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An Exploratory Study of Attitudes and Practices towards Domestic Workers in Sri Lanka

Annemari de Silva

**AN EXPLORATORY STUDY OF
ATTITUDES AND PRACTICES
TOWARDS DOMESTIC WORKERS
IN SRI LANKA**

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**International Centre for Ethnic Studies
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An exploratory study of attitudes and practices towards domestic workers in Sri Lanka

by

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Abbreviations

C189	–	Domestic Workers Convention of 2011
DWU	–	Domestic Workers Union
SLBFE	–	Sri Lanka Bureau of Foreign Employment

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Introduction

Although domestic workers are a regular feature of many households in Sri Lanka, this section of our workforce has remained understudied and unprotected by regular labour laws. Sri Lanka has not yet ratified the Convention on Domestic Workers (C189), which was adopted in 2011 and currently has ratifications by 27 countries, with developing countries like Jamaica, Brazil, Grenada, Peru and Guinea all ratifying within the past three years (“Ratifications of ILO Conventions: Ratifications by Convention” n.d.; “Ratification by Countries of Domestic Workers’ Convention (C189)” n.d.). However, there is a burgeoning group of activists pushing for ratification and for amendments to existing labour laws to extend protections for domestic workers. In particular, the Domestic Workers’ Union (DWU) has been key to organizing domestic workers from the plantation communities, as have workers’ organizations such as the Working Women’s Front and the Red Flag Movement. However, their efforts have previously been thwarted and belittled. DWU activists’ efforts to “document the lived experiences of workers as well as to provide a basis for advocacy for recognition by the state...[were] ‘laughed at’ or ridiculed, even within the Department of Labour” (P. Jayasekara 2016, 34). Then in 2015, the DWU attempted to get the Minimum Wages Act to recognize domestic workers as well but were dismissed by the Commissioner of Labour citing “ ‘practical reasons’ that it was not possible to recognize domestic workers in the minimum wages act” (P. Jayasekara 2016, 34). Now, the Act explicitly excludes domestic workers by stating that the definition of “worker... does not include a domestic servant” (*National Minimum Wage of Workers Act*, No. 3 of 2016 2016).

In 2018, a positive step was taken when former Trade Union Relations Minister John Seneviratne tabled a Cabinet proposal for a National Action Plan to bring domestic workers under Sri Lanka’s labour law, which was then approved (S. Jayasekara 2018). Although establishing decent work for domestic workers in Sri Lanka relies on law and policy, sociocultural change must occur in parallel. Thus, a reflection on both the parameters of work as well as attitudes towards it is necessary – this is what this study attempts to do.

This is an exploratory study of what the field of domestic work looks like in Sri Lanka: what general employment practices are like (e.g., salaries, recruitment, living conditions for live-ins), what attitudes towards domestic work(ers) are, and perceptions about workers' rights. It uses a combination of research methods, namely the findings of an online survey carried out with employers (primarily from Colombo), in-depth interviews with live-in and live-out workers from Nuwara Eliya and Colombo, and an analysis of newspaper advertisements for domestic work. The research focuses primarily on the conditions for female domestic workers though some limited reference to male workers is made.

The paper begins by first defining terms used throughout. This is followed by a discussion on the global literature on domestic work and the conceptual frameworks that underscore the analysis in this paper. The methods used in this study are then described and limitations discussed. The main body of the paper is divided into two sections. The first section looks at the parameters of work: characteristics of demand, salary variations with factors such as gender and location, employment arrangements (e.g., attitudes towards contracts), and working conditions including living conditions for live-in domestic workers. The second section focuses on discourse analysis, looking at workers' motivations to work, the gendered dynamics of domestic work, the mythology of being "like part of the family", how domestic workers are valued by employers, attitudes towards agencies, and attitudes towards domestic workers' rights. The paper ends with a brief conclusion, remarking on the patronage-like relations between employers and workers in the context of a lack of labour protections and inadequate state welfare, as well as urging the need for adequate protections in the field of domestic work in light of impending developmental and demographic changes that will only see an increase in demand for domestic work and direct care work.

Definitions

Domestic work and domestic workers

The paper follows the definitions provided in Article 1 of the Domestic Workers Convention, 2011 (No. 189), which defines domestic work and domestic workers as follows:

- (a) the term *domestic work* means work performed in or for a household or households;
- (b) the term *domestic worker* means any person engaged in domestic work within an employment relationship;
- (c) a person who performs domestic work only occasionally or sporadically and not on an occupational basis is not a domestic worker.

The advantage of this definition is that it captures the central feature of the domestic worker as someone who works for a household, as distinct from someone engaging in similar tasks but for an organization or institution. It also excludes those within the family, or extended family, that perform domestic work but are not in an employment relationship (See (International Labour Organization 2013, 7–8). For the purposes of this study, “domestic worker” is generally used to refer to a woman performing work within the house, since that is the particular interest of this study, as opposed to home security guards, gardeners, and drivers who would otherwise be included in the above definition.

This study also refers to **care work**, which, as defined by the ILO, “consists of two overlapping activities: direct, personal and relational care, such as feeding a baby or nursing an ill partner; and indirect care activities, such as cooking and cleaning” (original emphasis, International Labour Organization 2018, xxvii). Domestic workers will often be expected to perform both direct and indirect care activities, even when indirect care (e.g., cleaning a whole house) may not be strictly related to their primary direct care role (e.g., looking after a baby), and vice versa (e.g., watching over young children, though they are primarily employed to clean the house). This study uses the distinction between direct and indirect care work in its analyses, using the term **direct care work** in reference to care-giving tasks such as looking after children, elders, disabled, or the sick.

Live-in and live-out workers

This study follows the definitions used by F. Mehran (2014, 5).

- Live-in domestic workers include those who are members of the household i.e., who live with the household.
- Live-out domestic workers who are not members of a household i.e., who do not live with the household.

In common parlance, “live-out” workers are also called “daily workers” or “part-time” workers but these definitions are misleading. In the first instance, “daily” workers may not actually report to work daily or another regular basis. In the second instance, the traditional part-time/full-time distinction that applies to formal sector employees cannot be applied here as the distinction between part-time and full-time in domestic work refers to the living arrangement rather than the number of working hours per week/month. For example, a “part-time” worker may well be working full-time hours across several households, i.e., 7 a.m. to 8 p.m., six days a week, but she would not be colloquially referred to as a “full-time” worker.

(Manpower) Agencies and third-party suppliers

A manpower agency is a third-party organization that connects workers to a job placement, creating a triangular relationship. In some instances, the contractual relationship is between the worker and the agency where the agency pays the salary of the worker. In others, the agency receives a “commission” from the seeking household for providing the worker and the salary payment relationship remains between the household employer and the domestic worker.

The traditional understanding of these manpower agencies does not suffice to cover the spectrum of third-party suppliers in the field of domestic work. Rather than professionals functioning within the mandates of a formal company, “agents” are often simply a relative, friend, or neighbour of the domestic worker who connects the worker with a known household. This may or may not entail a payment to this informal “agent”. This spectrum of third-party suppliers is illustrated below.

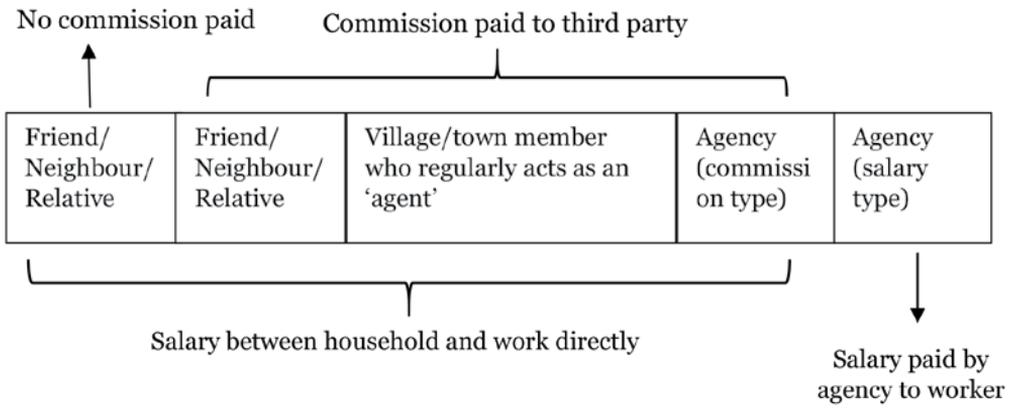


Figure 1. Types of third-party suppliers of domestic workers by how commissions are paid to them and salary arrangement with worker.

Domestic Work

Domestic work is notoriously undervalued and difficult to regulate. The difficulty in regulation stems primarily from the performance of domestic work occurring within a home, which is not usually subject to outside scrutiny under labour law. This engenders the “complete invisibility and isolation of the female domestic worker” (Shalini Sinha in Chigateri et al. 2017, 1). Some countries with domestic work regulations have circumvented this privacy issue by using such measures as prior consent of employer or authorisation of inspection through judicial means (Albin and Mantouvalou 2012, 75). Yet, domestic workers remain vulnerable to unfair work practices.

Most domestic workers (83%) globally are female (International Labour Organization 2013, 23). The feminization of the sector comes from domestic work being seen as “unskilled” since it is assumed to be a natural aptitude of women, a “biological destiny” as Gamburd acerbically calls it (2000, 195). The “feminine”/feminized nature of domestic work is still assumed, even though historical studies have shown the sector to be more masculinized in the past (Higman 1989; Ray and Qayum 2009).

In Sri Lanka too, domestic work is a highly feminized sector, with a disproportionate number of workers from disprivileged communities, and has remained outside of legal purview up to now. Although much has been written about and advocated for concerning the rights of migrant domestic workers from Sri Lanka, far less has been enquired about those within the country. Migration certainly entails added levels of precarity: the stringency of migration regimes, the social isolation in a new country with a new language, the physical precarity of being tied in contract and visa to one employer, and more. However, the literature on migrant domestic work that explores aspects such as the micropolitics of intimate spaces, employer-employee relations, issue of caste, class, and gender – much of this relates equally to local domestic workers. The conceptual frameworks explored below thus draw on studies of both migrant and local domestic work.

Women's Work

In Sri Lanka, tasks such as cooking and childcare are routinely relegated to women, as is general housework (Postel and Schrijvers 1980; Gamburd 2000). This is the case even when the burden of primary income has shifted onto women (Kottegoda 2004; Jeyasankar and Ganhewa 2018). When the economy was opened and a wave of women migrated to fulfil domestic work overseas, the burden of cooking, care, and housework expected of the (now-migrated-) wife/mother was then not taken up by husbands/fathers but rather by other female members of the household, such as grandmothers and older girl children (Cooray 2017; Withers and Piper 2018). Even the advent of wider education access and professional mobility in the 1960s and 1970s appears to have resulted in “relegating the majority of women to a continuation of their domestic chores in the ‘public’ domain,” which includes teaching, medical care, and housework (De Alwis 1995, 142).

Although people popularly invoke biological determinism for this overlap between domestic work and womanhood (i.e., women are “naturally” better/more inclined towards childcare, aged-care, and housework), academics have also shown how this was an orchestration of education policies (Jayawardena 1986). In Sri Lanka, the subject “home science” was introduced and taught to girls, covering domestic work concerns including hygiene, childcare, needlework, and household accounts. Home science consisted of subjects that would not only “add to the charm of a girl’s home life” but also lead to “a considerable saving in household expenditure” (Alwis 1940).

Some older studies show an interesting analysis of why women’s work came to be as such. A 1980 study on the status of women notes the following:

Generally, work done exclusively by men is considered too heavy, difficult or dangerous for women; whereas women’s work is viewed as too boring, dirty or even polluting for males... Even though typically men’s work – for instance carrying sacks at the harbour – may not be prestigious, it is given at least a certain importance as being too heavy for women (my emphasis, (Postel and Schrijvers 1980, 27)

These thoughts are similarly echoed in a study in the early 1990s by Carla Risseuw in which she finds that “Handling dirt, faeces, cleaning toilets, being impure, doing repetitive work, which often lacks the status of work as such or ‘prestige’ of the proximity of danger, is the female expression of the principle of gender hierarchy” (Gamburd 2000, 186).

Thus the construction of domestic work as women’s work has been an orchestration of diverse influences and machinations, with social assumptions serving to reinforce these gendered expectations. Women are assumed to be “naturally” inclined to do and adept at domestic work, even if this is the historical result of education policy, socially enforced norms, and historical discrimination. Importantly, in the last few studies quoted above, it is clear that women’s work is constructed as antithetical to “skilled” work. That is, skilled work is that which is not women’s work.

What does domestic work involve?

In defining domestic work, one might be tempted to list tasks (sweeping, cooking, changing diapers, laundry) but this masks the complexity of domestic work and perpetuates the idea that it is “unskilled” (and thereby devalued) work.

Those fulfilling domestic work have to provide their combined mental, emotional, and physical energy in order to fulfil what is devalued as a “simple” task. For example, “cooking lunch may also involve mental and emotional work: what do I cook that is nutritious, enjoyable, ready in ten minutes and uses the ingredients in the cupboard?” (Anderson 2000, 11). Anderson argues thus that persons unfamiliar with these procedural complexities find it difficult to just take over the task alone – because viewing it as a task alone underestimates how much energy goes into it. Speaking specifically about the division of domestic work between heterosexual partners, she contends:

It is therefore often difficult for men, untrained as they usually are, to take over. Which is not to say that men cannot be trained, or that they do not use a deliberate hopelessness about the house to escape household work, but if we are to allow that domestic work is skilled work, then the handing over of it is

not simply a question of men doing their fair share. They must be taught how to do it...When men do unpaid household work, they, like children, help by task; it is women who manage the process...The management of processes is crucial to ensure that they all run smoothly. The “housewife” has a dual role, as manager and as labourer. (Anderson 2000, 11)

The perception of domestic work as “unskilled” roots from the interpretation under patriarchy that reproductive labour is the domain of women, i.e., all that is to do with care of the family and the household, and that if domestic work is just the natural extension of women’s existence, then it is “unskilled”, not requiring any formal acquisition of skills (International Labour Organization 2013, 69). This is why it is especially “difficult for those who do not do domestic work ... to understand the processes involved in such work. In particular, for women to teach men the skills of domestic work, when they perceive it to be unskilled, is culturally, socially, and politically sensitive – try it!” she challenges (Anderson 2001, 26).

