employer and the domestic workers are conscious of being robbed by one another. Employers and domestic workers have opposing views on how long they work (Government Gazette, vol. 433, 10 July 2001).

However, due to the nature of employment, it is difficult to monitor and control hours and or exact interval time. Some employers who work outside the house, monitor hours and intervals through telephone calls or even by the workload

allocated each day. Therefore the management of the working hours including breaks still raises concern on both the employer and the worker.

Many of the respondents in this study reported that they never had any discussions around intervals, but forced their way through by allocating themselves break times though there are those who never had such courage.

As much as meal time is legally not considered as work time, agreement can also be entered to in terms of paying the worker for duties performed during break and or meal times particularly if the worker's routine involves performing duties that cannot be left unattended.

Internationally one group of countries acknowledges the necessity of a rest period but refers to them in a very imprecise way.

In Swaziland, the law says that the normal working hours week shall consist of 48 hours, exclusive of a meal break but meal breaks are neither included in the hours of work nor determined by law (Government Gazette, vol. 433, 10 July 2001).

The second group of countries prescribes the minimum daily rest periods in a more precise way. In El Salvador, Guatemala and Spain, domestic workers are entitled to a meal interval of two hours. Chile and Nicaragua prescribe the total number of daily rest hours and the amount of those hours that must be of night rest.

The third group of countries has enacted different provisions depending on the status of the worker i.e. live - in or live - out. In Malta, live - in domestic workers are entitled to a daily rest period of 3 hours in the aggregate of every day and this time is fixed through consultation. If domestic workers do not live - in, a 45 minute rest period is prescribed for eating or resting.

In Austria, live - in domestic workers must have 3 hour interruptions in their daily hours of work plus 2 uninterrupted hours of 30 minutes break for main meals while live - out domestic workers are entitled to a 20 minute break after every 5 hours work. If the break time is only allowed after six hours it must be a 30 minute break.

In France, work during rest periods (hour breaks or week ends) is only allowed in connection with special occasions, such as emergency work. Work during rest periods is highly paid at the rate which could vary from 25% to an additional 200% of the normal hourly rate of pay.

In South Africa, the legislation allows for a meal interval of one hour, which could be reduced to 30 minutes based on mutual agreement between the employer and the domestic worker (Thesis, *The domestic worker*, 1992:63), though the information brought to light by this study reveals that employers of domestic workers do not observe and or take this break issue seriously as a result many respondents expressed frustrations and anger to this effect.

The report of investigations revealed by the director general of the labour department, in response to instructions by Minister of Labour in early 2001, confirmed that domestic workers across the board indicated that they do not get a lunch break. They complained that the workload more often does not allow them to do so.

3.4.3.4. Overtime.

Basson et al (1994:17) also highlight the fact that normal working hours a week (46) may be extended per agreement to maximum of 50 hours per week. Again according to Basic Conditions of Employment Act, concerning such extended hours the following issues need to be strictly adhered to:

- Extended hours may not be worked for a period exceeding 26 days in any period of 12 consecutive months.
- An accurate record book in respect of the extended hours should be kept.
- Arrangements in terms of paying back the extended hours worked should be clearly stipulated so that the domestic worker understands the position. For instance if the worker has worked five extended hours, she should know when her hours are going to be reduced to cover up the extended hour duration or if the employer prefers to pay in monetary terms, the rate of pay must be agreed upon.
- No overtime may be worked during the days when the domestic worker is working extended hours.
- A written agreement should be entered to by the two parties (employer & employee) in respect of extended hours. To avoid misunderstandings, a domestic worker should also be given a copy of this agreement and she must also have access in the extended hours record book to confirm daily recordings either by signing or making a mark.

Extended hours must be clearly distinguished from overtime as by law the worker is not obliged to work overtime.

Overtime may not exceed 3 hours a day or 10 hours a week, however, where the domestic worker looks after children, the frail, the aged and the sick people, she may agree to work a maximum of 14 hours a week.

A domestic worker must be paid 1.3 times her ordinary hourly rate of pay in respect of overtime.

3.4.3.5. Public holidays & Sundays.

In terms of the Basic Conditions of Employment Act the following days are public holidays:

- 1st January - New Year's day.
- Good Friday & Easter Monday
- 21st March - Human Rights day
- 1st May - Workers' day
- 16 June - Youth day
- 9 August - National women's day
- 24 September - Heritage day
- 16 December - Day of the reconciliation
- 25 December - Christmas day
- 26 December - Day of Goodwill

An employee must be fully remunerated for public holidays on which he does not work, but which could otherwise be an ordinary day. If an employee does work on a public holiday he must be paid the same wage that he would be entitled to for working on an ordinary working day plus an amount calculated at his wage rate for the whole time worked by him on that day meaning an amount calculated at a rate of at least 1.3. of his wage (Mentjies 1992:153).

In Swaziland, domestic workers are not prohibited from working on the 9 officially listed public holidays. However, an additional day's wages is payable or alternatively, by mutual agreement, the employee may be granted a day off work on full pay at a time convenient to both parties.

In Namibia, public holidays are provided for in the same manner as for work on Sundays.

The maximum 46 hour working requirement does not include Sunday. Any work performed on a Sunday must be remunerated at a special rate prescribed for Sunday work.

Namibia, Guatemala and the Philippines exclude domestic workers from general rules on public holidays. Costa Rica allowed half days off or half pay for work done on a public holiday. In countries such as Swaziland, Zimbabwe and Tanzania domestic workers can be requested to work on public holidays and if they agree they are remunerated at a higher rate.

According to Basic Conditions of Employment Act, a domestic worker may agree to work on a Sunday, but she is not obliged to do so, however, if she works 4 hours or less, the employer has the following choices regarding payment (Basson et al 1994:21).

She can pay the worker her ordinary daily wage. This means that a domestic worker is entitled to a full days' pay for not more than 4 hours' work on a Sunday.

Alternatively the employer can pay the worker 1.3. times her wage in respect of the time actually worked by her on Sunday. If the employer chooses the latter, the employer must also grant the domestic worker 1 day's paid leave within 7 days of the Sunday worked.

Where the domestic worker works for more than 4 hours on a Sunday the employer has again the following choices with regard to payment:

- The domestic worker must be paid an amount equal to double her hourly wage alternatively the employer can pay the worker 1.3. times her wage. The employer must also grant the worker a day's paid leave within 7 days of the Sunday worked.

Payment for Sunday work is due on the first pay - day after the Sunday worked.

Where a domestic worker works only Sundays, the above provisions will not apply.

The majority of live - in domestic workers in this study reported that the fact that they also work on Sundays is never taken as either an overtime or a day extra and nothing is ever mentioned in terms of additional payment or leave to be granted. They carry on as usual.

3.5. Leave Benefits.

Researchers cited by Cock (Whisson & Weil 1971: in Cock 1980:72) found that only 58% of live domestic workers spend part of Christmas day with their families, while few employers gave domestic workers up to 8 weeks leave a year and some employers gave other domestic workers no leave at all.

The Basic Conditions of Employment Act provides for at least 14 consecutive day's leave on full pay in respect of each period of 12 consecutive months for which the employee has worked for a single employer. The employer may not require an employee to work during his leave.

Upon termination of employee's service their employer must pay them their wage in respect of leave that they have not taken. In addition to this leave pay, a further sum calculated at 1/6 of one week's wage should be paid in respect of each month of service completed after the date on which they last became entitled to leave or, in the case of employees who have less than 12 months of service, after the date on which they commenced service.

Employees are entitled to the above provided that notice of the termination of the contract of employment has been given. The provisions of this section are not applicable to casual employees.

The Employment Domestic Workers Regulations 1981 in Zimbabwe provide that a worker, on completion of one year's service with the same employer, shall be entitled to a continuous paid leave period of at least 12 days.

In Swaziland an employee is entitled to 12 working day's paid leave. Section 7 provides further that an employee receives an additional day's wages where a public holiday falls within the leave period. After exceeding 12 months from the date of commencement, the employee is paid an amount equal to one day's pay for each month of service during which she earned, but had not taken annual leave.

The Namibian Labour Act entitles an employee to at least 24 consecutive day's leave of absence on full remuneration in respect of each period of 12 consecutive months for which the employee has been employed.

Upon termination the employer shall pay the domestic worker any leave which accrued to her, but which was not granted before termination. These provisions do not exclude casual employees from the leave provisions as in the case of the Basic Conditions of Employment Act in South Africa.

3.5.1. Annual leave.

The annual leave to which a domestic worker is entitled depends on her status, that is, whether she is a full-time worker, a regular day worker or a casual worker.

A full-time domestic worker is entitled to paid annual leave. An employer must grant a domestic worker at least 14 days' leave in every 12 months.

If a public holiday falls within the period of a domestic worker's leave, her leave must be extended by a day. It is not necessary to extend her leave where a Sunday or any other

day on which she does not ordinarily work falls within the 14-day period.

Leave is due not later than the end of each 12-month cycle worked. The employer may postpone the leave for up to 4 months, and the parties may agree to a postponement of up to a further 2 months. In fact her leave may be postponed for a period of up to 6 months. Vacation leave may not run concurrently with sick leave, or with a period of notice of termination.

A domestic worker must be paid the wages which are due to her in respect of her leave period no later than the last working day before she takes her leave. She may, however, in writing request her employer to pay that money to her no later than the first pay - day after she returns from leave. It is therefore up to the domestic worker, and the employer, to decide whether she wishes to be paid for the period of her annual leave before or after she takes that leave.

