

Protecting Rights of Domestic Workers in Turkey: Through cooperatives and/or trade unions



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- Invisible but growing workforce:
 - 53.6 million workers worldwide (ILO, 2010)
 - 83% among them women
 - 19 million increase between 1995 & 2010
 - 3.6% of global wage employment
 - 7.5% of total female wage employment



- Poor working conditions
 - Long working hours, 7 days a week, inadequate rest & leisure: 45 % have no right to a **day off** per week and over 50% have no **normal weekly hours** limit
 - Among lowest paid: 42 % excluded from **minimum wage** coverage
 - Job & income insecurity
 - Lack access to social security (health care, insurance, etc): More than one third are excluded from **maternity leave & benefits**
- Vulnerable and exposed to
 - Verbal, physical, sexual abuse
 - Extreme forms of exploitation (slavery, slave-like conditions)



- Common features, despite regional & national variations:
 - DW provide valuable and indispensable services (household & care work)
 - Feminization of domestic work
 - DW enable women to join the labour market
 - Employment creation potential
 - Trend away from full-time/live-in (except for caring)
 - Absence of labour and social protection, despite distinct vulnerabilities



DOMESTIC WORKERS ARE WORKERS!

DOMESTIC WORKERS HAVE RIGHTS LIKE OTHER WORKERS!

THEY MAKE VALUABLE CONTRIBUTION TO FAMILY WELFARE, SOCIETY AND ECONOMIES!

THEIR LABOUR RIGHTS SHOULD BE PROTECTED!



Trade Unions

- Domestic workers' unions have been pivotal in promoting decent work for DWs!
- Despite obstacles to unionization and collective bargaining, DWs continue to organize under Tus

Cooperatives

- Successful cases of DWs organizing through COOPs are emerging!
- There are diverse forms of DW COOPs: workers COOPs, credit and saving COOPs in Hong Kong and housing COOPs in SA
- First known DW COOP established in Uruguay in 1877
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Trade Unions

- Some of them are engaged in collective bargaining, organize migrant DWs, advocate legislative changes, organize worldwide campaigns.
- International Domestic Workers Federation (2013), TUs in Brazil, South Africa, Italy, Ghana, Chile, Uruguay, Sri Lanka, Turkey ...

Cooperatives

- They are often established to provide services for their members including employment, intermediation, education, housing and financial services
 - DWs COOPs in USA (Ecomundo Cleaning, Cooperative Care), in Japan (Japan Workers' Cooperative Union)



Trade Unions

- Regulations tend to ignore trade union and labour rights for DWs and DWs are seen as workers
- Challenges in reaching out DWs in their isolated working environment
- DW is inherently isolated and private in nature

Cooperatives

- Lack of legal recognition of DWs and legal structure
- Challenges in access to capital
- Networks with other DW groups
- Lack of time due to long working hours
- Limited management skills



Trade Unions

- Restrictions on freedom of movement of DWs by the employers
- High level of informality among DWs
- Problems in negotiating collective bargaining: no employers organizations
- Legal limitations for migrant workers in terms of organizing under TUs

Cooperatives

- Legal limitations for migrant workers in terms of organizing under COOPs
- Challenges in reaching out DWs in their isolated working environment
- Regulations tend to ignore rights of DWs



1. From Cooperatives/Association to Trade Unions
 - ❖ Starting organizing under association and then gaining recognition as TUs when legally possible: Jamaica
2. Unions providing cooperative services to their members
 - ❖ Creating of COOPs by TU: SEWA's strategy on creation of women COOPs
3. COOPs and TUs united under same platform
 - ❖ Collaboration between United Steelworkers and Mondragon
 - ❖ South Korean Home Managers Cooperative



- According to TurkStat, 153,500 DWs in 2012: invisible in statistics
- Paternalistic nature of employment relations
- High informality and feminization of domestic work
- Limited legislation: Complicated and ineffective
 - Labor Law and Obligations Law
- Absence of occupational classification and uncertainty in job description
- Poor working conditions: Long working hours, low wages, unhealthy working conditions and fatal accidents, limited social security coverage, heavy workloads, job insecurity ...
- Vulnerable and exposed to
 - Verbal, physical, sexual abuse

Trade Union Rights for DWs in Turkey



- According to the Constitution (Art. 51) workers have the right to establish trade unions.
- According to Trade Union and Collective Agreements Law, migrants can also establish trade unions
- Informally employed domestic workers can become a member of TUs
- DWs can establish their TUs under “Commerce, Office, Education and Fine Arts” branch of activity



- However, DWs are not considered as workers by the Labour Law and excluded from the scope of LW (Art. 4)
- Only Law of Obligations defines rights and obligations of DWs : implementation is very limited
- Limited alternatives for organizing and lack of interest from TUs
- Lack of employers' organization
- No CBA / national threshold: 1% in the branch of activity
- Lack of awareness among DWs and within the public
- Lack of collaboration among DW TUs
- Privacy of work places and restrictions in inspections of private houses

Domestic Workers Unions in Turkey



EVID-SEN (Domestic Workers Solidarity Union)

- Established in 2009 by DW themselves
- Very limited organizing capacity: no info on membership
- Main activities:
 - Drafting a contract template
 - Advocating for ratification of C189
 - Promoting rights of DWs and demanding a stand along legislation for DWs
 - Providing legal and psychological service to DWs
 - Creating informal “pool” to provide job opportunities
 - Protesting and organizing marches
- No international affiliation
- Concerns on democratic management

IMECE (Domestic Workers Union)

- Established as a women association in 2001 by women activists and then transformed to a TU in 2014
- Very limited membership: 29 workers
- Main activities:
 - Creating public sensivity about accidents
 - Bringing actions against fatal work accidents
 - Mobilizing labour inspectors and putting pressure on MoLSS to examine fatal accidents
 - Campaigning for ratification of C189
- No international affiliation

Women's COOPs in Turkey



- Women COOPs are established by women for women
- Limited data on women's COOPs and their social and economic importance :
 - 91 registers women COOPs
- Women COOPs are multipurposed: providing social and economic goods and services
- Grassroot organizations, employing bottom-up approach to start-up, operations and membership
- Undertakes different activities:
 - Income generation, employment opportunities, social-cultural activities including providing early child care and education for disabled children, capacity building programmes for women, skills training and guidance services.
- Role in empowerment of women



- No DWs COOP
- Male domination
- Problems in access to financial capital to operate and grow
- Lack of guarantee schemes
- Lack of institutions to provide legal consultancy
- No special tax exemptions or reductions fro women COOPs: burden of taxed and fees
- No sustainable and effective support to women COOP

CONCLUSION



“The cooperatives without the trade union lose their progressive edge, while trade unions without cooperative run out of steam” (President of SEWA)

- Trade unions and COOPs can co-exist and mutually reinforce each other
- Domestic workers conditions do not improve unless there is political will to improve legislative framework
- COOPs could provide employment opportunities and DW TUs could organize COOPs
- Legislative barriers hinder DWs to organize both under COOP and TUs



- No “one size fits all”: creative models are needed
- Specific characteristics of domestic work and local contexts
- Change is happening and not just desirable, it’s possible and in the interest of all
- Changes in policies, legislation & attitudes can change the stories of millions of individuals