In addition to the mental and physical demands of domestic work, there is also the implicit expectation of emotional energy put into the work as well. It is not just changing the diaper or feeding the baby but the emotional care implicitly expected while doing so; or the attention to personalised preferences while cleaning the house. Moreover, those who do direct care work (e.g., looking after the baby) are expected to do other work unrelated to their direct care responsibilities (e.g., cleaning the house), with no real distinction made between separate responsibilities. Similarly, housekeepers may well be expected to look after the children when the parents are out – even if those were not the original terms of employment. Domestic work may perhaps then be better understood “as a series of processes, of tasks inextricably linked, often operating at the same time”, though this still excludes the weight of emotional labour inherent in those linked tasks (Anderson 2001, 26). In fact, in interviewing domestic workers about what they do, their response is “everything” (Jureidini and Moukarbel 2004).

We have to do everything, do the garden, clean the garage, clean the car, take the goats out... the children, there is nothing we are not told to do (Teblez – Eritrean woman working in Athens) (Anderson 1997, 38).

Anderson thus argues that paid domestic work means that “the domestic worker is selling, not her ‘labour power’ (the property in the person), but her personhood” (Anderson 2000, 3). Seeing paid domestic work as a purchasing of personhood helps then to understand the complex nature of expectations on domestic workers, interpersonal relations with employers, the minute everyday indignities they are expected to tolerate, as well as why arguments for regularising domestic work are complex.

Employer–worker relationships

In the absence of regularisation or even conventional standards on employment, employers and workers will often slip into a familiar relationship. This personalism may seem desirable because it gives the impression that the worker will be treated like one of the family. However, this family idiom is deployed selectively and strategically in a manner Mendez terms “strategic personalism” (Lan 2003, 540). Although workers can benefit out of this, it more often favours employers because ultimately, strategic personalism is deployed in addition to the multiple layers of dis/privileges between employers and workers: of class, race, gender, and language.

For example, employers may take their domestic workers to a restaurant that they are going to as part of this illusion that they are providing her the same benefits as being “part of the family”. Yet interviews with domestic workers in Taiwan show that some would rather not tag along because they will simply be expected to continue their child-caring responsibilities at the restaurant, rather than having this as a relaxed outing, which is how employers will frame it (Lan 2003, 542). Employers may also bring home leftovers from when they go out, to which some workers take affront. One worker responded, “I feel disgraced. We are not rich, but we don’t eat leftovers.” Another worker exclaimed, “Who am I? I am not a dog. I am not going to eat food [from] three days ago” (Lan 2003, 534). Lan argues that there is an asymmetry in this gift-giving where the worker

is expected to be grateful and validate the employer's supposed generosity. She details workers who felt unable to refuse food or gifts for fear of offending their employers: "My employers want me to eat this and eat that... They want to see you eating the things. They want to give. They want to make sure you eat it" (Lan 2003, 542). These "benevolences" verge on the coercive, requiring the worker to accept the gifts regardless of whether it is desired or not.

These seemingly "charitable" actions deployed by employers enable them to feel entitled to the worker's emotional attachment and gratitude towards them. This connection can then be leveraged for unfair work practices, such as expecting live-in workers to be available around the clock, or for live-outs to work extra hours without compensating them adequately (Stiell and England 1997). A succinct example of this strategic personalism centres on the live-in worker. While s/he may be supposedly treated as "part of the family", the implicit assumption is that s/he gives up her own family to dedicate herself entirely to the employer's one (Ray and Qayum 2009).

Desirable qualities in workers

The idea of purchasing personhood also explains the qualities that are sought after in domestic workers. In research on domestic workers in Madurai, India, employers were found to be more interested in abstract qualities of workers, such as their "cleanliness", "lying", "stealing", and "gossip[ing]", whereas the quality of work performed is of least concern (Dickey 2008, 474–76). As one employer stated, "Work can be taught. Honesty is the first thing" (Dickey 2008, 476). There is such an expectation of dishonesty from workers that "spot-checks" are common, in the case of Singapore, where a member of the employing household may visit the house unannounced to make sure the worker is not being "idle" (Yeoh and Huang 2010).

What is bought in a domestic worker is thus certainly not her labour power but her personhood. In Lebanon, employers have asked "specifically for young, unmarried girls from a village ('whose lips have not been kissed other than by her mother') – in other words, naïve, inexperienced and innocent." (Jureidini and Moukarbel 2004, 598). If the priorities were for efficient completion of

domestic chores then a completely unexperienced worker would be undesirable; other qualities are being sought here. Employers desired older women “who would have overcome or could control their sexual desires” but Jureidini and Moukarbel argue that these “are requirements that seek to maintain power and control over workers on a continuous, 24 hours-a-day basis” (Jureidini and Moukarbel 2004, 598).

This aspect of round-the-clock control of bodies and behaviour is partly why some workers prefer to switch to live-out working when able to. Their lives are much less controlled, they are guaranteed rest hours (upon return home, or a day off that they choose), they are able to spend time outside the employing household, and are also able to tend to their own double burden (looking after their own families in between their work for the employers) (Stiell and England 1997; Anderson 2001; Jureidini and Moukarbel 2004; Neetha 2009).

Drawing unequal boundaries

Many more are the minute, multiple, and everyday indignities that domestic workers must bear. Their physical being is highly regulated within the household. Lan uses the concept of “boundary work” to frame how workers and employers keep their distance from each other both physically and symbolically, even while they are both entangled in the most personal and intimate of spaces, the home. Some modern homes physically manifest these boundaries, with “servants’ quarters” drawn into the architecture, physically separated from the rest of the household: their bedroom and bathroom may be towards the kitchen whereas the family’s may be the furthest away from the kitchen and common living spaces (Higman 1989; Dickey 2008; Stiell and England 1997; Ray and Qayum 2009). The expectation of “spatial deference” is an intangible physical manifestation of this boundary work: “the unequal rights of the domestic and the employer to the space around the other’s body and the controlling of the domestic’s use of house space” (Yeoh and Huang 2010, 222). So, workers may be allowed into intimate spaces of employers (bedrooms, bathrooms) in order to clean only and forbidden otherwise, whereas employers may feel entitled to call their workers’ out from their bedrooms at any point they wish. Or, at mealtimes, the worker may do all the cooking but the serving is reserved for the wife/mother (Lan 2003, 526–27).

The experience of sharing personal details between employer and worker are mixed. While research in Taiwan shows that workers felt immensely burdened by their employers constantly talking to them about personal issues, findings from Madurai, India, showed that employers were concerned about the workers sharing household details with outsiders and thus were very much on their guard (Lan 2003; Dickey 2008). The ideal “honest” worker would, in this imagination, be one with whom an employer can speak about personal details but who would not divulge these secrets outside.

Towards a better deal for workers

The advent of the Domestic Workers Convention in 2011 has sparked movement for better regulation in this sector. The convention is unique in its holistic approach in that along with labour rights, it incorporates a human rights approach to securing domestic workers rights (Albin and Mantouvalou 2012). That is, along with requiring regulation of working hours, leave, and occupational health and safety considerations, there is also a requirement to consider rest, privacy, health, maternity, and other considerations that fall under the ambit of social security protections. The challenge that may arise in the implementation of this is the question of who is supposed to guarantee and pay for these protections? For instance, for aged care, the inability of aged persons to cover protections for their carers would result in the loss of both job opportunities for workers and a care solution for countries with rapidly ageing demographics. On the one hand, recommendations from experts assert that the implementation of the regulations cannot entail the loss of economic opportunity for workers; on the other, it may be unfair to expect certain employers to cover the full remit of protections (D’Souza 2010). Some options offered in this stead are employer-employee contributions to a fund or tripartite solutions between workers’ unions, employers’ unions, and the state. However, challenges to creating both workers’ unions and employers’ unions exist. While employers can be uninterested in joining such a union, as is the case noted in India, the challenges to forming workers’ unions are multiple (Chigateri et al. 2017, 6).

Part of the reason organized action for domestic workers’ rights is difficult rests in the atomization of the workforce (Arudpragasam 2015, 17). Alone

in their respective households, rather than together in a factory setting, the opportunities for discussion and collective action are low. Additionally, there is also no other third-party arbitrator that can be approached outside of work (e.g., from government or a tripartite group), so any bargaining must be done one on one with their individual employer. The precarity of their employment, the complex nature of the employment relationship and felt isolation (amongst other factors) explicate the findings of a study which showed that workers' willingness to exercise any bargaining (or "assertiveness", as termed in the study) is very low ("Domestic Workers and Employers Survey" 2015, 15). The study interprets their bargaining power as high (e.g., since demand for workers is high whereas supply is low, and employers feel dependent on workers) but this only considers the supply-demand aspect of this field rather than the social, cultural, and economic inequalities between employers and workers, which leave the latter with unequivocally low bargaining power (D'Souza 2010, 18). As atomized workers, their potential bargaining power can only usefully be exercised if in collective action, but this becomes impossible due to the physical and symbolic restrictions placed upon them during employment; these restrictions thus have repercussions on their civil right to freedom of association.

Neetha (2009) argues generally that domestic workers' "absence in state policy is also tied to the social and economic devaluation of care and its gendered, class, and caste characteristics" but the difficulty in providing regular labour protections to domestic workers is particularly in the definitions of "worker", "employer", and "place of work" (Neetha 2009, 489). The employer is ambiguous: one person may be handling the details of employment including payment of salary (e.g., husband, child of ageing parent), but the person directly managing the worker may be different (wife, aged parent). Domestic workers are also sometimes explicitly excluded as "workers", such as in the Payment of Gratuity Act and the Minimum Wages Act (Sarveswaran 2012, 142; National Minimum Wage of Workers Act, No. 3 of 2016 2016). Finally, labour laws do not apply to private households (D'Souza 2010; Neetha 2009, 504). Sarveswaran argues that some existent labour laws could be more broadly interpreted to include domestic workers. He interprets that the Industrial Disputes Act in Sri Lanka

“is applicable to domestic workers as interpretation to the word ‘workman’, ‘industry’ and ‘industrial dispute’ in the Act would include a domestic worker as well” (Sarveswaran 2012, 142). Domestic workers should thus in theory be able to approach a labour tribunal or appeal to the Commissioner of Labour depending on the nature of recompense sought. However, even in the case of most informal workers – let alone domestic workers – these means are not sought because the practicality (legal costs, time taken, ability to prove employment) is limited (labour lawyer, personal communication, 4th September 2018). In comparison, the much stronger National Union of Domestic Employees in Trinidad also failed in challenging workers’ treatment in industrial courts in Trinidad and has rather turned to international campaigns for their struggle (Karides 2002). Sarveswaran also interprets that the Trade Unions Ordinance would allow for domestic workers to set up a trade union, but he expresses reservations on workers realistically exercising these rights because “domestic workers are generally illiterate, singly employed at households and neglected by the society” (ibid). Interestingly, the Domestic Workers Union has been successfully set up in 2005 and is getting stronger as the spotlight on domestic worker rights grows. Sarveswaran also establishes that the Wages Boards Ordinance is not applicable since “the word ‘trade’ has commercial connotations it cannot be interpreted to include ‘domestic service’” and that the Payment of Gratuity Act expressly excludes domestic workers (ibid). Currently, the Minimum Wages Act also expressly excludes domestic workers (National Minimum Wage of Workers Act, No. 3 of 2016 2016). Sarveswaran thus supports either the express inclusion of domestic workers in existent Acts or a special legislation for domestic workers; the latter is where Sri Lanka currently stands, in light of the cabinet paper approved in 2018.

Leveraging affectual relations

In the absence of formal protections for workers, the main safety net workers have is to maintain good relations with their employers. Relationships between workers and employers are ambiguous; mostly lacking formalities, the emotional attachment between worker and employer takes diverse forms and can sometimes resemble patron-client relations of the semblance of having workers

be “like part of the family”, as discussed above. This ambiguity in relationship is where strategic personalism can be used by domestic workers to elicit positive treatment. Ozyegin’s study with Turkish maids and doorkeepers showed that workers embraced class hierarchies and used it to elicit class guilt from their employers in order to obtain favours; Mendez’s work with cleaners formally employed at a bureaucratic agency showed they preferred working directly with private employers because they could obtain personal favours from them (Lan 2003, 526, 540). Lan found that Filipina workers in Taiwan would also talk up their meagre conditions in the Philippines in order to have easier access to loans or advances on their wages (Lan 2003, 540). But playing up class differences is not only about eliciting material benefits. Barua et al’s research with workers in Mumbai, India, shows that the familial idiom of being “like part of the family” was “integral to their efforts to claim a sense of dignified selfhood: by referring to and thinking of their employers as family, they were able to add worth and value to work otherwise held as low status and low value” and it also gives workers a “claim, however tenuous and partial, on the home in which they work and on the employer on whom they depend” (Barua, Haukanes, and Waldrop 2016, 12). Of course, workers are afforded both a dual mother-like and child-like status in the family: expected to look after the house and its inhabitants like a mother, while the benevolence from the employer is to be received like a child. Judith Rollins employed the term “maternalism” to describe this relationship between the (usually female) employer and their worker, which is “a friendly relationship between women that works to confirm the employer’s kindness and the worker’s childlike inferiority. Through kindness and charity, the powerful woman asserts her feminine qualities of morality and pity over the helpless recipient” (Anderson 2001, 30). Of course, although the critique is levelled at the two women in the employer-worker relationship, “it should always be borne in mind that ultimately it is men and capitalism that benefit” (Anderson 2000, 7).