A domestic worker whose services are terminated by an employer or who resigns is entitled to proportional leave pay in respect of the period during which she worked but did not take leave which was due to her.

A domestic worker who does not give the required notice of termination of employment or who fails to work during the notice period given by her employer is not entitled to proportional leave pay, unless she was acting within her rights by refusing to work.

A regular day worker (i.e. one who works for 3 days or less per week, and has been employed for more than 4 weeks) is entitled to 1 working day's leave in respect of every 26 days for which she has been employed. Accordingly, a worker who has been employed for 2 days per week for a period of 13 weeks is entitled to 1 working day's leave on full pay.

The Act does not compel an employer to grant a casual worker (i.e. one who works for her for 3 days or less per week, and has been employed for less than 4 weeks) any paid vacation leave.

3.5.2. Sick leave.

Domestic workers experience incidents of tolerance when it comes to granting of sick and family responsibility leave benefits. However, should the relationship be good, few problems are experienced and some employers grant more leave than prescribed by legislation.

The sick leave to which a domestic worker is entitled depends on her status, that is, whether she is a full-time worker, a regular day worker or a casual worker.

A full-time domestic worker is entitled to fully paid sick leave at the rate at which she is ordinarily paid (excluding overtime).

A domestic worker who works for not more than 5 days a week is entitled to at least 30 working day's sick leave during each period of 36 months for which she is entitled to at least 36 day's sick leave per 36 month cycle. There is a limitation on the amount of sick leave which she may take during the first year of her employment. During that year she is entitled to 1 day's sick leave for each 5 weeks of service which she has completed or to a 1 day for each month of service which she has completed.

A domestic worker who is absent from work due to sickness or injury for more than 2 consecutive days, may be required by her employer to produce a doctor's certificate, stating the nature and duration of the incapacity, in order to qualify for payment.

A domestic worker who is absent from work for 2 consecutive days or less, on 3 or more occasions within a period of 8 weeks, may also be requested to produce a medical certificate in order to qualify for payment.

A regular day worker is entitled to 1 day's sick leave on full pay in respect of every 26 days for which she has worked.

The Act does not compel an employer to grant paid sick leave to a casual worker.

Sick leave is not expressly regulated in the state of California.

In Zimbabwe there is no provision for paid sick-leave. After a year's continuous service, every employee shall be entitled to unpaid sick - leave of up to at least two months.

In Swaziland after three months service with an employer, and subject to the production of a medical certificate, an employee is entitled to 15 working days sick - leave on full pay during each period of 12 months employment (Mentjies 1992:158).

Sick - leave entitlement in Namibia is identical to the provisions of the Basic Conditions of Employment Act in South Africa, Except that the Namibia Labour Act does not expressly exclude casual employees from sick leave entitlement, as the South African Act does.

3.5.3. Maternity & Compassionate leave.

Because domestic workers are still excluded from the Unemployment Insurance Act and the fact that the Basic Conditions of Employment Act does not provide for regulation of maternity leave, South African domestic workers are often deprived of crucial benefits such as maternity leave, medical attention or compensation on injuries on duty.

The Basic Conditions of Employment Act only contains one provision relating specifically to pregnancy, that an employer is prohibited from letting a pregnant worker to work during the period commencing 4 weeks prior to the expected date of her confinement and ending 8 weeks after the date of her confinement.

The worse part is that the employer is not prevented from terminating the worker's contract. Alternatively the employer may grant the worker a period of unpaid leave, therefore a domestic worker who falls pregnant is thus in a precarious position.

The inclusion of domestic workers in the unemployment Insurance Fund (UIF) has remained under formal investigation within government structures as far way back as 1991 (Rights Now, March 2001:10).

Domestic workers have been campaigning for access to UIF benefits emphasising their risk with frequent retrenchments and low wages, which increases their needs for social insurance with job loss. Yet government remained challenged by the reality that coincides with the inclusion of domestic workers in unemployment

3.6. Conclusion

A positive step and great achievement in this occupation in as far as working conditions are concerned has been revealed in the studies conducted by Pape in Zibambwe (1993:7), Tobaiwa 1989: Sachikonye 1990 and Chinoda 1991 who confirmed that domestic workers working conditions had improved since 1980.

They also believe that domestic workers were getting significantly more money and taking more holidays than they were in 1980. However the negative part found, the oppression

of black domestic workers by black employers, is still visible, despite the effort made by the Zimbabwe Government to improve working conditions.

Seemingly the same pattern is happening in South Africa as has been confirmed by respondents in this study who could hardly participate fearing that their 'madams' might take an exception.

I also support the thinking of domestic workers in this sample who challenge the government saying they are dragging feet when facing and addressing issues of concerned with regard to domestic service.

In support of this great concern Hester Stephens, President of SADSAWU revealed the delaying tactics undertaken by the government in dealing with the UIF inclusion. She claims that in both 1997 and 2000, government response to domestic workers request on the status of their inclusion in the UIF, revealed the need for an additional 18 months to investigate the administrative implications of the recommendations of past research.

The recent draft of the current UIF Bill, presented to the Labour Portfolio Committee on March 13, again excluded domestic workers and sought another 18 months to investigate the administrative challenges around their inclusion (Rights Now, 2001:11).

Extremely low wages, poor working conditions, long hours and high levels of exploitation remain prevalent in the experiences of domestic workers, even though they are covered by the Basic Conditions of Employment Act.

This reality leads to a perception that these laws are 'only on paper' (Black Sash Submissions - Unemployment Insurance Bill 2001).

In reality, it could be argued that it would be unwise for governments to prescribe minimum wages as this would increase unemployment and that it is better for a worker to be employed at low wages than not to have a job at all because the employer cannot afford to pay the prescribed minimum wage.

It is also sad that the domestic workers are not engaged directly in productive activities and are therefore not able to support their claims for higher wages by referring to profits, increased productivity and other arguments which workers in industry may use to back up their demands.

However, the wage issue shall always remain a challenge that requires continuous address by the government, unions, the workers themselves and the employers.

The issues stated below show clearly that minimum wage fixing as a means of protecting workers from exploitive wages, is an option that cannot be ignored even though almost all countries have minimum wage regulation in some form or another:

- That the individual domestic workers are too weak in bargaining with employers for higher wages,
- That organised collective bargaining in the domestic labour sector is non – existent.

There is also a unanimous cry from the domestic workers in this sample that they have never been issued with any form of a pay - slip, therefore they can hardly know at what rate are they being paid.

This also deserves an immediate attention in terms of motivating employers to provide such a valuable document.

This document will help the worker to confirm the deductions (if there are any), whether the worker is contributing to the Unemployment Insurance Fund (some respondents had that belief, even though they can hardly prove that), whether deductions in favour of the retirement policy are in force in respect of the one respondent who claim to have such a benefit despite the fact that she has never seen any contract to that effect.

It seems as if very important benefits are discussed and conveyed by word of mouth and this could result in a great misunderstandings should they discover that such benefits were never catered for.

Because the payment in kind, particularly, when employers are compensating time worked on holidays, week - ends & overtime is becoming more common, it also deserves an attention and regulation so that it does not become an additional abusive instrument.

The new pension scheme for domestic workers called, 'For You' assurance plan, launched in 1987 is still not known by many domestic workers.

Only one respondent reported that her employer has secured such a benefit on her behalf. There is a great need to market this plan so that domestic workers can be able to demand it in the process of contract - making as one of the essential rights.

The Basic Conditions of Employment Act makes provision for a certificate of service. This provision should also apply to domestic workers. An appropriate annexure to the Act containing a pro forma certificate of service for use in the domestic sector should be drawn up (Mentjies 1992:165).

The same Act also provides workers in many sectors with a floor rights.

Findings of this study are the basis of the recommended adjustment in as far as the provisions concerning wages and maternity leave to suit the prevailing conditions thereby addressing the pressing needs of the entire domestic service.

Concerning effects of this occupation in terms of human development particularly where children are concerned, many researchers like Crompton and Mann had predictions that children would be adversely affected.

They argued and suggested that when examining the plight of domestic workers, hours in paid employment must leave any woman free at the appropriate times for the fulfilment of her domestic and child - care obligations (Crompton & Mann 1986:91).

The next chapter will be examining and focusing on the effects of the domestic service on children.

Chapter 4

4.1. Introduction.

South Africa's one million domestic workers deserve the same labour law protection as anyone else (Haffajee, Weekly Mail, 1992 Nov 20 - 26). Campaigns have been going as far way back as 1992, but the problems of domestic workers are still far from solved. Domestics are still experiencing hard time enforcing their rights.

Unionism in this sector is fraught with obstacles. There is no centre to organise in, and the employment relationship in households is one to one - meaning that the domestic workers are isolated from each other therefore it will always be difficult if not impossible to organise a strike in this sector yet their families, particularly children, are hit very hard by the occupation and its conditions.

Cock (1980:30) study also drew attention to the fact that black women are propelled into domestic service by the need to support their families, yet they are exposed to inadequate child care provisions for their own children. She also emphasised the expressions by many domestics that in honouring their duties, they have to look after two families ie. their own and their employer, and had to neglect their own families in the process.

Garett (1987:97) supporting Cock (1980:77-79), claims that there has been some concerns about the effects of women working outside their home (such as domestic servants), both on the families and on themselves. He further argues; that economic independence for married women might undermine marriage and the institution of the family, that the children of working mothers would be neglected and that certain types of work might impair the ability of women to bear healthy children.

Valentine (1988:1-16) found that, despite the awareness in the changing society in which we are living today, care for the young children and especially their needs have become matters of great social, political and psychological interests, yet very little or no studies have been done to explore the effect working conditions have on children of domestic workers.

Unlike the relationship between women's work and children's nutritional status which has been extensively researched, the effect of women's work on children's care and development has not been considered in depth in any of the relevant social sciences. It is evident that the long term costs can be measured in terms of school drop out, delinquency and teenage pregnancy (Consultative Group Secretariat 1992:2).

Studies by Preston Whyte 1969, Whisson and Weel 1971, Weerich 1976, Cock 1980, Garret 1987, Romero 1992, Pape 1993 and Cooper, Laqrangle, Pretorius and Merlon 1997 revealed that domestic workers working conditions are improving gradually though the pace is not satisfactory particularly with regard to the financial aspect which does not balance with the cost of living.

As much as The Department of Labour, Casatu, SADWU and other institutions are working around the clock to minimize the problems and effects and maximize the benefits the plight of children of domestic workers and many questions remain about the social relationships surrounding work as well as the effects of housework on children, families and domestic workers themselves (Romero 1992:45).

Such people or adults who has the child's interests at heart usually advocate for children so that children can realize a bright future.

4. 2. Adults and or Parents as Advocates.

Children are more physically and psychologically vulnerable than adults. Until the maturity is acknowledged, they need the protection of experienced persons who has the child's special interest in mind because children are usually not aware of the implications of some of their own decisions.

Children need their parents and adults (responsible) to act as individual advocates, given the lack of institution to promote children's well being (Margolis and Salkind 1996:103). Preston 1984 (in Margolis 1996:104) believes that one reason and a great concern for the inequity in support of the children of domestic workers devices from the fact that these children, unlike other interest groups like orphans, children living with Aids etc, have no advocates to represent them.

Preston further believes that even if these children were given the opportunity to act as advocates for their own causes, they lack the power and backing of other interest groups. Therefore, the one remaining strategy, in order to increase the allocation of societal resources to these children, is to enhance the ability of their parents to act as advocates for their children.

In defining a child's advocate Margolis et al (1996:105) says she/he is any individual who is able to identify and articulate the interests and needs of children.

Domestic workers, as advocates of their own children, also have to assert themselves beyond what is generally expected by the society. Unfortunately, domestic workers are known to be lacking such assertiveness in their own issues therefore, taking a step ahead acting on behalf of their children could be a huge challenge which deserves attention.

Acting as advocates, parents are trying to solve a conflict and meet one of their child's needs. They are attempting to secure a fair portion of resources for their children etc.

4.3. Reasons why children need advocates.

Because of a lack of a continuous action on child – care legislation, advocacy becomes a very essential tool to monitor and challenge the process for the benefit of the children in general. Some other reasons are as follows;

- Children have little political power.
- Children do not legally control financial assets therefore their influence on the market place must be expressed through adult agents.
- Children are cognitively unsuited to make major decisions that affect their own future.
- Children do not control services designed to assist them.
- They have little political power.

4.4. Needs of the children.

Before we even start thinking about children's needs, we need to examine the value of children in all spheres.

Children are generally and socially regarded as precious gifts from God as well as human beings with needs which can affect their entire life should they not be sufficiently met, therefore they also need to be treated as functional human beings.

Axworthy (2000:544), in describing children, says that they are the heart of human security, saying that they are often among the most deeply affected by an increase in insecurity. Therefore, one of the most basic human instinct, which is also shared by domestic workers, is to protect one's child from harm and suffering.

Because children represent our global future, and the desire to guard them from the many forces that can destroy their hope and innocence is universal. Thus, in considering the parents responsibilities to their children, one has to remember that these children are gifts from a Great Spirit and that they should be raised and cared for.

It is now time for the NGO's, Department of Labour and the concerned professions to look at the plight of these children of domestic workers with wide open eyes and with great concern and security as been the case with orphans, the physically challenged, etc.

Parents, irrespective of the professional status, their occupation, whether skilled or unskilled, illiterate or not, have the responsibility to care, and stimulate their children to develop through and become self-supporting adults with sound personalities and constructive functioning. They also need to be aware that children differ from one another in terms of needs and again such needs will differ with times, environmental circumstances and the level of growth from one sibling to another.

Domestic workers in this sample, who already suffer from economic exploitation, expressed feelings of incompetence. Some labelled themselves as half parents because they feel that they have not done enough for their children to qualify as advocates, parents or providers.

4.5. What are these needs of children?

Children are novices at life in general and find many of the tasks and demands they face full of uncertainty (Wood 1988:33). They are more limited than adults in how much they can attend to and even memorise in familiar situations.

Perhaps, it should not be surprising to find differences between the mature and immature in the ability to solve an unfamiliar problem. It also might be that, what is at stake in such situations is not children's inability to perform logical operations, but their general lack of expertise which leads them to perceive situations in different ways to the adult.

The art of using the already acquired expertise and even empowering themselves more so that they may deal with their day – to – day experiences constructively, partly lies on their development and the support they get from their parents. If domestic workers are commonly getting limited contacts with their children, how are they going to provide such constant support?

Wood (1988:211) believes and emphasise the importance of social interaction and communication between children and their parents in order to promote intellectual development. If social interaction and communication between children and their parents is so beneficial, domestic workers' children also deserve that bonus for their full and holistic development.

Amongst life threatening needs, basic needs including food, shelter, education, security, etc. are being complimented and affected by other needs (love, sense of belonging), which also have adverse effects should they not be sufficiently met or unmet.

The study revealed that, many children born from the respondents had been raised by other people like grandmothers, siblings, relatives, neighbours, etc.

The majority of the children of domestic workers missed the opportunity of frequent and reasonable contact with their biological mothers, yet others play an important and critical role in protecting their children from adverse outcomes (Seccombe 2000:1099).

Findings of this study revealed that many children born by domestic in this study showed a delay in education and great under achievements.

Some were reported to be uncontrollable, aggressive and stubborn let alone those who leave school at an early age. Many kids, as reported by these domestic workers, did not go beyond Grade 12 and are not even working instead they are mothering the younger siblings at home.

Social workers and other specialists in children's issues argue that children with unmet or insufficiently met needs, can easily end up in prison or at the places of safety. In other cases, they say, such children could suffer from deviant behaviour resulting them to underachieving at school or being drop-outs.

Because of the deficiency mentioned above, most parents, when possible, make a strong commitment to the future success of their children because they want to see them happy, successful and productive and therefore they invest substantial resources in child rearing in order to see these ends.

Domestic workers, also have the same urge and dreams about their own children, and without sufficient and or reasonable wage, their dreams can hardly be realised.

Once again, parents nurture, teach, discipline, protect and transmit cultural values to their children. If these domestic workers can hardly make contact with their children, how on earth can they be able to render and provide such vital services to their children.

4.6. Deprivation of family life.

According to Nyquist (1983:34), family life in the broadest sense might include all of the activities in which a family involves itself. There are two aspects which ought to be considered and which are interdependent;

- The amenities which one can afford in the home because this affects how a family lives.
- The style of life that one tries to maintain because that helps to determine the kind of amenities the family will seek to acquire.

Many domestic workers, when describing loneliness stressed that they miss to do 'things' with their families, i.e. eating at table, going to church, sitting together at bed time.

All domestic workers in this sample had children within their families. The average household age was 4-5 persons and the majority of the sample was the sole breadwinner and supporter of their family. Some domestic workers claim that they are half families in that, because of their absence at their homes, they do not have tight and or close links with their children.

Cock (1980:77-79), supporting a family disruption theory, states that many black domestic workers stressed that they have to look after two families, their own and their employer, and had to neglect their own families in the process.

The domestic workers are frequently subjected to some degree of what is termed "family disorganisation". Some of the respondents had been married and either separated or divorced. Very few are still married.

The strain of continuing separation leads to a high incidence of unfaithfulness in marriage. Though not the only cause of extra - marital affairs, the absence of a spouse from a home provides both the temptation and a motive - loneliness (Nyquist 1983:39).

These women are clearly victims of disruption of family life that the system of this occupation in terms of promoting immigration from rural to urban areas. Many domestic workers who have partners reported that they only visit their homes on week-ends.

The picture that emerges from the domestic workers long working hours and family circumstances is that they experience a considerable deprivation of family life. One of the aspects of the domestic workers situation which Rex found "suggestive of slavery" was the extreme limitation on her own family life.

4.7. Effects of working mothers.

Hurlock(1956:4) strongly feels that no woman can be expected to be on duty 24 hours a day, day in and day out because she needs a change from the day's activities occasionally both from the work activities and household chores.

Assuming the care of both one's child and another person's child is a serious matter. Children are not pieces of furniture that can be replaced should anything happen to it. Child - care is a full time on its own. Domestic workers are faced with a huge challenge of looking after their children either by remote and mostly by making use of other people who

expected to enforce the domestic workers' wishes and ruling. This has proved impossible because all domestic workers who participated in this study stated that they felt betrayed by their care - givers who mostly have misguided their children.