Whither workers and their rights in Sri Lanka?

These conceptual interpretations of the worker, their relationship to employers, and their position as workers help to elucidate the difficulties in creating an equitable environment for workers and employers involved in domestic work.

And yet, despite these difficulties, efforts have been made to strengthen the rights of workers in Sri Lanka.

In 2000, the recommendations of a study conducted by the Women's Education and Research Centre (WERC) asserted the following protections: that employers should register their workers, pay retirement benefits (Employee Provident Fund and Employee Trust Fund) as with other workers, provide leave, and allow for the worker's own family life, rest and privacy; that the state should provide formal training to upskill domestic workers (as is done for migrant domestic workers); and that any violations of the above work stipulations should be inspected and held to account by officials from the Labour Department (De Alwis 2000). The article claims that "the time for drastic reform has come", not because of "a change of heart among employers" but rather due to "an increasing shortage of unskilled labour" (ibid). Twenty years hence, the shortage of labour still stands but little has changed vis-à-vis regularisation of domestic work, despite the event of the ILO Domestic Workers' Convention in 2011.

Two legal studies also consider how to extend protections to domestic workers. Sarveswaran (2012) was discussed above in detail but more recently Esufally (2015) compares existent labour laws against the stipulations of the Convention on Domestic Workers (C189) to analyse the legal gap regarding payment of wages, social security, maternity benefits, living conditions, personal security, and dispute resolution. For each aspect, she provides recommendations for how existent labour laws can be amended or expanded to include domestic workers. Like Sarveswaran, one of Esufally's recommendations is to draw up a new legislation specifically covering domestic workers. Both also suggest the alternative "to either amend the words that expressly or implicitly exclude the domestic workers from the application of existing labour legislation" (Sarveswaran 2012, 143). This approach of expanding existing labour laws is ideologically important as well: rather than treating domestic work as a special form of work, encompassing it within existent labour laws holds the implicit understanding that paid domestic work must also count as work. Unfortunately, the only progress made in the legal sphere after these papers released was the explicit exclusion rather than inclusion of domestic workers in the definition of

worker in the Minimum Wages Act (National Minimum Wage of Workers Act, No. 3 of 2016 2016).

In 2005, the Domestic Workers Union was established, though with much difficulty. In her exploration of women in tea estates, Jayasekara (2016) looks at the transition from work in estates to domestic work and highlights challenges faced especially by those engaging in organized action for domestic workers. Through interviews with activists Menaha Kandasamy and Ananthi Shivasubramaniam of the Domestic Workers' Union (DWU), she records the rocky beginnings of the DWU, how they were not taken seriously by the Department of Labour (P. Jayasekara 2016, 34). The DWU then turned to horizontal alliances with other trade unions and continued their involvement with the workers themselves. Although the DWU lobbied for inclusion of domestic workers in the amendments to the Minimum Wages Act, they did not succeed. Yogeshwary Krishnan of the Working Women's Front also recalls meetings she participated in as a member of the Labour Advisory Committee with Labour Department Officers in which she would raise the issue of recognizing domestic workers' rights. During the meetings the officers would placate her and promise to look into it at the national level but, at the time of writing, Krishnan had received no follow-ups or responses to this (personal communication, 26th August 2018).

The push from the DWU and their growing member base has, however, leveraged some hope, culminating in the approval of a Cabinet proposal for a National Action Plan to bring domestic workers under Sri Lanka's labour law (S. Jayasekara 2018). However, to move forward with policy creation, the field of domestic work must be understood. Gleaning from the discussion above, a straightforward survey of working conditions does not suffice; rather, a discursive enquiry is required to inform policy for it to be sensitive to the peculiarities of domestic work. Although this paper does also attempt to paint in broad strokes some parameters of domestic work, such as salary variations and demand dynamics, the underlying focus is to question how domestic work, workers, and their rights are perceived by employers and workers alike, and how this affects real-world working conditions and employment relations.

Methodology

This paper was originally envisioned as three separate studies, each with its own methodology. However, upon completion and review, the findings of the three studies proved more useful when analysed in comparison to each other. Hence the paper is organized under themes and trends, which are supplemented by evidence from the findings of each study. The methods used are individually explained below.

Method 1: Online Survey with employers, followed by focus group discussions

This method aimed to understand the work arrangements in domestic work as reported by employers, as well as gauging their attitudes to certain issues. A survey was administered online from March 22nd to April 26th, 2018, and was available in Sinhala, Tamil and English. Subsequently, two focus group discussions were held for respondents who volunteered.

An online survey was chosen to allow wider reach across the country and anonymity for respondents, allowing them greater freedom to respond honestly instead of reacting to expected standards of morality. Google Forms was chosen above other software due to reasons of accessibility, flexibility of question design, unrestricted response numbers, and versatility of data analysis and export functions.

Limitations. Although concerted efforts were made to elicit responses in Sinhala and Tamil, the majority of responses were in English, even for those whose primary language was Sinhala/Tamil. Additionally, an online survey limited the ability to ask probing questions. This was somewhat mitigated by the focus

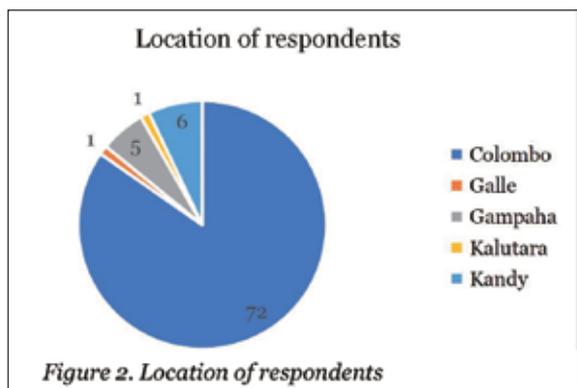


Figure 2. Location of respondents

group discussions but the voluntary nature of participation resulted in selection bias i.e., that those who volunteered to participate in the discussion were more

likely sensitive and sympathetic to the issue of domestic work (i.e., they found the topic important enough to allocate time for the discussions).

A total of 85 responses were recorded, out of which 4 were non-Sri Lankans and the majority (72) resided in Colombo. The incomes of the respondents stretched across all tax brackets (from Rs 0 – 500,000 per annum to Rs 3,000,000 and above) but this may reflect households with multiple incomes,

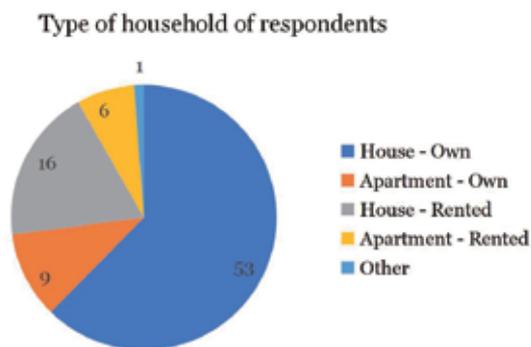


Figure 3. Type of household of respondents

so the income profiles of respondents was incomplete. When asked about their professional backgrounds, 13 respondents came from the corporate sector, being executives, management and senior management, while others were non-profit professionals (3), academics (5), retirees (4), and other professionals such as lawyers and consultants (6). No civil servants were recorded. The majority of respondents lived in a house or apartment that they owned. The combined characteristics of English-literate, Colombo-resident, and property-owning signals the class profile of the majority of respondents as upper middle class and above.

Method 2: Newspaper advertisements analysis

There is no large-scale data source on domestic work e.g., from the Labour Force Survey. In lieu of this, newspaper advertisements were chosen as a large data source to understand details such as average salary, locations of demand, types of work required, profile asked for. The advertisements turned out to be an even richer data source for discourse analysis, i.e., to understand how domestic work was talked about.

Advertisements were collected from 7th January 2018 to 28th March 2018 (12 weeks) from the relevant column of each of three major Sunday newspapers in Sinhala, Tamil, and English (See Table 1). Papers were collected every week except the Sinhala paper of February 25th which could not be procured. A total of 3358 individual advertisements were collected.

Table 1. Names of newspaper and corresponding column used in newspaper advertisements analysis

Language	Name of Sunday paper	Name of insert	Title of column	Total (n = 3358)
Sinhala	Lankadeepa	ලහිපිට 1 (Lahipita 1)	ගෘහ සේවකයෝ (Domestic Workers)	2734
Tamil	Virakesari	ADventure	சமையல்/பராமரிப்பு (cooking/care)	479
English	The Sunday Times	HitAd 1	Domestic Positions Vacant	79



Figure 4. Sinhala, Tamil, and English newspaper columns for domestic workers

Other columns such as “driver” and “security” were not included in this as our focus is on women and these are traditionally masculine roles. Additionally, many ads in this category were for companies rather than households and thus do not fall within our definition of “Domestic Worker”. The advertisements were then tabulated and analysed as a numerical and discursive data source.

Method 3: In-depth interviews with domestic workers

In-depth interviews were conducted with 13 female domestic workers, 8 in Nuwara Eliya and 5 in Colombo. Most of the interviewees had worked at multiple households and had a variety of both live-in and live-out experiences to share. As a result, experiences of working in 24 households are captured in this study (12 live-in arrangements, 12 live-out arrangements). All names of interviewees

are pseudonyms. Interviews lasted anywhere between half an hour to two hours, depending on the experiences of the worker and their willingness to share details.

The interviews in Nuwara Eliya were carried out at the residences of live-in workers who were home for their holidays and took place with the co-operation of the Institute of Social Development. The interviews conducted in Colombo aimed at gathering experiences of live-out workers and took place at a crèche used by the workers for their young children. The interviews had a semi-structured form, using broad questions to invite free narrative and then more developed probing questions.

This method is limited by the number of respondents and location. Interviews in Nuwara Eliya were amongst the estate community and thereby only capture the experience of this community. Unexpectedly, the interview respondents in Colombo all identified as Tamil as well (it was not anticipated because the crèche was located in a multicultural low-income community). The sample size is too limited to extrapolate conclusions from this but an earlier study across 300 workers in three districts showed that Indian Tamils¹ comprised 41% of the domestic worker sample, which is disproportionate to their overall population size which is 4.1% (“Domestic Workers and Employers Survey” 2015; “Census of Population and Housing of Sri Lanka” 2012). Domestic Work disproportionately employs Indian Tamil women in Sri Lanka and the sampling at the crèche also exemplifies this probability.

¹ This is a Census category that refers to descendants of Tamil labourers brought from the South of India during colonial times. They are Sri Lankan by nationality.

Employment Parameters in Domestic Work

Demand

Locations of demand

Table 2. Demand based on location

District	Frequency	Percentage
Ampara	1	0.04%
Anuradhapura	26	0.94%
Badulla	13	0.47%
Batticaloa	6	0.22%
Colombo	1893	68.64%
Galle	65	2.36%
Gampaha	299	10.84%
Hambantota	4	0.15%
Jaffna	2	0.07%
Kalutara	106	3.84%
Kandy	124	4.50%
Kegalle	19	0.69%
Kurunegala	101	3.66%
Matale	10	0.36%
Matara	48	1.74%
Nuwara Eliya	5	0.18%
Puttalam	14	0.51%
Ratnapura	19	0.69%
*Overseas	3	0.11%
Grand Total	2758	100.00%

There is a high overall demand for domestic workers. Each week, the Sinhala paper would have about 200 ads from households seeking workers and the Tamil paper had about 30. English papers were mostly populated with advertisements from agencies. However, out of the 85 respondents in the employers' survey, only one person found their worker through a newspaper advertisement; 88% of respondents said they preferred to find workers through personal recommendations from friends, family, and other domestic workers. Even the workers interviewed had all found work through people they knew, rather

than advertisements or agencies. This indicates that the demand evidenced in newspapers is only scratching the surface of the real-world demand and that much more is happening through informal networks.

The highest demand in newspapers came from South-West districts: Colombo, Gampaha, Kandy, Kalutara, and Kurunegala. Notably, these are also the most industrialized districts with major cities. There were no requests from the following districts: Kilinochchi, Mannar, Moneragala, Mullaitivu, Polonnaruwa, Trincomalee, Vavuniya. This is not to say there is no demand from this area:

rather, these areas may be more dominated by recruitment through word of mouth and association. Three requests were also made from families living overseas (from Bahrain, Singapore, and a third unspecified location), all requiring the worker to live with them overseas and/or travel with them between Sri Lanka and overseas.

Profiles of preferred workers

The profile of the preferred domestic worker is derived from observations of the newspaper advertisement. Households are, for the most part, looking for female live-in workers between the ages of 25 and 55. The main tasks to complete are within the domains of cooking, cleaning and care-giving – i.e., within the household.² The majority of ads asking for care-givers are asking for infant or child care-givers (65% of requests), second to which is aged care (30%).

Table 3. Percentage of ads by gender

Gender	Frequency	Percentage
Female	2794	91.7%
Male	152	5.0%
Either	87	2.9%
Couple	14	0.5%
Grand Total	3047	100.0%

Table 4. Percentage of ads by live-in/live-out

Live-in or Live-out	Frequency	Percentage
Unspecified*	1350	41%
Live-in	1553	47%
Live-out	243	7%
Either	138	4%
Grand Total	3284	100%

* Considering the low range of “live-out” workers specified, these unspecified ads may be referring to live-out domestic workers. This is corroborated by the findings of Verité Research’s 2015 study in which 172 of 300 workers (57%) interviewed were “non-residential” i.e., live-out. (“Domestic Workers and Employers Survey” 2015, 7)

2 Note on calculation method: the ads counted in this section were those that specified gender, age, task. Hence the total ads in each table varies, depending on how many ads specified that particular factor.