Working mothers are likely to use an authoritative approach that relies on reason, rather than assertions of parental power, and encourage both girls and boys to be independent. Employed mothers also differentiate less between sons and daughters in their discipline style and in their goals for their children, as a result siblings born by domestic workers in this sample and are burdened with mothering responsibility also involves boys.

Mcleod and Shanan (1993:4) found that mothers are less nurturing, more authoritarian, and use more inconsistent and harsh physical discipline as the family's economic situation worsens. This then means that, children born by domestic workers who are already experiencing financial difficulties and have been in that situation for years without any light of hope, are definitely victims of the circumstances.

Because child care involves additional budget, particularly if one uses organized day care centers, most domestic servants opted for cheaper or unpaying means where they make use of relatives, siblings and even neighbours. Given the budget constraints, it seems reasonable that domestic workers opt for unpaid or low cost forms of care.

Several studies have found that African Americans are more likely to use relatives for care and this clearly shows that their children, as has been the case with children of domestic workers in this sample, have less contact with their parents and rely on the care - givers for emotional, physical and other supports. As much as this pattern has negative outcomes as mentioned above, there are also positive results for both the parents and the children concerned.

Bowen & Chapman in (Folk, Fox, Yi & Yunae (1994:669) argue that increased social support from family and friends;

- reduces the amount of stress poor families experience,
- reduces the degree of violence or harsh discipline poor children may experience
- fosters improved self - esteem and the ability on the part of the child in overcoming adversity.

4.8. Effects of factors outside the family.

There is also a growing awareness of importance of factors outside the family, which have critical impacts on the well - being of children.

Working poor families face many challenges and obstacles, including reliable transportation, quality day care, safe and affordable housing, affordable health insurance and other important fringe benefits of a job.

A study conducted by Commonwealth Fund with a national sample of 5,002 adults aged 18 - 64, found that more than 68% of working adults with annual incomes below \$20 000 are living on the edge financially, and 31% reported that they did not have enough money to meet basic expenses. The majority of domestic workers in this sample also voiced their concerns, saying, they struggle to make ends meet, as a result most of their children have to go school without breakfast and or full uniform, while it is a great effort and challenge to provide means for higher \ tertiary education for them.

Children reared in poverty have poorer physical and mental health, do worse in school, experience more punitive discipline styles and abuse, live in poorer neighbourhoods and are more likely to engage in deviant or delinquent acts. These deleterious effects on children are more intensified for older

children or the longer a child lives in poverty. Therefore, the more or longer improvement of domestic service working conditions stays unaddressed, the more it is going to affect children.

4.9. Child care practises.

Cock (1980:38), confirming studies by Preston-Whyte, in a Durban study found that 60 per cent of domestic workers were supporting minor children.

She further claim that a survey conducted in Johannesburg 1970 (Whisson & Weil) revealed that on an average each domestic worker has four dependants which included a school going age and at least one pre-school age. All these mothers expressed that they hate to leave their children alone or under the care of neighbours and other children, but they are forced to do so because they have no other option. In view of their low wages, it is surprising how many servants manage to send money to members of their family (Cock1980:51).

As far way back as 1975, Cock (1980:261) claim that there were 461 registered creches providing day care for 202228 children, 82 creches for 5926 so - called coloured children and only 81 creches for black children. The poorest population groups which cannot afford professional private placements in day care clearly suffer the most from the lack of facilities.

Domestic workers, like all black farm workers in SA, suffer acutely the absence of child - care provisions for their children.

Child - care is defined to include the behaviours of breastfeeding, providing shelter and supervision, and preventing and attending to illness, as well providing a stimulating safe environment for play, exploration and social interaction.

Current trends, including urbanisation, migration, industrialisation etc have, to some extent, created new opportunities for women. Millions of women, who would otherwise be sitting at home penniless, have been absorbed by domestic service. However, the same opportunities have also disrupted familiar cultural practises and survival patterns that women have developed over the years to cope with their multiple responsibilities.

One aspect of family life affected by these trends and job opportunities is child – care, which is increasingly recognised as an area of critical, unmet need for the healthy development of children and for the changing and social circumstances of women’s lives (Consultative Group Secretariat, 1992:37).

Domestic service is obviously not new, neither is the domestic workers’ use of non – maternal care. Sources of non – maternal child - care can be divided roughly into four types, namely;

- Non – existent child – care arrangement where children are simply unattended while mothers are at work. This study revealed that this is more common where domestic workers are employed as day workers.
- Care provided by other members of the household, frequently by older siblings and this usually without any financial compensation.
- Combination of formal and informal child – care services, where child – care is provided for a fee in the home or an institutional setting. This is almost impossible for domestic workers due to low wages, they are sometimes unable to manage the financial implications.

Very few of the domestic workers in this study reported satisfaction and or positive feelings with regard to their child care practises let alone reports about any sense of fulfilment from it.

The majority of domestic workers in this sample said their children were living either with their grandmothers or other siblings, some with relatives and neighbours and a few alone in the houses.

The trend towards greater women's participation in the labour force, especially domestic service, with its long hours, have undoubtedly increased the number of women experiencing compatibility between economic activities and simultaneous child - care.

The relationship through which women's work affects the development of young children are extremely complex. The maternal factors that influence the quality of child - care include health and nutrition, education, child development beliefs and values, social support systems, quality of substitute caregivers, and intra - familial status and decision making power.

4.10. Conclusion.

The domestic worker's low wages, long hours of work which involve considerable levels of deprivation of family and social life, her lack of job satisfaction and low status in the community and marginal position as a worker, all suggest a situation of ultra exploitation.

Many domestic workers' comments show that they feel that employers perceive them only in their occupational role. This one dimensional perception is seen to involve a denial in their human feelings and needs.

Some relationships between employers and their domestic workers showed a degree of social distance. Domestic workers stated that they had no room or opportunity to discuss their family and personal problems with their employers.

Many domestic workers in this sample complained that their employers did not appreciate them.

For many of these domestic workers in this sample the choice of alternative employment to domestic work is extremely narrow. There is limited amount of self employment in informal sector. There is also limited amount of wage employment in industrial undertaking in various capacities, but the crucial point is that vast majority are employed in domestic work, and it is on their earnings as domestic workers that they must often support their dependants.

These women are propelled into domestic service in order to support themselves and their families. It is a strategy of survival and because of long hours that domestic service involves, this is survival at the price of their own family.

Within the South African formation, this study has attempted, over and above their primary objectives, attempted to show that domestic workers comprise a group of ultra-cheap and ultra-exploited labour. Their ultra exploitation is evidenced by deprivation of their family life (Cock1980:315) which included the following aspects:

- Deprivation of reasonable working hours
- Deprivation of a negotiable wage
- Deprivation of favourable working conditions

Chapter 5.

Methodology and research designs.

5.1. Introduction.

The chapter outlines the design of this study and methodology used in obtaining the data. This includes the following steps employed in the study, sampling procedure, data collection methods, data analysis techniques, assessment of limitations within the study as well as the problems encountered in the course of the study.

5.2. Research design.

The study is exploratory in nature with its main objectives exploring child - care arrangements of domestic workers, exploring domestic workers' and their children frequency of contact and lastly exploring general working conditions.

The researcher undertook a study of relevant literature so as to familiarize herself with the topic, by looking at the history of the domestic workers and the literature around general working conditions.

The method of literature review was also used in order to assess the volume of South African research conducted on the topic.

Valuable insights were gained in this exercise and because the subject studied is under researched area in South Africa, most of the literature is very old and therefore international literature was also included.

It is with this reason that the researcher opted for an exploratory design that will hopefully be a starting point for further research (Rubin & Babie 1997:108).

The study therefore did not necessarily seek to explain why things are happening the way they are but rather looking at reasons and explanations offered but the subjects regarding issues like their child care practices including quality time spent with them as well as the impact of their working conditions both on themselves and on their children.

The researcher had planned to conduct 120 interviews and because of the problems cited in point 8 of this chapter, only 50 interviews were conducted.

Flexibility in gathering data was maintained because interviews were either conducted at taxi ranks, in the field, near the shops and even outside their employers' homes depending on the interviewee's choice while the researcher respected the decisions of those who were not willing to participate.

The schedule of the questionnaire used in the study is reflected on appendix 1. The research tool employed was designed to elicit both qualitative and quantitative responses.

5.3. Methodology.

5.3.1. Definition.

Bailey (1987:33) simply describes methodology as the philosophy of the research process, while Raftery (1998:1) argues that methodology is a process that seeks contributions that addresses the full range of problems confronted by empirical work in the contemporary social sciences, including conceptualization and modeling, research design, data collection, measurement and data analysis.

5.3.2. Introduction.

Because the researcher aimed at verifying whether the cause produces the effect in general and also attempted to tap deeper meanings of particular domestic workers' experiences (Rubin et al 1997:26), both survey and qualitative methods were combined.

Three in depth semi – structured interviews were conducted during the first phase and the data yielded by such interviews was used to formulate a questionnaire composed of both fixed and few open - ended questions.

The questionnaire was administered face – to - face to 50 interviewees.

5.3.3. Sampling procedure.

Non – probability availability sampling were employed in this study. Because the researcher reached out and selected subjects from the population she came across with at the streets, taxi ranks, fields and shopping centers and eventually resorted at recruiting through snowballing, this qualifies the study sampling to be an accidental sampling as described by Tudd, Smith & Kidder (1991:134).