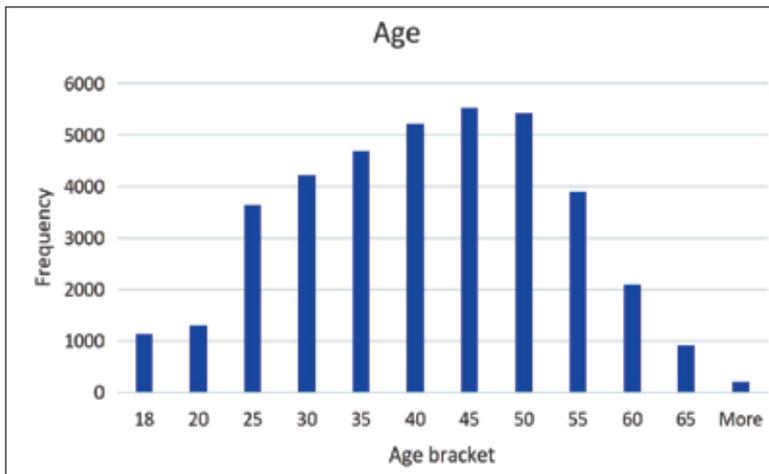


Figure 5. Distribution of age requests³ in ads

The term “middle-aged” was also frequently used. In the employers’ survey, the preferred age categories were 19-29, 30-44, 45-54, and above 55. Most desired workers were between 30-54, similar to what is seen in the ads, with a few preferring those above 55 and no one preferring below 19. The focus group discussions clarified that employers preferred not to employ workers above 55 largely due to the frequency of illness occurring in older workers and the decreased productivity with age. They were also reluctant to task older workers with much work, citing feelings of guilt when requesting them to perform some tasks.

The reluctance to employ workers below 30 was partly due to wariness about young workers being unfamiliar with tasks and hence requiring more involvement of the employer. The main concern, however, was about sexual behaviour i.e., keeping the company of men while working. As one employer stated, “as soon as the worker has a boyfriend, it becomes a moral issue to the household ... many people believe they have the moral right or responsibility to regulate these people’s lives” (focus group discussant, 2nd November 2018). On the one hand, there is this cultural dimension of the employers having to “parent” the worker. On the other, these relations affect the employer directly as

3 Note on calculation method: ages were generally requested in the form of ranges (e.g., 25–30 yrs). These brackets were expanded and a histogram constructed.

well: “there’s a possibility of having them over”, “it depends on where it starts to affect your security” (focus group discussants, 2nd November 2018). The assumption behind preferring women over 30 is that they would be married with older children and that either marriage or age precludes them from other sexual relations, a gendered expectation in Sri Lankan culture documented elsewhere too (Lynch 2007). To compare, in Lebanon employers had requested similarly older women “who would have overcome or could control their sexual desires” (Jureidini and Moukarbel 2004, 592). Additionally, older women would have older children requiring less attention (i.e., children would minimally impact their availability to work). Finally, there was some concern about young workers only engaging in domestic work temporarily whilst seeking better employment e.g., as a garment factory worker, thus requiring employers to continually find new workers.

Table 5. Percentage of ads by task requested

	Frequency	Percentage
Cleaning	104	7%
Cooking	266	17%
General Housework	564	37%
Care work	594	39%
Total	1528	100%

The types of work calculated were using advertisements that called for specifically one type of work. Many advertisements would ask for multiple forms e.g., cooking and cleaning. “General housework” was a category that corresponded to requests made simply for “housemaids” or similar general requests as in the examples below.

Tamil : விட்டில் வேலை செய்வதற்கு/செய்யக்கூடிய (to do/who can do work in house)

Sinhala : නිවසක සේවයට, ගේ දොර වැඩ (to work in house, for housework)

English : (generally no description of activities, simply “Wanted – housemaid for household in XXX”)

Table 6. Percentage of ads by type of care work requested

Type of Care Work	Frequency	Percentage
Aged	242	30%
Child	213	26%
Disabled	12	1%
Infant	322	39%
Sick	31	4%
Grand Total	820	100%

The majority of care-giving work requested was for children and infants (total 65%), second to which is care for the aged (30%).

Salaries

Salary standards overall and by gender, live-in/live-out, and task requested

The advertisements were a rich source to understand salaries on offer and how they varied based on location, task, gender.⁴ Only three advertisements offered an hourly wage (Rs 150, Rs 100, Rs 100, respectively), showing that hourly pay rates are not the norm for domestic work in Sri Lanka.

Overall Salaries

The median monthly salary offered in newspapers for any domestic work was Rs 25,000 and daily wage was Rs 850.

Table 7. Overall salaries offered in advertisements

	Monthly Wage (Rs)	Daily Wage (Rs)
Mean	24600	900
Median	25000	850
Maximum	100000	2000
Minimum	11000	350

⁴ Notes on calculation methods available in Appendix 1

Gender

There was no major difference between monthly salaries offered for men and women (they were expected to fulfil the same household tasks), both offered about Rs 24,000 on average. The higher daily wage for men is explained by the fact that there were only five data points for salaries for men, as opposed to sixty-one for women. Some women were also offered Rs 2000 and some as low as Rs 350. The salaries offered to couples are noteworthy. One would presume that hiring a couple means paying for the labour of two individuals and hence expect salaries to be accordingly double of what an individual earns. Yet, although this expectation of doubled salary applies to the minimum salary, it does not stand for the average salary nor the maximum salary offered. There is then greater incentive for couples to work separately in order to double their family income.

Table 8. Monthly (live-out) wages disaggregated by gender (from ads)

Gender	Average Monthly Salary (Rs)	Minimum Salary (Rs)	Maximum Salary (Rs)	Count of Monthly Salaries
Female	24500	11000	50000	1223
Male	24000	15000	45000	53
Couple	33500	25000	40000	6

Table 9. Daily (live-out) wages disaggregated by gender (from ads)

Gender	Average Daily Salary (Rs)	Minimum Salary (Rs)	Maximum Salary (Rs)	Count of daily salaries
Female	850	350	2000	61
Male	1100	1100	1200	5
Couple	-	-	-	0

Live-in vs. live-out

Live-in workers are paid slightly higher than live-outs. In one ad, for example, a house in Gampaha offered Rs 18,000 for daily and Rs 20,000 for live-in. However, the payment increase is fairly small (Rs 4,500 more on average) considering that live-in workers are usually expected to be on-call throughout the day and even night, whereas 'daily'/live-out workers are guaranteed rest when they return to their own homes.

Table 10. Salaries for live-in vs. live-out workers

Live-in/Live-out	Average Monthly Salary	Count of Salary
Live-in	24500	744
Live-out	20000	13

Disaggregating data by task is tricky. Although many ads specified task required, it is unlikely that workers would be confined to only completing this task, given the nature of domestic work documented globally (recall workers doing “everything” cited earlier).

As mentioned earlier, many ads simply asked for “a woman for the house”; many more asked for multiple tasks (e.g., cooking and cleaning, care and general housework). In this section, comparisons were made between monthly salaries in advertisements for **only one** type of task. These workers may be required to do multiple types of work once they are employed but it may be more useful to think of these workers as being enlisted primarily for one type of work (e.g., cooking), although their real-world employment responsibilities may vary.

Below is a comparison of the average salaries promised to Colombo workers for completing each type of task. Cleaning is valued higher than cooking in Colombo but it is the opposite outside of Colombo. One might surmise a relationship between salary, task, and the history of caste, e.g., that cleaning may be paid lower because lower castes may be employed as cleaners rather than cooks, but this requires ethnographic research which was not possible in this study.

Table 11. Salaries offered in ads by type of work done

	Care		Cooking		Cleaning		General housework	
	Ave. Salary	Counts	Ave. Salary	Counts	Ave. Salary	Counts	Ave. Salary	Counts
Colombo Average Salary	26000	114	25500	75	27000	48	28000	134
National Average Salary (excluding Colombo) ⁵	22100	84	21100	32	16700	3	22500	56

5 Insufficient data was available to compare major districts, hence location groupings have been reserved to Colombo vs. outside Colombo.

Direct Care Work

Specialist care for those with medical needs is paid higher but there were only three data points to work with. In Colombo, all care-givers are promised salaries around Rs 25,000 (\pm Rs 2,000); in the rest of the nation it is between Rs 21,000 – Rs 22,000. If we compare this with the salary vs. location comparisons in Table 11 above then we see that direct care work is not paid any differently from any other type of general domestic work – its averages match the overall averages of domestic work. On the one hand, this could signal the fact that direct care work is seen as inextricable from indirect care work. On the other, it is still unusual to see that an employer seeking specialised infant/child or geriatric care expects it to cost the same as what is generally seen as “unskilled” household cleaning and cooking. The reason may lie in the conflation of both tasks into “women’s work” – the natural ability to do all things within the domestic sphere. Hence workers who are sought to give direct care may be doing household work, while those sought for cooking and cleaning may also be expected to look after children after school, or an elder at home – resulting also in an equivalence of value attributed to either worker.

Table 12. Salaries by type of care work and location

	Aged	Child	Dis-abled	Infant	Sick
Colombo (average salary)	23,700	26,500	-	24,000	36,700
Colombo (counts)	74	49	0	40	3
National (average salary) (excluding Colombo)	21,600	21,400	21,700	21,500	27,500
National (counts)	30	31	4	26	2

Salary discrepancies

Differences between offered salaries and real wages

Although the median salary of Rs 25,000 was consistent between advertisements and employers surveyed, the salaries reported by live-in domestic workers themselves were between Rs 11,000 and Rs 15,000. Of the seven live-in workers,

two received between Rs 11,000 and 13,000, the other five received Rs 15,000. These women were all from the estates in Nuwara Eliya.

Table 13. Salaries as reported by employers in survey

	Live-in	Live-out
Average Salary	24,000	26,000
Median Salary	25,000	25,000
Minimum Salary	15,000	10,000/13,000*
Maximum Salary	35,000	50,000
No. of workers paid ≤ Rs 25,000	18	11
No. of workers paid > 25,000	5	7

An earlier study has shown that the median daily wage is Rs 400, which extrapolates to Rs 12,000 per month (note: not disaggregated by live-in/live-out), which is closer to the figures quoted by respondents here than the figures seen in advertisements (“Domestic Workers and Employers Survey” 2015, 14).

This disparity between advertised wages and actual wages, particularly amongst live-in workers, warrants further study. Ananthi Sivasubramaniam, the DWU Joint Secretary observes from experience that employers regularly do not pay the amount advertised.

For example, the employer will take the domestic worker from his/her home agreeing to pay a monthly wage of Rs 10,000, yet once s/he is at the employer’s home, the amount will be reduced to Rs 6,000 or Rs 7,000 stating that the amount of work given to the employee is less... Those who stay at the employer’s home get paid between Rs 15,000 and Rs 20,000. The wage is wholly insufficient in view of the fluctuating and high cost of living (Jayakody and Moramudali 2015).

There was also a discrepancy between the salaries offered by agencies to workers compared to the rates that agencies advertised workers to employers. This is consistent with the discrepancy seen above that real wages for workers are lower than offered wages. The difference between median offering prices vs. median recruiting salaries was Rs 3,000.

Table 14. Salaries stated by agencies when offering vs. recruiting workers (from ads)

	Range (Rs.)	Median
Offering services	22500 – 29000	22000
Recruiting workers	23500 – 32000	25000

The language used in the agency advertisements is also interesting to note. Agencies offered employers services for “discounted rates” or “reasonable rates” (සහනදායක ගාස්තු, අඩු මුදලකට, ඉතාම සාදාරණ මිලකට ලබාගත හැක.), whereas they offered salaries to workers as “attractive salaries”, “higher salaries” or “good salaries” (நல்ல சம்பளம், ඉහළ වැටුප්).

Further study needs to be done to understand why this salary discrepancy between advertised and real wages exists. Going by the observations of Sivasubramaniam, the discrepancy may be internal, i.e., employers promise one amount but give another, but there is also the possibility that the discrepancies are a function of demographics e.g., based on the worker’s work experience, age, region of origin, or other factors.

Comparing wages to living wage and minimum wage

The definition of a living wage, as adopted by the Global Living Wage Coalition, is “remuneration received for a standard work week by a worker in a particular place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transport, clothing, and other essential needs, including provision for unexpected events.” (“What Is a Living Wage?” n.d.) There are no estimates for living wages in Sri Lanka apart from a 2017 study by the Institute for Policy Studies (IPS) for the estate sector, which we use here for comparative purposes since (a) it is a lower estimate, since living costs in the estates is lower than in urban areas and (b) significant portions of the domestic worker population are from the estate sector, so this figure is relevant to them (P. Jayasekara 2016). The IPS study uses the Anker methodology (2011) to estimate living wage and avows that the living wage “is very basic and represents minimum levels of decency for the estate sector” (Thibbotuwa et al., 2017). By this standard, IPS

suggests Rs 23,314 as a living wage (monthly) for the estate sector (Institute for Policy Studies 2017).

If we take the salaries quoted by the domestic workers i.e., Rs 15,000, then this is clearly not enough. A comparison with living expenses in urban areas like Colombo and Negombo would be much higher, suggesting that even the higher estimate of Rs 25,000 (as per the median payrate offered in ads) would also be hard to manage with. Notably, the majority of the domestic workers interviewed were the primary earners for their families (8 out of 13).