The sampling was limited to domestic workers who have children under 16 years of age as a result a large number of domestic workers who have been in this occupation for longer than 15 years have been excluded (many had children older than 16 years) thus leaving out rich information.

5.3.4. Geographical area.

The study was conducted in East London and its suburbs, which are Beacon Bay, Gonubie, Cambridge, Nahoon,

Bonniedoon, Baysville, Amalinda, Saxilby, Summerpride and Vincent.

The study therefore did not cover a large area in East London. Again, even in the covered area, sample drawn from their population is not equally drawn because respondents were volunteering and those who were not willing to participate were not forced just because the researcher wanted to equalize the numbers drawn from different areas. The researcher had to travel from one area to another in order to reach a variety and reasonable number from each area.

5.3.5. Instrument of data collection.

Since the study was exploratory, an attempt was made to gather as much information as possible about the plight of domestic workers especially issues concerning their experiences within this occupation as well as the impact the occupation had on their lives including their children's lives.

5.3.6. Research tool.

The questionnaire was sub divided into the following six sections:

Section one dealt with personal particulars of domestic workers, while section two focused on child – care arrangements followed by section three dealing with the frequency of contact and quality time spent by domestic workers with their children.

Section four covered service conditions including fringe benefits.

Section five, which dealt with the effects of the occupation on domestic workers and their children, solely qualitative thus allowing an opportunity to explain their experiences in depth.

The last section probed deeper on issues concerning domestic employment in general.

Even though three in depth semi – structured interviews were conducted during the first phase with the purpose of formulating questionnaire, the researcher chose the questionnaire as a best suitable tool of data collection for the study since it would not be practical to conduct 50 to 120 in depth interviews given the time constraints. Furthermore questionnaires are more cost effective and less time consuming as compared to in depth interviews or even telephone surveys.

The questionnaire, having been administered face – to – face, helped the respondents to answer fully and accurately because they had an opportunity to clarify their misunderstandings. Tudd et al (1991:218) claims that face – to – face questionnaires improve the quality of data whilst they also cite the greatest possibility of large interviewer effects and the tendency of respondents to give invalid socially desirable answers to suit the interviewer's expectations.

5.4. The field work.

The field work was done between July and October 2001. Face – to – face interviews were employed and that helped in dealing with the following:

- Assuring domestic workers of the confidentiality and the anonymity of their responses to alleviate their fears of loss of jobs and victimization by their employers.
- Since the large number of the constituents of this occupation is not highly educated, face – to – face interviews facilitated opportunity for domestic workers to clarify whilst the researcher was able to probe and therefore obtained rich information.

- The researcher was able to sought permission before recording their experiences.
- Some domestic workers who were not willing to participate were not compelled. The researcher ensured the voluntary participation.
- The researcher was able to explain the purpose of the research fully before each respondent embarked on the exercise even though this particular exercise was time consuming and at times it resulted in reluctance in many domestic workers because they realized that they were not going to get any material gains for their contribution in the study.

5.5. Problems encountered during the investigation.

Progress in conducting interviews was slow because of the following:

- Some domestic workers were reluctant and even did not participate in fear of publication of their names.
- Targeting domestic workers at taxi ranks was very difficult as they always in a rush either going home or rushing for work.
- Although Sunday afternoon was convenient as I could get many of them easily at their resting spots, some were either drinking or socializing with their men counterparts and therefore could see that some did not entertain my intruding.
- Because most interviews were conducted in open space, interruptions from fellow domestic workers and other community members were most common whilst the

sound of passing cars and wind affected the tape recorder.

- Twice I was confronted by the police, having been attracted by the recording process and therefore had to stop in the middle while explaining or even allowing the police to listen to either the tape or the actual interview. Fortunately, every time I had my student card which helped me to identify myself and the process.
- Some domestic workers expressed their reluctance to be contacted nearer their work places saying that their employers might be interested to know their responses and this resulted in further reluctance in participation.
- I was also confronted by the Residents Association of Dukets Squatter camp near Beacon Bay, suspecting and querying my mission even though later they helped in organizing within the area.

5.6. Data processing and analysis.

The data produced by this study is both qualitative and quantitative in nature. This was done in effort to discover as much information regarding the topic under investigation as possible.

Graphs and tables are used to illustrate the findings more clearly.

To analyze the findings most comprehensively, use of frequency table distribution was employed and that enabled the calculation of the average value for variables, whilst qualitative data yielded by open – ended questions was analyzed according to emerging themes.

5.7. Limitations.

The research study had the following limitations:

- It was time consuming and expensive for the researcher to administer an interview schedule because the researcher had to spend long hours interviewing respondents and spending lot of money traveling from one area to another.
- The study was confined to a small categorized sample of domestic workers who work in and around East London suburbs therefore it will not be possible to generalize the results as the sample will not be representation of all South African domestic workers.
- There was resistance from some potential subjects, however, they were also assured that there will be no repercussions. Several of them refused to be interviewed in the vicinity of their workplace while some expressed their fears through responses especially when we were dealing with service conditions and it is likely that they might not have given true or honest responses.
- Because the research was done at the same time when the department of Labour started advocating for domestic workers with regard to service conditions, this tended to cause some confusion as most domestic workers could not differentiate between Rhodes University or my engagement and the Department of Labour and that also affected their willingness to engage in the study. This then resulted in the researcher using more time to explain in order to gain trust and get more participants particularly where the researcher was identified and aligned with a particular political organization.

5.8. Potential value of findings.

The research study yields the potential value in that:

- The study provides insights on the experience of the domestic workers.
- It also helps in pointing out the scope for future research on the subject as well as areas for Social Work and Labour Dept intervention.

Next chapter presents findings, analysis and interpretation.

Chapter 6.

Presentation and discussion of findings.

6.1. Introduction.

This chapter will document, discuss and analyze the findings of this study. Statistical figure tables and graphs will be used to present data obtained from the semi-structured questionnaires administered while major themes emerging from the data will also be summarized and analyzed.

This chapter is structured according to the questionnaire. The questionnaire has been divided into six sections namely:

- Personal and Social Profile of the respondents.
- Child - care arrangements.
- Frequency of contact between domestic workers and their children.
- Service Conditions.
- Effects of the occupation on domestic workers and their children respectively.
- General working conditions.

The questionnaire employed, together with a translated transcription can be found on appendix A & B respectively.

Section A.

6. 2. Personal and social profile of respondents.

6.2.1. Table I.

PERSONAL AND SOCIAL PROFILE OF RESPONDENTS								
No.	Age	Type Of work	Education	Marital status	No of children	Age of children	Grades of children	Home a
1	46	All	Std 8	Single	3	5 yrs	Educare	Port Alfr
2	58	Cleaner Cooker	Std9	Widow	6	15 yrs	Left school	Mdantsa
3	49	Cleaner Cooker	Illiterate	Separated	5	15 yr twins	Left school	Fort Jac
4	51	All	Std 9	Single	4	15,12 & 11 yrs	5, 7 & 9	Duncan Village
5	41	Cleaner	Std 7	Separated	6	15,12,8 & 2 yrs	8, 5 & not schooling	Tsholom
6	31	All	Std 9	Single	1	5 yrs	Not schooling	Mdantsa
7	42	Cleaner Cooker	Std 5	Single	3	14,10 & 4 yrs	10, 8 & educare	Tshabo
8	43	Cleaner	Std 5	Single	2	13 & 3 yrs	9 & not schooling	Kwelera
9	44	Cleaner	Std 8	Single	2	15 yrs	12	Stutterh
10	42	All	Std 10	Single	3	10 yr twins	3 & 4	Mdantsa
11	29	All	Std 9	Single	1	10 yrs	5	Alice
12	28	All	Std 9	Separated	2	6 & 4 yrs	1 & not schooling	Mngqesh KWT
13	42	Cleaner	Std 7	Married	3	16 & 12 yrs	5 & 2	Mooipla
14	39	Cleaner	Std 7	Single	4	11, 8 & 1 yrs	6, 3 & educare	Nompur
15	52	Cleaner	Illiterate	Widow	6	12 & 10 yrs	1 both	Thornpa
16	48	Cleaner Cooker	Sts 5	Married	2	16 yrs	12	Dukets
17	25	Cleaner Cooker	Std 7	Single	1	6 yrs	Not schooling	Dukets
18	26	All	Std 7	Single	1	11 yrs	3	Pumlani
19	46	All	Illiterate	Widow	1	16 yrs	8	Tsaba
20	34	All	Std 9	Divorced	2	12 & 14 yrs	2 & 7	Tsaba
21	35	Cleaner	Std 2	Widow	2	15 yrs	12	Scenery
22	49	Cleaner	Illiterate	Married	5	9, 8 &	1 & not	Dukets