Currently, the national minimum wage (from which domestic workers are explicitly excluded) stands at Rs 10,000 by Section 3(1) of the National Minimum Wages Act No. 3 of 2016. By the provisions given in the Budgetary Relief Allowance Act, the additive allowances that someone earning less than Rs 40,000 a month may be up to Rs 3,500, meaning the effective base wage is Rs 13,500 (Budgetary Relief Allowance of Workers, Act No. 4 of 2016 2016). So, the amounts quoted by domestic workers themselves (Rs 15,000) is comparable to this minimum wage while that quoted by employers (Rs 25,000) is well ahead of it. However, in real terms, a salary of Rs 13,500 hardly provides a decent living standard and many factory workers on this minimum wage are effectively earning more through regularized overtime payments and other compensations. A more relevant comparison point may be the wages earned by garment workers, since this is an alternative employment option considered by domestic workers interviewed. A usual take-home amount (with minimum wage plus overtime and incentives) for a garment worker is about Rs 25,000 – Rs 30,000 (labour lawyer, personal communication, 23 May 2019). Comparing the intensity of work required as a garment worker compared to the flexibility as a domestic worker, especially as a live-out, domestic work may seem a more attractive offer for many women, if we are only looking at salary vs. time taken. However, this comes with the precarities of no guaranteed overtime compensation, social security or work-related benefits, since the sector has no regulation. There are other cultural reasons why domestic work or garment factory work may be preferred, discussed further in “**Motivations to work**”.

Relationship of salaries to duration of employment and tasks done

Using the results of the employers' survey, Table 15 below compares the profiles of the two highest-paid live-in workers with the two lowest-paid live-in workers and Table 16 compares the same for live-out workers. There was no apparent correlation between salary and duration worked for one household nor quantity of tasks done. Rather, it appears that the longer a worker remains with a household, the less they were receiving in comparison with figures other workers received. For example, out of the live-in workers, Worker 3 had been working the longest and yet earned the second lowest salary whereas Worker 1 earned the highest but had only worked for a year. Among the live-out workers, Worker 9 has been working for 20 years and receives Rs 10,000 monthly for 24 hours of work a week whereas Worker 6, employed for 4 years, works almost the same number of hours a week but receives four times as much as Worker 9. These differences may be an indication of a salary amount paid years ago that has not increased to keep up with rising inflation, whereas newly employed workers are being made offers that do increase for a variety of reasons, such as demand, inflation, and informal norms for salaries.

There is also no clear relationship between salary and tasks completed. Among live-in workers (Table 15), Worker 1 was allotted only cooking and care work but was paid Rs 20,000 more than Worker 4 who is responsible for cooking, cleaning utensils, cleaning the house, and laundry. Even among the highest paid live-out workers (Table 16), there is no clear relationship between salary and tasks completed nor hours worked (for live-out workers). For example, Worker 5 earns Rs 50,000 solely to complete care-giving work but Worker 7 earns less than that but works nearly twice the hours and fulfils household tasks in addition to care work.

Similar lack of relationship between salaries and tasks emerged from interviews with domestic workers. For instance, two live-in workers were paid Rs 15,000 a month but one only cleaned the house and washed utensils whereas the other did both in addition to cooking, laundry and childcare. For two live-out workers earning Rs 700 a day, one cleaned the house and did ironing and worked 3 hours a day, the other performed the same tasks in addition to cooking and aged care and worked twice the hours per day. The pay scales seem arbitrary and unrelated to tasks required.

Table 15. Comparative profiles of some live-in workers as reported by employers

	Worker 1	Worker 2	Worker 3	Worker 4
Salary	Rs 35,000	Rs 35,000	Rs 17,000	Rs 15,000
Duration of employment	12 months	28 years	55 years	8 years
Tasks	Cooking and care work only	Cooking, washing utensils, maintaining house/ premises	Cleaning house, cooking, washing utensils, maintaining the house, handwashing only	Cleaning house, cooking, washing utensils, washing and ironing clothes, maintaining house/premises
Type of agreement & set by whom	Verbal agreement with worker Worker's conditions	No agreement Unsure	No agreement Worker's conditions	Verbal agreement with worker Set by employer

Table 16. Comparative profiles of some live-out workers as reported by employers

	Worker 5	Worker 6	Worker 7	Worker 8	Worker 9
Salary	Rs 50,000	Rs 40,000	Rs 40,000	Rs 13,000	Rs 10,000
Working Schedule	6 hours x 5 days a week (30 hours)	5 hours x 5 days a week (25 hours)	10 hours x 5 days a week (50 hours)	5 hours x 7 days a week (35 hours)	8 hours x 3 days a week (24 hours)
Duration of employment	2 years	4 years	10 years	12 years	20 years
Tasks	Care work	Cleaning house, washing utensils, security, maintaining house	Cleaning house, cooking, washing utensils, laundry, care work, pet care	Cooking and washing utensils	Cleaning the house and gardening
Type of agreement & set by whom	Verbal agreement with worker Mutual agreement	Verbal agreement with worker Set by me	Verbal agreement with worker Mutual agreement	Verbal agreement Worker's conditions	No agreement Set by me

Wage maternalism for workers

Two workers interviewed had their salaries withheld by their employers for 2–3 years. In both instances, their employer informed them that the salaries were being put into a bank account as savings but the worker never had direct access to their account. One worker, Dwaraka, left work because the non-payment seemed suspicious and ended up being denied three years' worth of salary. Dharshini is still working for her household but has not accessed her salary for about three years. The following are their comparative case studies.

Case Study 1 – Dharshini

Dharshini's husband was abusive and alcoholic. She left him and began paid domestic work to support her children, who are with her sister. Dharshini is currently a live-in in a Colombo household. When she told her employer her family situation, her employer said her Rs 15,000 salary would be paid in the following manner: Rs 5,000 would be paid directly to her sister, for upkeep of her children, and Rs 10,000 would be kept in a bank account as long-term savings for Dharshini. Dharshini has worked at this household for three years but has never directly received any part of her salary.

The employer shows Dharshini a yellow slip which is supposed to show the balance accumulating in her bank account. However, Dharshini has poor alphabetic or numerical literacy and is unable to make sense of the slip, although she expresses full faith that the lady is paying steadily into this bank account. Dharshini does not know what bank the money is held in and has never operated it herself. The employer has told Dharshini that her money is not accessible from any other location, apart from the account branch in the town where she works. Dharshini manages her own expenses by asking money from her mother and sister. When she was ill and hospitalized, her employers had provided Rs 10,000 to take care of herself and another Rs 500 for her medication.

Dharshini's story depends on one crucial point – the genuineness of the employer. If the employer is indeed paying her salary, then she has three years' worth of savings. However, if she hasn't, then what capacity would Dharshini have to recover what is owed to her? If Dharshini's relationship with her employer goes sour, what assurance is there that she will indeed receive what is owed to her? The next case study is an important comparison point for Dharshini's story.

Case Study 2 – Dwaraka

Dwaraka worked as a live-in in a Colombo residence that had promised her a salary of Rs 12,000. She received her first month's salary to her hand but after that, they said they paid it into a bank account they had opened for her. She has never had access to this bank account herself. She would only receive direct money if she asked for urgent needs or for Deepavali festival. The employers had said that part of her payment was being made directly to her father, which she believed. Later in her employment, she found out that her father had not received any of her wages. The employing household had also said they had used all her wages to make Dwaraka a set of gold earrings. When her father had realized something was wrong with her employment situation, he had instructed Dwaraka to return home. Ever since then, she has been trying to recover these earrings. She worked for three years at this household. The family should owe her Rs 432,000 (not accounting for inflation) but Dwaraka believes all that the family owes her is in those earrings.⁶

Dwaraka's story is almost the same as Dharshini's – both lived and worked for three years in households in Colombo who said they paid their wages into a bank account, taking the decision to “save” on behalf of the worker herself, robbing her of the decision to do what she wanted with the money she had worked for. In Dwaraka's story, it is clear that she was robbed of her wages for three years.

⁶ For comparison, a pair of elaborate gold earrings would fetch well under Rs 100,000; a pair of simple studs would be under Rs 50,000.

Dharshini continues to work in her household and as observed before, her fate rests on the integrity of the employer.

Article 12 of C189 states that “Domestic workers shall be paid directly in cash at regular intervals at least once a month” (International Labour Organization 2011b). Recommendation 14(1) further states that “Domestic workers should be given at the time of each payment an easily understandable written account of the payments due to them, the amounts paid, and the specific amount and purpose of any deductions which may have been made” (International Labour Conference 2010, 18). These stipulations address the kind of wage malpractice that is evident in Dharshini and Geetha’s cases, including (a) the meaningless bank slips shown to Dharshini (b) the withholding of pay and (c) Dwaraka’s lack of proof of payment.

Rollins (1985), uses the term “maternalism” to described “a friendly relationship between women that works to confirm the employer’s kindness and the worker’s childlike inferiority” (Anderson 2001, 30). In these examples, the action of employers to “save” on behalf of their employees is maternalistic, infantilizing the workers by deeming them or convincing them that they are unfit to look after their own finances. The same attitude is taken by banks where there is a requirement that part of the loan given to the worker is automatically deducted from her weekly payments as a mandatory “savings”. Instead of entrusting the worker to handle her own finances – whether that is to take care of immediate large payments that do not facilitate savings, or whether that is to create a savings plan of her own – employers and even institutions take over the responsibility of “saving” for her in a fashion that denies her agency over her own finances.

Two respondents are noteworthy as counterpoints to this attitude. When Krishanthi began work, she was paid a lump sum to her hand every day as a live-out worker. As she continued working there, she requested that the employer take a different mode of payment: partial payment on the day and a lump sum at the end of the month. Similarly, Madhavi was paid daily as a live-out but as she continued working at her household for a long time, she requested that the payment be made monthly. Both Krishanthi and Madhavi keep track of what is

owed to them and have not experienced any non-payment of salaries. Krishanthi has only been educated up to year 5 and Madhavi has had no formal education. Both respondents demonstrate the ability to manage their own finances and savings so one wonders where the maternalistic attitudes of banks and some employers emerge from and how they are justified.

Employment Arrangements and Working Conditions

Contracts

Verbal agreements were the norm amongst both employers and workers, with the exception of five employers surveyed (one had a written agreement with their live-in, three had written agreements with their live-outs, and one had a written agreement with an agency).

For employers' focus group participants, the use of verbal contracts was out of norm rather than preference. Although they were not outright opposed to it, the employers were sceptical about written contracts, such as whether there was any value to it if the worker had poor literacy. One employer expressed frustration at trying to open a bank account for his worker when she was not even able to provide a proper thumbprint. Employers were also concerned about whether workers would honour a written contract, citing their experience with workers thus far. For example, workers would often cease work unannounced by simply not returning to work after holidays. Severance payments or other send-off benefits that employers had intended could not take place in this case, even where the relationships between employer and employee had been good.

Neither workers interviewed nor employers who participated in the focus group appeared to see any major reason to shift from verbal to written contracts, except for those who had dealt with some form of unfairness in the working relationship. In one employers' experience, a driver had taken a loan from an employer and later stopped coming to work, thereby defaulting his loan repayment as well. The employer wished there had been a written contract as proof of his obligations. Four workers interviewed preferred written contracts, three of whom substantiated their responses. Two of them had faced serious problems at households they had worked in and so believed that one mistake they made was entering into verbal agreements instead of having something written as proof of their employment with a household. One believed that, in the case of abuse, she could have taken it to the police to report their behaviour. The third respondent knew a friend of hers who had suffered mistreatment as well so, learning from that experience, she believed a written contract was preferable

when beginning employment at a new place. However, she was fine with a verbal contract for households with whom she had an established relationship.

The reasons for domestic workers supporting verbal agreements foregrounded flexibility on multiple levels: on negotiability of tasks, flexibility of start and end times (for live-outs), flexibility of terminating employment, and the ability to do multiple jobs. In one worker's case, she had a contractual obligation as a street-cleaner which precluded her from working elsewhere. She felt that the absence of a written contract (i.e., any documentation) for her paid domestic work ensured she was not risking a breach of contract for her street-cleaning work, for which she is paid Rs 18,000 only per month. One respondent that had a written agreement as a migrant worker was affected by her experience being locked into working for two years there and so preferred the flexibility in termination afforded by informal domestic work arrangements at home. Finally, there was the pragmatics of illiteracy – written contracts are seen as of no use to them if they cannot read and fully understand what they are agreeing to.

Benefits

Article 7 of C189 lists what ought to be included and explicit in agreements with domestic workers. This includes, amongst other things, the contract duration, type of work to be performed, remuneration and calculation method, periodicity of payment (which in Article 12 is recommended to be at least once a month), hours of work, and leave allocations. Article 14 further requires that countries apply the same social security benefits afforded to other workers to domestic workers as well (e.g., healthcare and maternity benefits).

According to the survey with employers, the terms agreed to at the beginning of employment were limited to the wage for their workers (94%) and hours of work for live-outs (88%). Other benefits such as leave and healthcare varied. However, during employment, many of these benefits were provided. 92% of live-in workers reported giving their workers time off to see their families and 73% of all employers provided time off for religious observances. Although many employers (80% live-in; 72% live-out) reported providing time off for illness, it is unclear if these were paid days off or not.

Provision of healthcare is worthy of note here. While 72% of employers of live-ins reported providing some form of healthcare, only 38% of employers of live-outs reported the same. This resonates with the global experience that it is generally live-in workers that receive medical support, whereas live-out workers do not generally receive such assistance since their illness occurs outside of the view of employers (International Labour Organization 2011a, 105; Chaney and Castro 1989). The experiences of the domestic workers interviewed mirrors the findings of the employers' survey, with almost all having been provided some form of healthcare with three recording instances of not receiving any one of the households they worked for: two live-out workers, and one live-in worker. Healthcare provisions were usually providing money to buy medicines and covering doctor consultation fees but four workers reported unexpected levels of care from their employers. Two workers' hospitalization bills were handled completely by the employer. For another two workers, the employing household also handled aftercare and recovery.