						4 yrs	schooling	
23	42	Cleaner	Illiterate	Married	4	10 & 7 yrs	1 & not schooling	Dukets
24	40	Cleaner	Std 5	Widow	2	16 & 13 yrs	12 & 6	Dukets
25	47	Cleaner	Std 1	Separated	2	16 & 10 yrs	8 & 9	Centani Tkei
26	47	Cleaner Cooker	Std 6	Separated	4	14 yrs & 18 mths	12 & not schooling	Zwelitsh KWT
27	27	Cleaner Nanny	Std 6	Separated	3	13, 7 & 9 mths	9, 2 & not schooling	Dukets
28	48	Cleaner	Illiterate	Married	2	14 yrs	Left school	Dukets
29	46	Cleaner Nanny	Std 6	Single	3	16 yrs	8	Mdantsa
30	26	Cleaner	Std 9	Single	1	7 mths	Not schooling	Dukets
31	39	All	Std 8	Separated	5	15, 10 & 8 yrs	6, 4 & 2	Peddie
32	29	Cleaner	Illiterate	Married	3	11, 9 & 6 yrs	3, 2 & not schooling	Dukets
33	36	Cleaner Cooker	Std 5	Married	2	9 & 4 yrs	2 & not schooling	Maclean
34	41	Cleaner	Std 5	Married	6	16, 11 & 6 yrs	10, 3 & educare	Dukets
35	47	Cleaner Cooker	Std 5	Single	3	15 yrs	6	Nompun
36	34	Cleaner Cooker	Std 7	Separated	4	3, 7, 11 & 14 yrs	1, 5 & not schooling	Centani,
37	47	All	Std 5	Single	2	16 yrs	Left school	Mdantsa
38	49	All	Std 9	Married	3	13 & 16 yrs	9 & 12	Dukets
39	45	Cleaner	Std 7	Married	2	13 yrs	3	Border p
40	29	Cleaner	Illiterate	Married	3	6, 9 & 11 yrs	R, 2 & 3	Thornpa
41	51	Cleaner	Std 5	Married	1	8 yrs	2	Postdam
42	26	All	Std 9	Single	2	9 yrs	3	Mount F
43	26	Cleaner	Tertiary	Single	1	7 mths	Not schooling	Dukets
44	50	All	Std 5	Married	2	16 yrs	Left school	Mzamo't
45	55	Cleaner	Illiterate	Single	3	16 yrs	10	Butterw
46	46	Cleaner	Std 7	Single	2	16 yrs	Left school	Duncan
47	46	All	Std 5	Widow	5	11 yrs	4	Ndevana KWT

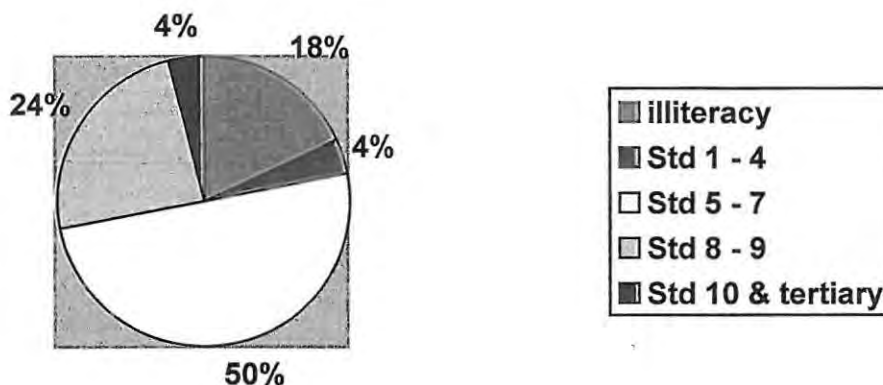
48	65	Cleaner	Std 7	Widow	5	16 yrs	12	Mdantsa
49	42	Cleaner	Std 6	Married	3	16 yrs	9	Cintsa
50	51	Cleaner	Std 5	Married	3	14 yrs	7	Good ho

Table 1.1.
Age distribution of respondents.

Age in years	Frequenc y	%	Cumulative
20 – 25	01	02	02
26 – 30	09	18	20
31 – 35	04	08	28
36 – 40	04	08	36
41 – 45	10	20	56
46 – 50	15	30	86
51 – 55	05	10	96
56 – 60	01	02	98
61 – 65	01	02	100
Total	50	100	

The above age distribution table seems to suggest that the sample comprised a majority of the middle age domestic workers between ages 41 – 45 & 46 – 50 where the percentage reads as 20% and 30 % respectively. There is though a growing market of women entering the occupation between 26 – 30 ages at 18%.

Table 1.2.
Educational Qualifications of respondents.



The pie chart above, yellow slice indicate 50% of the sample with qualifications ranging from standard 5 to standard 7. Malaka (1984:204) argues that lack of as well as low standard of education are associated with unskilled labour, thus the educational level of the 50% of the sample is closely related to their occupation status.

The blue slice indicates 18% of the illiterate section of the sample. 24% of the portion are domestic workers who have qualifications ranging from standard 8 and standard 9. It appears that there is no educational requirement needed in this occupation, However, because there are inadequate job opportunities, women with standard 10 and tertiary education have also entered this occupation and that is indicated by the 4% in the pie chart.

Yeoh (1998:03) support the ideology of Malaka saying domestic service is a form of a commodified labour that can be bought and sold in the open market let alone being a short-term solution to the crisis of social reproduction and survival.

Table 1.3.
Type of Work.

Type of work	Frequency	%	Cumulative
All	15	30	30
C\C	08	16	46
C\N	03	06	52
Cleaner	24	48	100
Total	50	100	

The table shows that 48% of the domestic workers in this sample are cleaners only and exempted from other duties as compared to the 30% who are doing just about everything and have no specific job description.

16% of the sample are doing both cleaning and cooking as their daily duties and 6% of the sample reported that they clean while involved in baby nursing duties which include carrying babies at their backs, changing nappies, bathing babies preparing food for them, playing with and even taking kids to and fro school.

Table 1.4.
Marital status.

Value	Frequency	%	Cumulative
Single	19	38	38
Separated	08	16	54
Widowed	07	14	68
Divorced	01	02	70
Married	15	30	100
Total	50	100	

More single women with 38% than married women with 30 % are devoting their time in this occupation. I have a feeling that because they are the sole breadwinners for their kids, they take any job that comes across to keep the pot boiling. For many, domestic service is a waiting occupation in times of crisis and during job hunting.

Most of the married women interviewed claimed that they have to work to supplement their husbands' wages to enable their children to escape poverty and illiteracy thus achieving better qualifications.

6.3. Children affected by domestic work occupation.

143 children, particularly those whose mothers have been in this occupation as far way back as 12 years have been affected by this job socially, emotionally and academically.

Section B & C of this chapter will expatiate when dealing with child care arrangements and the frequency of contact domestic workers and their children.

6.4. Age distribution of children.

The table below will show the ages of the children whose mothers participated in the study.

Ages of children	Frequency	%	Cumulative
00 - 05	14	9	9
06 - 12	34	27	36
13 - 16	31	22	58
16 plus	60	42	100
Total	143	100	

Even though the previous table indicated that 143 children, whose mothers participated in this study were affected by their mothers jobs, the study will concentrate to only those with ages from 16 years and under.

6.5. Grades of the children.

Grade of children	Frequency	%	Cumulative
00 – 03	27	34	34
04 – 07	14	18	52
08 – 12	18	23	75
Total	59	75	
Not yet schooling	14	18	18
Left School	6	7	25
Total	20	25	
Grand total	79	100	

Table above indicates the school progress of the children whose mothers' participated in the study. 18% of the younger children who are supposed to have started schooling are still not at school for various reasons ranging from finances and child- care issues.

It seems as if such children are going to be late and may not achieve well to their fullest ability. 7% of the older children ranging from 14 yrs and over have already left school at the very low standards, which also marks the drop out pattern even from those children who are above 16 yrs because non of their mothers reported any achievements beyond standard 10.

6.6. Work area of the sample.

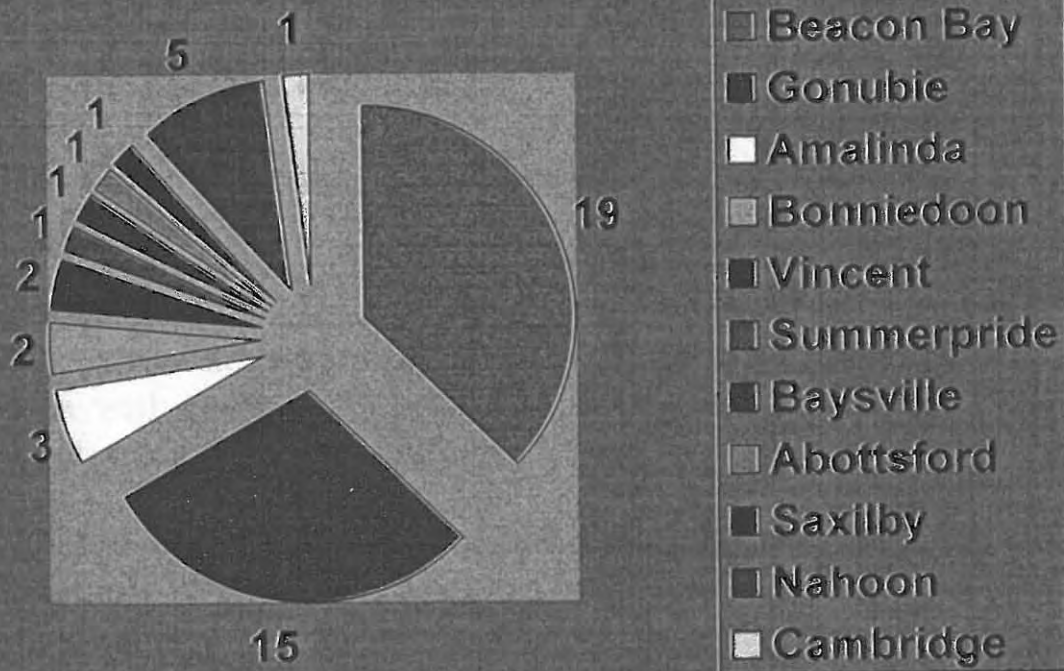
Although effort was made to ensure geographic spread within East London, many of the respondents particularly in those areas where many blacks are staying were not keen to participate in fear of loosing their jobs or being victimized by their employers.

Also my being a Xhosa speaking researcher including my age, became a barrier because I was identified as an employer by many respondents as a result many did not feel safe to respond to other questions and therefore their interviews had to be discarded.

Most of the participants came from the area of Beacon Bay and Gonubie and the researcher experienced most difficult in getting through some other area.

Domestic workers are mostly in doors and it was not even easy to talk to them in the streets as they even feared the children they were going with particularly white children.

Work area distribution chart



Chapter 7

Conclusions and recommendations.

7.1. Introduction.

This chapter will outline the conclusions reached in this study. Recommendations will be made for further research based on findings.

7.2. Conclusions.

In presenting conclusions reached in the study, the researcher will examine the set objectives of the study and the information gathered in respect of the respective objectives.

More specifically, the objectives of the study were:

- To explore the child - care arrangements that domestic workers make for their children and their satisfaction with those arrangements.
- To explore the frequency of contact domestic workers have with their own children and the particular challenges they associate with this.
- To explore general working conditions and support available to domestic workers from their employers.

7.2.1. Objective One: Child - care arrangements.

The study revealed that most children whose mothers participated in this study are depending on other people for their survival.

A large percentage of these children are literally raised by their grandmothers whilst siblings and relatives also play a huge

role in caring and providing basic needs including security and houses for these children.

It has been found that most of the domestic workers who do not have the above support leave their children alone in their homes during working hours.

Many of the domestic workers in this sample voiced their concerns and frustrations with regard to the prevailing child care arrangements, claiming that such arrangements are risky, disorganized, unstable and dismantled, but because they have no other better alternatives they risk the lives of their children in order to keep the pot boiling.

The study further indicates that siblings carry a burden and enormous responsibility, as they have often to replace their mothers and sacrifice their own needs and future to benefit their younger siblings. This is evident as most first born often leave school the school at matric and give way for the young ones academically whilst they stay at home to look after them instead of joining the work force where they could continue with private studies.

While observing the achievements of most of their first and second born, I learnt that many did not even reach grade 12 but left school at the age of 15 and over.

I guess the following reasons gathered in the study clearly indicate and contribute to their low achievements:

The older kids have to wake up early to prepare food and school needs for their siblings before they all could go to school.

They also have to sacrifice their commitment to sport and other school activities in order to prepare other duties at home.

They have to guide and support the young one in their school work while neglecting their own school work.

They suffer from depression due to financial constraints especially in cases where their parents are not regularly providing them, thus enforcing them to seek help wherever they can to provide for the young ones.

They often experience sleepless nights when the young kids are ill and restless.

In spite of the difficult situations expressed above, there is a limited percentage of domestic workers in this sample who proudly announced their child - care arrangements as constructive, progressive and healthy to the extent that their children are also progressing well in life.

However, the same group expressed their devastating aspect, the loss of bonding with their kids since their children neither recognise them as their emotional supports nor as their parents.

Mostly, these kids turn to their care givers for any support in times of crisis, sometimes even when their parents are present.

The study indicates that child - care responsibility has not been adequately met as a result many of these children have been negatively affected by such arrangements. This is marked by the following remarks measured from these domestic workers.

- 10 mothers reported children with delayed education.
- 06 mothers complained about the loss of link with their children.

- 02 mothers reported children with aggressive behavior.
- 05 mothers confirming children with prominent illiteracy.
- 02 mothers reporting victimization of their children by care givers in many ways.
- 02 mothers complaining about their uncontrollable children.
- 02 mothers are blaming themselves for their children's mishaps.
- 02 mothers feel they have neglected their children.
- 07 mothers are worried that effects are still invisible.
- 10.12 mothers have confirmed a positive impact.

Strong feelings ranging from anger, guilt, blaming, regret, incompetence and loss have been expressed by most domestic workers in this sample who are not staying with their children.

Such group has also realised the dangers and consequences of relying to someone else for molding and building the future of ones' child.

The result of the above has been acknowledged by these domestic workers through the efforts made in changing and even addressing the issue of child care arrangements.

Many of these domestic workers have opted to commute daily in order to be able supervise their children on a daily basis whilst those who are unable to commute are looking for temporary homes nearer the work place in order to stay with their children.

7.2.2. Objective 2. Frequency of contact.

From the findings of this study, it appears that a large number of domestic workers in this sample have contacts with their children once a month, 14 see their children daily, 10 contact their children every week end, 6 only once in two weeks and the last two see their children bi - monthly.

It seems as if many domestic workers are sick worried about the situation. This is also adding to the prevailing problems cited above and emanating from child - care arrangements.

As much as their children are adversely affected by such arrangements, let alone the domestic workers satisfaction, they expressed their concerns saying they are unable to supervise the care - givers and therefore feel helpless at this situation.

One respondent claims that she has even lost interest in mothering as she often feel left out and isolated. She also feel sad and hurt that she does not understand her children as much the care giver does whilst also the children relate very well with the care giver as compared to what happens between herself and the children.

Some of the respondents who have daily contact with their children are those who have been given the latitude by their employers to keep their children at the work place. This is another whereby the employers provide support over and above monetary terms and many domestic workers expressed their appreciation for such support.

7.2.3. Objective 3. Working conditions.

From the findings it appears that only 5 out of 50 respondents have entered a formal contract with their employers. In spite

of the contract only one has a formal written contract with benefits and other service conditions fully stipulated.

Even though efforts have been made by the department of labour and other unions to advertise service conditions and labour Act in respect of domestic workers, very few respondents have any knowledge of such an Act and many are still trapped in employments with no clear service conditions.

This is proved by the unguided wage gaps illustrated below.

A large number of respondents (25) is earning between R400 & R600, 9 respondents between R300 & R390, 6 respondents between R800 & R990, 5 respondents between R200 & R290 and the last 5 earning between R1000 and over.

The distribution above seems to suggest a false impression as if these domestic workers are well paid yet it is not compatible with the type of work they do, long working hours and other unpaid benefits.

There was no correlation between qualifications, length of service and experience including the type of work they are doing in as far as earning are concerned rather the findings indicated that cumulative experience, educational qualifications, working hours, etc could not be associated with their individual remuneration.

Those respondents earning R600 and over, have a very long service with a particular employer respectively let alone the inconsistency of such increments when comparing the years of service.

It would be unfair to omit the number of hours these respondents are working daily.

- 14 respondents work 10 hours a day

- 10 respondents work 7 – 8 hours a day.
- 09 respondents work do not know how many hours as they often work right through without any breaks.
- 08 respondents work 9 hours a day.
- 04 respondents work 14 hours daily.
- 04 respondents work 12 hours a day.
- 01 respondent works 6 hours a day.

NB: many of these domestic workers are also working over week ends and the limited number only works half day on Saturdays which then means whoever is working 10 hours a day, ultimately works 60 to 70 hours a week.

The distribution above indicate that there is no uniform system which employed in this occupation though the Basic Conditions of Employment Act 3 of 1983 stipulate clearly that an employer may not require a domestic worker to work for more than 46 hours a week (Basson, Louw & Strydom 1994:14).

Perhaps domestic workers should also get organised if they want to enforce this Basic Conditions of Employment Act in order to create a standardised system for their benefit, rather than taking a back seat and wait for others to pave way and even fight on their behalf.

Given the level of their education, the enormous fear they have of loosing their jobs and the huge problem facing them where their employers constantly rob them their leave benefits, it is necessary for other groups like Cosatu etc to strengthen their voice and join them in the struggle.

7.3. Recommendations.

The study has been predominantly exploratory in nature concerning the plight of domestic workers in respect of their working conditions and the impact such conditions have on their children.

It lays a ground work for further research and reveals the questions and problems that need attention, although such problems are reflected by a majority of respondents in a huge population, the researcher cannot generalise and claim that they are widely shared in domestic work occupation.

Issues that deserve further attention and which warrant research in greater detail, are the following:

The study revealed that fringe benefits were generally poor and absent to some extent and therefore because the study did not make provision for exploring what domestic workers perceive to be ideal fringe benefits they would like to get, it would be ideal that further investigation be done in this regard.

I am of the opinion that domestic workers are not bargaining collectively and those in this sample are not even involved in some kind of collective bargaining because 99% confirmed that they do not belong to any union.

There is a great need to concentrate and mobilize domestic workers for collective bargaining as it has the potential of improving their service conditions. In view of this a further research would be ideal to explore the status and membership of South African Domestic Workers Union (SADWU).

There is also a strong need for domestic workers education and empowerment around Basic Conditions of Employment

Act and other issues like entering a contract with an employer, advantages and disadvantages of the union if the domestic workers want to effect changes in their occupation.

Domestic workers also need to learn lessons from farm workers who have to date overcome many obstacles and gained reasonable rights and benefits including wages, housing and land. A comparative study could be employed between these two occupations.

The study limited itself to domestic workers with children under 16 years old. Rich information has been shed and excluded because many domestic workers who have been in this occupation and have children older than 16 years were disqualified. Research in the area of domestic workers with long service will shed light into the nature of benefits i.e. pension.