“Once I got bitten by an insect and was admitted in a hospital for 10 days. The doctor advised me to balance my water, blood and sugar levels. So at that time they prepared my food accordingly and looked after me as well” – Maduri, 62, live-in worker in Colombo

“Once they feared I might have malaria and they took me to hospital. It was not malaria but after that I was on bed rest for three days. I didn't do anything. Nona cooked and gave me as well.” – Dharshini, 40, live-in worker in Colombo

Although the above are usual considerations for benefits (leave, healthcare, wages, etc.), domestic work offers other additional benefits: 61% of employers reported providing loans for their workers and 57% reported supporting the worker's family in some way. Employers reported providing the following: hand-me-down clothes, household appliances and furniture; giving food provisions for the family; helping to build a house; support for children's education; transport allowances; finding employment for family members. It is important to note at this juncture that this kind of in-kind benefit develops a patron-client type of relationship between employer and worker, where both feel obliged to the other and are able to leverage the relationship to each person's advantage,

as discussed in the “Introduction”. Moreover, these additional benefits should not be deducted from the workers’ wages or seen as in-kind payments in lieu of money. Article 12 of C189 warns against this, requiring a limit on the proportion of in-kind payments such that “the monetary value attributed to them is fair and reasonable” and are agreed to by the worker (International Labour Organization 2011b, 189).

Case studies – support and benefits reported by employers

The employer of a worker who had been working for just under five years paid for getting an electricity and water connection to their house as they are in an underserved area in the estate community. They also gained admission for the worker’s daughter into a boarding school convent and allowed her to stay with them during the school holidays. The same employer also provided one of the worker’s older children with employment in a hotel that they are connected to.

While building a house, one employer found that he had a lot of extra materials. His worker took these away and by virtue of using these materials, she was able to complete the making of her own home. The employer noticed that after this, her work quality was elevated – she would go the extra mile to do additional work and he sensed this was gratitude for having used the building material.

Another employer emphasized that her worker valued the readily available money for large sudden expenses. In one situation, the worker’s son’s trishaw was seized and the employer provided Rs 60,000 to recover it. Although this is provided as a loan, the amounts are not regularly recovered through deductions from the salary. The same worker’s mobile phone and bills are paid for by the employer, as well as all medical expenses.

These kinds of extraneous benefits are a strong pull factor for some workers. Four domestic workers interviewed stated they had received support from their employers for cost-heavy major life events (funerals and weddings).

One interviewee responded with an especially noteworthy benefit that speaks to the kind of patronage relationship that can prevail between employer and worker. At the house that she works in, there is also a driver. She knows that the employing family had helped get the driver's daughter into a prestigious school in Colombo. She continues working and maintaining a good relationship with the expectation that she will receive the same benefit. She has not broached this topic with the employer but expects it to happen when her daughter is old enough to begin school.

Domestic workers also access loans from their employers. Almost two-thirds of employers surveyed were providing loans for their workers: 14 out of 25 (56%) employers of live-in workers, and 32 out of 75 (43%) employers of live-outs; 28 out of these 46 (61%) employers were deducting the loan amount from the salary given. This affects the salary the worker gets but also places her in a situation where she feels obliged to stay and work off her debt. This said, the employer also stands the risk of the worker entirely reneging on her debt repayment, as happened to the employer discussed earlier in "Contracts" whose male driver took a loan and stopped coming to work and defaulted on his loan repayment.

The demographic of domestic workers overlaps with those seeking microfinance loans as well. Two of the domestic workers interviewed were working to repay their microfinance loans. Those caught in microfinance debt cycles frequently take out more loans to repay existing loans (Jeyasankar and Ganhewa 2018, 28). This same behaviour was observed by one employer, who reported that her worker asked for advances and loans sequentially, without settling earlier debts. An interest-free loan from an employer can be a good option to escape cycles of microfinance debt. However, this particular case suggests that the ready availability of loans may exacerbate debt-dependency behaviour.

Hours of work

As terms of commencing employment, 88% of employers had agreed to hours of work for their live-out workers but only 40% had agreed to hours of work with their live-in workers. This hints at the assumed round-the-clock availability expected of live-in workers (Jureidini and Moukarbel 2004; Stiell and England 1997; Ray and Qayum 2009).

Respondents to the employers' survey reported hours and days per week their employees worked. There was a wide variation: some reported on a needs-basis, some worked for 7-8 hours on only one day, others worked 5-8 hours a day regularly for 5-7 days a week. The mean and median hours per week are as below.

Table 17. Hours per week for daily workers (reported by employers)

Average hours per week	17 hours a week
Median hours per week	12 hours a week

The difference between the averages and medians indicate that most live-out workers work for fewer days (1–3 days) of the week, which means their hours per week are low at a single household. Interviews with workers corroborated this and additionally showed that many live-out workers are working across multiple households per week. They worked anywhere between 3 to 8 hours, though it must be kept in mind that the sample of live-out workers were mothers of young children, so they situated their work hours according to day-care options. Recalling the median daily salary for workers found through analysis of advertisements, which was Rs 930, live-out workers are likely to earn about Rs 11,000 per month if they worked 3 days of the week at one household. Hence even if a worker was employed in two households, they would only receive up to Rs 22,000 per month, if they allowed themselves 1 day a week of rest. In comparison to the median salary of live-in workers (Rs 25,000), this is less but it does guarantee 4 days' rest a month. In reality, they are likely earning much less. One worker interviewed earned Rs 700 a day working 6 hours across two households. Working five days a week, this adds up to only Rs 14,000. Another worker is employed in one household and receives Rs 800 a day, adding up to

Rs 16,000 – both much less than the anticipated Rs 22,000 calculated from the advertisements’ median estimate.

The dominant mode of payment is per day, independent of the hours worked. Two workers working 3.5 hours and 6 hours per day both received Rs 700. Another worker worked 2.5 hours and received Rs 650 while another working for 9 hours received Rs 900. Similarly, amongst employer responses, one was paying their worker Rs 700 for 3 hours’ work a day, while another paid Rs 800 for 8 hours’ work. This behaviour of lump sum payments independent of hours worked may lead to exploitation in the form of expecting work for free for additional hours. However, 38 out of 50 (76%) employers of live-out workers responded that they paid some amount for any extra work done. For example, a focus group discussant stated that if a worker was asked to stay and assist for an event, she would be given another lump sum for that separately.

Rest (live-in workers)

15 out of the 25 (60%) employers of live-in workers claimed that their worker rested for more than 4 hours a day. Even with 4 hours of rest a day (on top of an assumed 8 hour sleep), this would still amount to a 12-hour work day, on top of the expectation that the worker would be “on-call”. For comparison, ILO standards on normal work hours for industrial workers are no more than 8 hours per day and no more than 48 hours per week (International Labour Organization 1919). Moreover, the 4+ hour rest estimate appears to be out of an assumption that the worker rests “when she has no work to do”. This assumption is dangerous, since it can mean that workers end up with no rest at all, especially live-in workers. The two case studies below exemplify these dangers: both women were working around the clock between two households and essentially never rested.

Table 18. Live-in workers’ rest hours, reported by employers

Rest hours (outside sleep)	Frequency
More than 4	15
4	1
3	4
2	4
1	1
Grand Total	25

Table 19. How employers decided live-in workers' rest hours

How were these daily hours decided?	Frequency
She rests when she has no work to do	21
Included in her employment agreement	1
Unsure	1
Grand Total	23

Case Study 3:

Geetha originally went to work for a three-person household in Colombo – a young couple and their baby, who lived in a flat. She was promised Rs 15,000. Although she was paid regularly and on time, she found that soon she was required to work in the flat opposite the original household, which contained the birth family of the woman employer. This flat contained the woman's elderly parents and her six siblings. Geetha's pay was not changed.

Geetha begins her day by waking up early and washing clothes, the baby's things, sweeping, cleaning and mopping the house and cooking. At 9am she then has to go to the other house and fulfils the domestic work there. They do not give her breakfast but provide lunch at about 12pm. She generally sleeps at 11pm on a mat provided by the household, while the rest of the household retire to their own rooms.

Case Study 4:

Swarna works primarily for a household which only has a couple living in it. She wakes up at 4am and works until 8am until husband and wife leave for work. The wife's sister and her children live next door so once her morning work is over, she goes to the next house and works there. The sister provides her a separate daily wage when she works like this, between Rs 500 to 1000 for tasks such as cooking and taking care of the children until she returns. When the sister returns at 3pm, Swarna returns to her original house and prepares for the couple's return from work and consequent domestic duties afterwards. She sleeps at 9pm.

In both Geetha and Swarna's case, they are working non-stop through the day across two households. While Swarna was compensated for the additional household, Geetha was not. Neither were given specific hours of rest, nor were they able to take rest when they had "no work to do", which was the practice of some of the other respondents. Neither had a few hours' rest per day, let alone the 24 consecutive hours of rest prescribed by Article 10 of the Domestic Workers' Convention (International Labour Organization 2011b). Geetha ceased to work at her household after a month since the work was too much but Swarna continues to work at her household.

Working Conditions in the Home

Dengue is a serious public health concern in Sri Lanka and Public Health Inspectors will regularly visit homes and offices to ensure that there are no/minimal mosquito breeding areas (i.e., stagnant water). Many places will also enlist regular fumigation to keep the areas mosquito-free. If we are to consider homes as a workplace then these public health standards must also be adhered to. All domestic workers interviewed had some form of protection against mosquitoes at night (coils, repellants, nets) and employers surveyed also reported providing one or more forms of protection against mosquitoes; only two employers responded that they had not provided any safeguards.

Personal space in the home can be a contentious issue. While the provision of separate sleeping spaces and bathrooms can be seen as respect for privacy, literature on the subject stresses that this is rather a de facto segregation, centring on concerns of purity, pollution, and protecting the privacy of the employer rather than the worker (See Dickey 2008; Yeoh and Huang 2010; Higman 1989; Barua, Haukanes, and Waldrop 2016). The findings of this research show that live-in workers were predominantly given separate spaces, where the host family could afford it.

Out of the workers interviewed, 3 out of the 8 live-in workers had their own bedrooms with beds. All others slept on mats in common spaces (e.g., living room, t.v. room, bedroom of an employer). Only in one of these cases did the entire family also sleep on mats in the shared space.

21 out of 25 employers of live-ins provided their workers with separate bedrooms and 22 out of 25 provided them with separate bathrooms. 63 out of the 65 employers of live-out workers also provided a separate bathroom for staff. Even amongst the domestic workers interviewed, only 3 out of the 13 used the same sleeping and/or bathroom facilities as their employers. The household of one worker interviewed in the workers' survey reveals the purpose of separate toilets. In her household, the employing couple has a separate bathroom for themselves while the six workers (mix of live-in and live-out) have a separate bathroom for themselves. In this case, it is clear that the arrangement is not about affording privacy to the worker but rather a spatial separation of employer and worker(s). One of the workers interviewed who did use the same bathroom as her employer referred specifically to the lower-middle-class economic status of her employer, saying that they probably could not afford to build a separate bathroom for workers.

Separating worlds within the intimate environment of home is also achieved through less tangible forms than separating living spaces: "Privacy, defined as a state of 'social inaccessibility' is established through guarding access not only to physical space, but also to personal details" and that privacy is "a right unequally distributed along class lines" (Lan 2003, 528). Taking the case of privacy as relates to personal details, the observations in this survey support this idea of social inaccessibility. While 39 out of 75 (52%) employers believed their domestic worker confided their personal matters in them, the majority of employers (53 out of 75, 71%) were only moderately to not comfortable at all discussing their own personal matters in front of their workers. The reciprocity of personal trust is unequal. Additionally, 28 out of the 75 (37%) respondents stated that they lock away their valuables when leaving home, even though the majority (69 respondents or 92%) felt comfortable leaving their domestic worker unsupervised in the house. The comfort levels with leaving a worker unsupervised in the house is perhaps has less to do with personal trust and more to do with the inherent nature of domestic work, where the employer expects the worker to function unsupervised around the house and complete their tasks.

Discourse Analysis

Motivations to work

Narratives of women choosing domestic work out of “not having another choice” or simply “poverty” need to be complicated. Particularly in the case of the “failure of the patriarchy”, where the “man of the house” is unable to provide for the woman and children, domestic work serves as an important income strategy as it allows women to be financially independent while navigating the sociocultural expectations on her. While women are expected to be within the confines of home, many poor women simply cannot afford to do this; domestic work allows them to earn while within the acceptable confines of being within a home (Kottegoda 2004). Women may also work as domestics to escape alcoholic or abusive husbands (Bhattacharya, Sukumar, and Mani 2016), to support children and extended family at home (Stiell and England 1997), and escape diverse forms of mistreatment in their home countries such as domestic violence (Jureidini and Moukarbel 2004). Live-out domestic work additionally offers the option for women “to shoulder their own double burden... if it permits them a few hours at home in between the shifts”, in which “double burden” refers to the burden of income-generation as well as childcare and housekeeping for their own families (Neetha 2009, 494). Workers interviewed in this study showed similar and even more diverse reasons as to why they chose domestic work. They showed immense agency in reasoning why they chose domestic work as opposed to not working at all or working in another field available to them.

Personal reasons

One young respondent (late 20s) was getting bored at home and found herself getting irritated at the extended family that she lived with. Her husband suggested that she seek some work in order to get out of the home environment. She found a place to work as a domestic worker and spends her mornings there. Her husband’s salary is enough for their family expenses but she continues domestic work to have a reason to be away from the extended family home.

An older respondent wanted to return to Colombo to work: “I am sad and lonely here [in her town of residence]”. Her family was deported in the en masse deportation of estate workers in the 1950s. Her parents and 12 siblings were sent to India but she managed to stay in Sri Lanka and was then isolated. Her husband is now deceased and she stays in Nuwara Eliya to help her daughter but she wishes to return to work in Colombo for her own personal needs. She, like some other older workers, prefers the warmer climate of Colombo for her health.