Future research should consider using more qualitative approaches that examines views of the children of domestic workers who carry the responsibility of raising their siblings.

The predicament of domestic workers' children who stay alone to fend for themselves has not received sufficient attention in this study.

Jackson (1992:1) argues that poor black mothers have largely excluded from research on the impact of maternal employment and the present study revealed children are mostly negatively affected. Some displayed delay in education, total illiteracy, uncontrollable and aggressive behavior due to lack of parental guidance. Therefore this area could yield valuable information for their welfare.

7.4. Conclusion.

This was a topic worthwhile exploring and investigating although the researcher had problems ranging from geographical spread, time and money constraints together with attitudes of the domestic workers and the community at large, nevertheless, it is hoped that the study will contribute and bring upfront the plight of domestic workers in East London and South Africa generally.

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INTERVIEW SCHEDULE

INTERVIEWER

DATE OF INTERVIEW

SAMPLE AREA

VENUE

A. IDENTIFYING INFORMATION

1.Name

2.Age

3.Occupation

3.1. Nanny Cooker Housekeeper Other

4.Level of education

5.Marital status Never married Married Divorced

6.Children Yes No

6.1.If yes, how many One Two Three More

6.2.Ages 00 - 05 years
05 - 12 years
12 - 16 years

6.3. Grades 00 - 05
05 - 09
10 and over

7.Home address

8.Work address

B. CHILD CARE ARRANGEMENTS

1. Where are your children living
2. Who is caring for the children
Siblings Relatives Neighbours Other
- 2.1 Do you pay for child care arrangements
3. How do you feel about the child care arrangements
4. What changes if any, would you like to make to these arrangements

C. CONTACT BETWEEN DOMESTIC WORKERS AND THEIR CHILDREN

1. How frequently do you see your children
2. How do you feel about the amount of contact you have
3. How do you feel about the quality of contact you have
4. What changes if any, would you like to make to the contact

D. GENERAL WORKING CONDITIONS

1. Do you have an employment contract
2. What is your salary per day, week, or month
3. What fringe benefits do you enjoy if any
 - 3.1. Clothing
 - Lodging
 - Transport allowance
4. What are your working hours
5. Are you sleep in or out
6. Do you work overtime
7. Do you have meal intervals
8. Do you work week ends
9. What leave arrangements do you have in respect of
 - 9.1. Annual leave
 - Sick leave
 - Maternity leave
 - Family responsibility leave
10. Is money ever deducted from your salary
11. If yes, please explain

E. EFFECTS ON CHILDREN

- 1. To what extent do the working conditions influence your child care practices
- 2. How is your parenting influenced by your working conditions
- 3. How your children influenced by your working as a domestic worker

F. General

- 1. Are you a member of a labour union
- 2. Do you feel the labour act is protecting you as a domestic worker, if yes how
- 3. If you were to rate from one to four, what would you prefer in a job
 - 3.1 High income 1 2 3 4
 - No danger of being fired 1 2 3 4
 - Short working hours, lots of free time 1 2 3 4
 - Very secured job 1 2 3 4
- 4. We would appreciate any general comments concerning working situation particularly those areas which you feel were not touched

.....

.....

.....

.....

INTERVIEW TRANSLATION:

1. Ngcikwe
2. 46 years
3. Domestic worker
4. -
5. Cooker
6. General worker
7. -
8. Illiterate
9. Never married
- 10.-
- 11.-
- 12.-
13. Yes
- 14.-
- 15.-
- 16.-
17. Three
- 18.-
19. One - Educare
- 20.-
- 21.-
22. Port Alfred & Fort Jackson
23. 46 Bonza Bay road
24. He stays with me at work
- 25.-
- 26.-
- 27.-
28. Myself at my work place
29. Nothing
30. Very happy because he is financially taken care of by employers
31. Because he stays with me daily I would not like to change that
32. Daily
33. Very very happy because he is very young to be part with me
34. Very glad and used to this convenient arrangement
35. I would not like to change this arrangement at all
36. Yes I do have a contract as we were coming from Grahamstown

- 37.R800 a month
- 38.Clothing & old furniture
- 39.Accommodation
- 40.Taxi fare
- 41.Food parcels and financial assistance towards education of my child
- 42.I start at 7.30 am until 5.30 pm
- 43.Yes I live in
- 44.Yes I do sometimes work overtime and get paid for that
- 45.Yes tea time and lunch time even though I do not physically sit down
- 46.No
- 47.Three weeks vacation leave
- 48.Yes I get sick leave, but have to monitor a temporal domestic
- 49.Two months maternity leave with pay
- 50.Have a policy covering my self, children and my mother paid by them
- 51.No
- 52.—
- 53.It is good because I do not suffer much financially they are supportive
- 54.Because I am illiterate, I am happy where I am
- 55.They are giving my son the best education at Beaconhurst
- 56.No
- 57.I cannot comment because I know nothing about the union
58. 4
59. 3
60. 2
61. 1
- 62.Some domestics are working on Sundays and are not well cared for

DEPARTMENT OF LABOUR

**CONTRACT OF EMPLOYMENT
FOR
DOMESTIC WORKER**

Sample contract
Provided free of charge
by the Department of Labour

Entered into between:

(herein after referred to as "the employer")

Address of employer:
.....
.....
.....

and

(herein after referred to as "the employee")

1. Commencement

This contract will begin on and continue until terminated as set out in clause 4.

2. Place of work

.....

3. Job description

Job Title
(e.g. Domestic worker, gardener, cleaner etc)

Duties
.....
.....
.....
.....

DEPARTMENT OF LABOUR

4. **Termination of employment** *(See Guidelines 2 and 3)*

Either party can terminate this agreement with four weeks written notice. In the case where an employee is illiterate notice may be given by that employee verbally.

5. **Wage** *(See Guidelines 4 and 5)*

5.1 The employee/s wage shall be paid in cash on the last working day of every week/month and shall be: R.....

5.2 The employee/s shall be entitled to the following allowances/payment in kind: R.....

5.2.1 A weekly/monthly transport allowance of R.....

5.2.2 Meals per week/month to the value of R.....

5.2.3 Accommodation per week/month to the value of R.....

5.3 The total value of the above remuneration shall be R.....
(The total of clauses 5.1 to 5.2.3)
(Modify or delete clauses 5.2.1 to 5.2.3 as needed)

5.4 The employer shall review the employee's salary/wage once a year.

6. **Hours of work** *(See Guideline 6)*

6.1 Normal working hours will be from a.m. to p.m. on Mondays to Fridays and froma.m. top.m. on Saturdays.

6.2 Overtime will only be worked if agreed upon between the parties from time to time.

6.3 The employee will be paid for overtime at the rate of one and a half times his/her total wage as set out in clause 5.3.

7. **Meal Intervals** *(See Guideline 7)*

The employee agrees to a lunch break of one hour/30 minutes (delete the one that is that not applicable). Lunchtime will be taken from to daily.

8. **Sunday work** *(See Guideline 8)*

Any work on Sundays will be by agreement between the parties from time to time. If the employee works on a Sunday he/she shall be paid double the wage for each hour worked.

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9. **Public Holidays** *(See Guideline 9)*

The employee will be entitled to all official public holidays on full pay.

If an employee does not work on a public holiday, he/she shall receive normal payment for that day.

If the employee works on a public holiday he/she shall be paid double.

10. **Annual Leave** *(See Guideline 10)*

10.1 The employee is entitled to..... days paid leave after every 12 months of continuous service. Such leave is to be taken at times convenient to the employer and the employer may require the employee to take his/her leave at such times as coincide with that of the employer.

11. **Sick leave** *(See Guideline 11)*

11.1 During every sick leave cycle of 36 months the employee will be entitled to an amount of paid sick leave equal to the number of days the employee would normally work during a period of six weeks.

11.2 During the first six months of employment the employee will be entitled to one day's paid sick leave for every 26 days worked.

11.3 The employee is to notify the employer as soon as possible in case of his/her absence from work through illness.

12. **Maternity leave** *(See Guideline 12)*

(Tick the applicable clauses in the space provided).

12.1 The employee will be entitled to days maternity leave without pay; or

12.2 The employee will be entitled to days maternity leave on pay

13. **Family responsibility leave** *(See Guideline 13)*

The employee will be entitled to three days family responsibility leave during each leave cycle.

14. **Deductions from remuneration** *(See Guideline 14)*

The employer may not deduct any monies from the employee's wage unless the employee has agreed to this in writing on each occasion.

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15. Accommodation

(Tick the applicable boxes).

15.1 The employee will be provided with accommodation for as long as the employee is in the service of the employer, and which shall form part of his/her remuneration package

15.2 The accommodation may only be occupied by the worker, unless prior arrangement with the employer.

15.3 Prior permission should be obtained for visitors who wish to stay the night. However where members of the employees direct family are visiting, such permission will not be necessary.

16. Clothing *(Delete this clause if not applicable)*

..... sets of uniforms will be supplied to the employee by the employer and will remain the property of the employer.

17. Other conditions of employment or benefits

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DEPARTMENT OF LABOUR

18. General

Any changes to this agreement will only be valid if they are in writing and have been agreed and signed by both parties.

THUS DONE AND SIGNED AT ON THIS DAY OF
..... 199...

.....
EMPLOYER

.....
EMPLOYEE

Witnesses:

.....
.....