Old-age income

The four live-in respondents above age 50 (all grandmothers) sought domestic work as a means of establishing financial independence from their children, so their children would not have to provide for them as well. This is not to say the children were unable to provide, rather, the women sought work out of their own initiative. Some spoke explicitly about covering their own funeral costs, or gave examples of how they paid for their husband’s funeral costs from their own income and additional support from employers (instead of depending on their children). Others who were domiciled in Nuwara Eliya explained that the forms of work available for them there were too taxing for them physically (e.g., working on estates, agriculture, cutting grass or tending to paddy). Additionally, the climate was unfavourable for them in their old age and they preferred to be in warmer climates in Colombo. These multiple factors made domestic work in Colombo seem preferable.

Escaping domestic violence

Three respondents had sought domestic work as a means of escaping their home situations, either physically or financially. Two women had husbands who were alcoholics and who were unable to support their families. One of them was physically abused and eventually left her husband. The other continues to live with her husband but has now become the primary breadwinner for the family and maintains her financial independence from him. The third respondent began work as a child worker in order to escape an alcoholic, abusive father and the home environment he created.

Sociocultural constraints on women's work

Domestic work appeared to be the more socially appropriate job option compared to other options available to the women. One respondent claimed garment factories were out of the question because of having to work with other male workers, which her husband would not permit. Another respondent who had worked in the Middle East as a migrant wished to go back overseas but her husband would not allow it after they got married. Some respondents domiciled in the estates stated that there were field jobs – gardening/weeding or farming – available for them but that that was not deemed “appropriate” for them personally in order to “maintain our family's honour”.

One respondent was barred by her family from employment as a domestic worker because she had a young child. Her own family is struggling financially and they need an income and the income she and her husband earn from the estates is insufficient. She had an offer for a higher salary as a domestic worker in Colombo but her husband did not want her to go. Then, both her husband and her mother objected to her leaving for work because of her young son. She remained at home and continued working on the estate, even though she personally wishes to leave.

The idea of women engaging in domestic work for “lack of options” thus needs to be understood as a function of the sociocultural standards applied to women as well. Although there are other viable economic opportunities – factory work, weeding/gardening on the estates, migration – they are restricted by what is deemed as appropriate work for women. Domestic work then becomes a preferred option for many women as a form of labour that is deemed normal for women, enables them the flexibility to care for their families, and happens within the confines of a household. For some of the women, it is also a form of work acceptable for their social status within their community.

Education (or rather, lack of it) was not readily identified by the respondents as a barrier to attempt other work. Only one respondent stated that she lacked sufficient education to choose an alternative to domestic work. Out of the 13 respondents, only 2 had had no formal education whatsoever, 6 had up to grade 5, two had grade 6 and 8 respectively, and the highest attained was Ordinary

Levels (O/L, a public examination at age 15-16) (3 respondents). For instance, to work in the garment industry a minimum O/L qualification is necessary, yet rather than insufficient education, the concern was over the sexual politics of working in the garment industry. One respondent who had passed O/L found herself barred from a job in the police because of language issues. Hearing of unemployed but educated youth in the area, the police force had run some recruitment programmes to get young people to work at desk jobs with the police. This respondent had applied but since she is only literate in Tamil, she found herself unable to get a job with the police because she could not write down complaints or fill out forms in Sinhala. In this case, the “lack of options” is related to language-based discrimination, even though her education was sufficient to qualify for the job.

Flexibility

Domestic work affords flexibility on several levels.

Multiple income streams. One worker is engaged in full-time contractual work as a garbage collector and receives a monthly wage. However, since this is not enough of an income, she also does ad hoc domestic work to supplement her income. The flexibility of times of work enables her to do both and also to perform domestic work at multiple households and have different income streams. Many live-out workers are also working across multiple households, enabling a greater income than if they were tied to one place.

Enabling childcare. Live-out workers made use of the flexibility of working at certain hours where they were not engaged at home or engaged in taking care of their own children. They cited the fact that they were able to take days off to take care of their children or were able to stop work in the middle of a scheduled work day if their children required them (e.g., for a sudden illness). Some live-in domestic workers wished to pursue domestic work because it gave them the flexibility of taking leave during the year to visit their families.

Ease of tasks. Most respondents commented on the flexibility of negotiating tasks – if something was too difficult for them they were able to say so and refrain

from that work. Others stated that the tasks assigned were never a strain in the first place and hence they did not face that situation. One worker had previously been a shop assistant but preferred to do domestic work while pregnant because the tasks were not a strain. An older respondent (>50 years) also emphasized that she preferred this work (and the specific place she worked in) because the workload was manageable for her and gave her enough time to rest as well. This finding of the research is unusual since in many other studies, the strain of the job is a major reason to dislike the work. One live-in worker, however, did state that in her household, even though there is a washing machine, she was expected to wash the laundry by hand. This type of unfair treatment is reflective of other global examples of domestic workers being asked to do Sisyphean tasks. For example, a Sri Lankan worker in Greece is documented to have been required to clean a black dog's hair off of a pure white carpet and raises the question: "would her employers have both white carpet and dogs if they had to clean the house themselves?" (Anderson 1997, 41).

Gendered nature of domestic work

Although the C189 definition of a domestic worker encompasses people of any gender working for a household, the demand characteristics of domestic workers found in "**Demand**" show that "domestic workers" are a highly feminized workforce in Sri Lanka. Domestic work globally has become an increasingly feminized sector (International Labour Organization 2013). While Indian "family retainers" were historically men staying with the family, the greater part of workers now are women living out (Ray and Qayum 2009). In Jamaica, as with the Western World, domestic workers were mostly women but this is increasingly so in modern times (Higman 1989). In Sri Lanka, an analysis of the language used in advertisements points to a history where more men were domestic workers, even though now it is characterized by female workers.

Historically male workers

In the English newspapers, agencies would advertise their "housemaids" alongside other types of domestic workers, notably including "houseboys",

“(h)appus”, and ads distinguishing between male and female cooks. [There appear to be a stock of male domestic workers offered by agencies but then a gap in households asking for male workers. The men are perhaps being employed instead in the tourism sector or in other formal employment rather than households, even though the tasks required by either man or woman are the same – cooking, cleaning, housework.] Houseboy – like housemaid – comes from colonial language to refer to males performing household tasks. Yet these houseboys are hardly boys – a recurrent advertisement in the Sinhala papers asked for houseboys of ages 20-60. An “appu” is also a catch-all term referring to the head domestic worker in a house, though it specifically refers to a man, and he is a stock figure in the imagination of a plantation bungalow. Even in modern times, bungalows are looked after by appus in the absence of the owner (whether that be an individual, family, or company). Although nowadays the term housemaid comes to dominate discourse on domestic work, the lingering presence of “houseboys” and “appus” points towards a different past, one that is influenced by colonial social organization.

Gendered labour reified in advertisements

The expectation of a “domestic worker” being a woman working within the household is reified in the advertisements as well. There is an obvious division of gender in the way the columns are organized. The “domestic work” column was separate from other columns advertising for types of workers who would otherwise fall within the definition of domestic work as per the Domestic Workers Convention. These separate columns were as follows:

In the English paper, separate columns were available for the roles: “drivers” and “security”. In Tamil, a “பாதகாப்பு/சாரதி” (security/driver) column existed and in Sinhala, separate columns existed for “ඊළුරන” (drivers), “වතු වැඩ” (gardeners), and “ආරක්ෂක සේවා” (security guards). These would all otherwise fall under the C189 definition of domestic worker as they would (a) perform these tasks for a household (b) within an employment relationship (c) as an occupation. However, these are generally “male” types of work and are physically contained in a separate column to “domestic work”, which is female dominated.

The columns that were used in this study were titled as follows: ගෘහ සේවකයෝ (Domestic Workers), சமையல்/பராமரிப்பு (Cooking/Care), Domestic Positions Vacant, respectively in Sinhala, Tamil, and English newspapers. As shown earlier, 91.7% of these advertisements were looking for women, demonstrating that these fields are female dominated, while the tasks requested were those within the household (cooking, cleaning, care work). The image of a “domestic worker”, hence, is that of a woman working within a household. The title of the Tamil language column – “Cooking/Care” – is especially demonstrative of this relationship between gender and type of work.

Interestingly, there was one advertisement within the selected columns that requested a female driver. This might reflect the expectation that those reading the “Domestic Work” column would be women. This ad should otherwise be in the ‘Drivers’ column.

Gender is also reified in the domains of work. In the separation of columns, there is a clear division between the domestic worker that works “outside” of the house itself (drivers, gardeners, security guards) whereas those involved in cleaning, cooking, and care work are all inside the household. These spatial divisions conveniently overlap with gendered divisions in who generally gets to do what. This is crystallized in the advertisement example below, which asks for “a girl for housework and a boy for outside work”.

2 பேர் வசிக்கும் வீடோன்றிகு வீட்டு வேலைக்கு பெண் ஒருவரும் வெளிவேலைக்கு ஆண் ஒருவரும் தேவை. (my emphasis)

(Workers wanted for a household of two people: a girl to do housework and a boy to do outside work)

Although our interest in this study is primarily on the female domestic worker, research into male drivers as domestic workers would be important and can inform how we conceptualise the future of women domestic workers. The economy of male drivers is at an interesting threshold right now: male drivers have the whole spectrum of informal and formal arrangements available to them, i.e., they can work for a household directly, for an agency that will commission them out, or directly for a company. They strike informal agreements with households but

have access to formal arrangements when working with companies (and thereby fall under labour laws). Comparative experiences could be studied to understand how these arrangements play out for workers. Moreover, even though they may be employed formally as “drivers” they may complete tasks outside of this purview – running errands, keeping guard, and even direct care work (e.g., if their subject of care is a child or elder that they must transport and ensure the safety of). As men, they are also likely to be paid with the assumption that they are the primary income earner for their families. How might this compare with the workload and payment structures available to and assumed for women?

Wanted: a woman for the house

The image of the domestic worker as a woman confined within the household is further crystallized in the language of advertisements asking for “a woman... for a house”.

“කරුණ යුවලකගේ නිවසට වයස 35-55 අතර කරුණාවන්ත කාන්තාවක් අවශ්‍යයි.” (kind woman between 35-55 wanted for a house of a young family)

“இராஜகிரிய வீடோன்றுக்கு தங்கி வேலை செய்ய 45 வயதிற்குக் குறைந்த சுறுசுறுப்பான பெண் தேவை.” (active woman around 45 wanted to live and work for house in Rajagiriya)

“WANTED middle-aged lady...to a house of Attorney at Law couple...”

This language does not afford any professionalism to the work being sought and reiterates the idea that all one needs to do to fulfil domestic work inside a household is simply be a woman. In contrast, the advertisements on either side of the domestic worker columns would call for workers by their professional title e.g., executive, sales rep, waiters, secretary, steward, etc. Considering just women workers, most advertisements used the word housemaid/(ශෘණ) සේවිකාවක්/(விட்டுப்)பண்ணிப்பேன் but a significant number of ads just used the word lady/කාන්තාවක්/பெண். Whereas the former word signifies some level of job capacity and could be considered semi-professional nomenclature, the latter merely refers to a female person. This demonstrates the lack of recognition for domestic work as a profession requiring any learnt skill.

Table 20. Advertisements using “maid” or “lady” to describe worker

English		Sinhala		Tamil	
(house) Maid	12	(ගෘහ) සේවිකාවක්	217	(வீட்டுப்)பண்ணிப்பேன்	131
Lady	5	කාන්තාවක්	722	பெண்	73

Like part of the family

A strong mythology that surrounds domestic work in Sri Lanka is that workers are treated as “part of the family” or are given all sorts of in-kind benefits (such as gifts, etc.) that create an overall employment relationship that works in the worker’s favour, or that employers are being “benevolent” in their relationship with their worker. This is not an unusual sentiment, speaking globally, but much research has unmasked the realities behind this mythology of being “like one of the family”:

Many scholars have pointed out how this analogy [that domestics are ‘like one of the family’] reproduces the unequal relations of power between employer and worker by diffusing the status of the employee as a worker and thereby limiting the power of workers to negotiate for better conditions and wages (see Anderson, 2000; Cock, 1980; Gregson and Lowe, 1994; Romero, 2002). This, of course, is often to the advantage of the employers as it obscures the asymmetrical nature of the work relationship and thus facilitates the extraction of unpaid labour. Conversely, the workers are reluctant to resist or make demands for fear of jeopardizing their status within the family (see Anderson 2000; Ray and Qayum 2009; Romero 2002). (Barua, Haukanes, and Waldrop 2016, 12)

Two case studies from the employers’ survey manifest this unequal working relationship.

Live-in worker A earns Rs 17,000 a month and has been working for the family for 55 years. She is tasked with multiple household chores. There is no form of agreement between worker and employer and the only terms agreed to upon commencement of employment was time to see the family and healthcare. The additional benefits that were given during the period of employment were again

time to see family, healthcare, and sick days. The employers states unambiguously that the worker is like part of the family: first, in the open-ended question on why certain “additional benefits” were provided, and again as part of a multiple choice question on which statement best described the employer’s relationship with the worker.

Live-out worker B earns Rs 13,000 and works 5 hours a day for 7 days a week. The worker has been with the family for 12 years. The agreement was verbally decided and wages and working hours were fixed. She gets gifts, food, and clothes to take when she goes home and the employer provides this because they feel that she is “almost like part of the family”.

In both instances, the long duration of work may be the primary factor for feeling like “part of the family” – there is a level of trust and dependence built both ways. However, the low salary and uncertain working conditions (no guarantees on time off or healthcare for worker B; no employment contract nor mutually agreed wage and hours for worker A) demonstrate that the worker actually loses out on this arrangement.

Familial idiom as dignified selfhood

While the familial idiom can be used unfairly to extract extra labour, some scholars argue that it is an important means for workers to establish a sense of “dignified selfhood” (Hondagneu-Sotelo 2007; Barua, Haukanes, and Waldrop 2016). Barua et al argue this for the case of some domestic workers in Mumbai, who, even while being aware of exploitative conditions, leverage this familial idiom “on a selective basis as they felt being regarded as one of their family gave them a sense of greater respect than just being regarded as a servant” (ibid, 13).

This positive reception of the familial idiom was indeed the case amongst live-in workers interviewed, whereas the reaction from live-outs differed. While many live-outs stated that their households treated them well, they hesitated to qualify it as being a family-like relationship. Three workers stated that the households they were working for treated them like a daughter and one older worker claimed the household looked after her “like [her] own children”. Except in the cases of gross abuse, all the respondents expressed that they were treated well by their

employers and many made it a point to say how they were treated like members of the household.

“They treat me like another household member. They don’t treat me like a servant.” – Kanthi, 34, live-out worker in Colombo

“They always get me to eat when they’re eating, they send food for my child too... They’re very close with me. They love me a lot. If they have a party, they always call me for it. If I don’t go, they’ll save some food for me and my child. They treat me like family, that’s why I’ve worked there for so long no!” – Malar, 44, live-out worker in Colombo

Replacing women of the family

The language in advertisements similarly reflects the invitation for domestic workers to become “part of the family”. Advertisers want workers who will look after the household like part of the family, and they also promise to treat the worker like part of the family – there is some reciprocity to the “family” feeling.

- පවුලේ අයෙකු සේ ඉතාම හිතවත්ව නැවතී සේවයට (Can work conscientiously as a live-in, like one of the family)
- පවුලේ කෙනෙකු මෙන් සිටිය හැක (can stay like one of the family)
- තමාගේ කෙනෙකු මෙන් සිටීමට (to stay like one of us)
- තමන්ගේ සේ සලකමි (we will treat you like you were ours)
- තමන්ගේම කෙනෙක් සේ සලකමි (we will treat you like you were one of us)

Notably, the mythology of being “part of the family” even went beyond the figurative sense of simply belonging and being taken care of/caring for, to a literal sense of taking the place of a female member of the household with its incumbent care work expectations. Several of the advertisements asking for care workers phrased their requirements of the worker through language of family bonds and family-like care i.e., doing the care work otherwise expected of women members of the family. Workers performing direct care in Taiwan “are ‘adopted’ by their employers as their ‘fictive kin’, a term which refers to “those who provide care like family and do what family does [and] are given the labor

of kin with its attendant affection, rights, and obligations...They are, however, allocated a peripheral status in the family” (Lan 2003, 541). In the Sri Lankan advertisements for childcare, workers were asked to take care of children “like a mother”; for care of an aged person, a domestic worker was asked to be “like a sister” to the care object.

- For someone to look after the child “like a loving mother”, and asking them to work for a lifetime (possibly without pay): ආදරණීය මවක් ලෙස සිටිය හැකි කෙනෙක් පඩියට නොවේ, ජීවිත කාලයටම සිටිය හැක.
- For someone who can be trusted like a mother (ad for child carer): මවක මෙන් විශ්වාස
- Someone who can look after the child like a mother: අම්මා කෙනෙක් මෙන් දියණිය රැකබලා ගැනීමට හැකි
- For someone to look after a daughter “like a mother” - තமிழ්පොன்று கூடிவே இருந்த கவனித்துக் கொள்வதற்கு தமிழ்ப்பெண் ஒருவர் தேவை
- For a carer for an aged mother, to go on trips with her and to keep her company, “like a sister”: எனது தாயாரின் தனிமைக்குத் துணையாக இருப்பதற்கும், உல்லாசப் பயணங்கள் சென்று வரவும், சகோதரியைப் போன்ற பெண்

(all underlining my emphasis)

In the first example above, the full literal translation of the Sinhala is: “someone who can be like a loving mother, not for pay, who can stay a lifetime”. The phrase “පඩියට නොවේ” literally means “not for pay/salary”, which creates some ambiguity: is the advertiser saying this is unpaid work or are they emphasizing that they want someone who is motivated to work out of a desire to enact motherly care, rather than working for money? Either way, there is an expectation that the emotional labour involved in care work is something that is not expected to be compensated proportionately. In which case, what do employers believe they are paying for in employing a care-worker? Though the salary is for task, the desired competency is based on the worker's personality, not skill.

There were also a few unusual advertisements that appeared to request women to take the place of wives.

බිරිඳ නොමැති නිවසක නතරවී තමන්ගේ නිවසක මෙන් වැඩකරගෙන සිටීමට අවු. 38ට අඩු සාමාන්‍ය අධ්‍යාපනයක් ලත් බැඳීම් නොමැති නිදහස් ප්‍රියමනාප තරුණියක් (කාන්තාවක්) අවශ්‍යයි.

(For a house that has no wife, a woman is wanted of less than 38 years, of reasonable education and without commitments, who can live and work in the house as though it was her own.)

වයස 27ත්-35ත් අතර අවිවාහක තරුණියක් බැඳීම්වලින් තොර නිවසක නැවතී උදේ/දවල් කෑම වර්ග සෑදීමට කුඩා කඩයක් කරගෙන යන තරුණයකුට කොළඹ හෝ දුර පළාත්වලින් සොයයි..

(A woman between 27-35, free of commitments, is wanted to live in a house and make morning and afternoon food for a young man who runs a small shop. Looking for people from Colombo or outstation.)

In the first example, the syntax of the sentence implies that because the house has no wife, they require a woman to do the work (i.e., work that would otherwise be fulfilled by a wife). In the second, the request for a young, uncommitted woman for a similarly young man seems akin to a request for a wife to fulfil household responsibilities (i.e., cooking for the man). The second advertisement does not stipulate a salary but the first does.

Work as charity

In the European context, Anderson reports how employers would offer migrant workers from eastern Europe or the “Third World” work to do in exchange for accommodation: “so low and pitiable is the worker from eastern Europe or the Third World that even giving them a job is a favour” (Anderson 1997, 48). The attitude has its parallel in Sri Lanka, evidenced by the language of some advertisements asking explicitly for “vulnerable women”.

- පිහිටක් නැති තනිකඩ කාන්තාවක් (a lone woman without a home)
- පවුලේ සෙනෙහස අහිමි වූ, අසරණ වූ (someone who has lost their family, who is helpless)
- කාන් කවුරුත් නැති (someone who has no one to call their own)
- සේවිකාවක් හෝ අසරණ වූ වැඩිහිටි අයෙකුට ගේ දොර බලාගෙන සිටීමට අවස්ථාව දිය හැක (an opportunity for a worker or a helpless old woman to look after a house)

The phrasing of the last quote is indicative of the nature of these requests: the offer is not made as a promise of dignified work but rather as a charitable act for a person with no one else to turn to.

Although this may appear to come from a sense of goodwill, the position of the worker becomes even more so precarious in these situations of “charity”. Instead of seeing the working arrangement as an equitable transaction of wage and benefits for labour, the worker becomes emotionally contracted as well, feeling indebted to the person even though they are extracting work from her. With no parameters on working conditions (i.e., wage, healthcare, leave, start/end of employment) and with no one else to turn to, these “helpless” women find themselves even more vulnerable, newly indebted to an employer rather than having found a way out of their “helplessness” by securing dignified work.

The charitable feeling also informed the motivations for employers to provide ‘additional benefits’ for the worker (i.e., to provide healthcare, hand-me-downs, gifts, time off to see family, other in-kind benefits). 12 employers stated they gave these add-ons out of gratitude or as a reward for good work, 15 stated reasons about feeling that it was the right thing to do, or that the worker was like family, or stating concern for the worker’s welfare. One employer’s response captures the proximity of this charitable feeling to the dependence and isolation of the worker: “She has no one else to support her/provide these”. This response is for a worker employed for 10 years. It can be conjectured that the worker has no personal safety nets and there is equally no state support based on her work that she can fall back on (e.g., no pension or EPF/ETF, family support). The worker’s well-being is wholly in the hands of the employer. The worker earns Rs 25,000 but the employer also extends support to her family as well as providing healthcare and bonus payments. Although the relationship appears to be good at the moment, the worker is at a precarious situation – if her working relationship sours then her whole life may crash with it.

Interestingly, workers too echoed a charitable feeling towards their employers. Some were conscious about their value in their employing household and were working partly out of a charitable feeling towards their employers.

“Imagine you return to home after work and see that your house is cleaned and in good state, then you will understand the worth of having us and look after us well in return as well.” – Maduri, 62, live-in worker in Colombo

One respondent, a live-out worker, who had maintained long-time ties with one employer said that whenever they called her, she would go, “මනුෂ්‍ය කමට” (for humanity’s sake), i.e., as a favour to them performed out of compassion. Four of the respondents also shared anecdotes of how they may have left their employment households after an argument (usually the household refuses to let them go but they argue or cry and leave anyway) but the household still calls them asking them to return to work with them.

Purchasing personhood

Rather than recognizing the skill value of domestic work (and thereby valuing “experience”, for example), employers were more concerned with abstract qualities of workers, such as their trustworthiness, kindness, and humility. That is, employers are purchasing the worker’s personhood, as opposed to her professional ability to perform a task. Advertisements were seen to promise increases in wages and provision of bonus based on proving one’s “trustworthiness”. This further reinforces the idea that the worker’s personal identity is rather the commodity that is being bought, rather than work-related skill.

Trustworthiness, health

“Trust” was a cross-cutting recurrent issue. 64% of employers surveyed stated that they were highly influenced by the trustworthiness of the worker, whereas only 44% were highly influenced by prior experience. In advertisements, the most valued quality in a worker is her ability to be “trustworthy”. “Honesty” was also clustered into this category as the two words have largely overlapping meanings. The second most frequent to this quality was being “healthy”. “Active” was also clustered into this category as both denote the overall quality of being able to perform tasks, or “function properly” (See “**Commodification of the worker – guarantees and replacements**” for more on this). One notable

advertisement expands “healthy” to mean both physical and mental health: “ලෙඩ දුකින් තොර, කඩිසරව වැඩ කල හැකි” (without illness or sorrow, can work actively). “Experience” was valued much less in workers. The value placed on the worker’s sense of personal hygiene or cleanliness was almost equal to professional experience.

Table 21. Words used in ads to describe desirable qualities in workers

	Keyword	No. of entries
English, Sinhala and Tamil	Trustworthy, honest	136
	විශ්වාසවන්ත, අවංක	
	நம்பிக்கையான	
	Healthy/active	122
	නිරෝගිමත්, කඩිසර	
	ஆரோகியமான, சுறுசுறுப்பான	
	With experience	55
	පළපුරුදු	
	அனுபவம் உள்ள	
	Clean	51
	පිරිසිදු	
	சுத்தமான	
Sinhala	Kind කාරුණික/කරුණාවන්ත	73
	With good qualities ගුණයහපත්	68
	Humble නිහතමානී	107

Though perhaps it is unsurprising that abstract qualities of honesty, health, and cleanliness are characteristics of employers’ demands, it is nonetheless surprising that they feature so straightforwardly and frequently in advertisements, especially considering the advertiser has to pay for every extra character used. Would any job-seeker (not just domestic workers) see themselves as somehow not worthy of trust or unclean and thereby not apply for a job they needed? It would unequivocally be inappropriate to add these qualities as desirables or pre-requisites for an executive level job advertisement. Somehow domestic workers have a different standard applied.

Without family responsibilities

62 advertisements requested women who were “free of family responsibilities”. There was a colourful vocabulary to describe this requirement, including the following:

අවිවාහක හෝ බැඳීම් නොමැති (unmarried or without commitments)
පවුල් කරදර නොමැති (without the trouble of family)
පවුල් බරින් තොර (without the burden of family)
නැති කෙනෙකු (a person without anything/anyone)
බාහිර කරදර වලින් තොර (without external troubles)
නිදහස් (free)
කරදර වලින් තොර (without troubles)
බැඳීම් නොමැති (without commitments)
free
without encumbrances
free of family responsibilities
பொறுப்புகள் இல்லாக (without commitments)
போருப்புகளற்ற (without commitments)

Literature on the subject of live-in workers often refers to the idea that workers are expected to give up their own families and dedicate themselves to the employing household (Anderson 1997, 43; Ray and Qayum 2009, 78–85). It is an implicit assumption and practice, on the part of both employer and worker. The requests above reflect this characteristic of being “free” to dedicate oneself entirely to the employing household. The request essentially means being able to de-prioritise one’s own family, not being required to respond to the needs of one’s family (e.g., of sick children of aged parents, requiring to visit home, send money for upkeep, and so on).

However, the request to be “free from family encumbrances” is also internally inconsistent with employers’ own demands for workers. Going by the findings in “Demand”, employers are asking for “healthy”, “active” women aged 25–55 – but this demographic of women are very likely to be married and reproductively active. Moreover, the request is at complete odds with the type of woman likely to be seeking work. A 2015 study showed that out of a sample of 300 domestic workers in three districts, 59% were married and 47% had more than one child to

support. Additionally, 54% of live-out workers and 36% of live-in workers were their family's sole income earners ("Domestic Workers and Employers Survey" 2015). Hence the most likely type of worker to apply is a sole-income earner who is married with children – exactly the opposite of what these employers are requesting. As studies conducted with workers themselves suggest, they are seeking this work in the first place to support their families.

Agencies

Primary research with agencies was not possible in the course of this study but agency advertisements offered some insight. Agency ads in English largely offered the services of workers; only a few were recruitment ads. Conversely, most Tamils ads were for recruitment with hardly any offering services. Sinhala ads would have a mix of both offering and recruiting, sometimes within the same; one ad would just state the details and reliability of the agency, leaving it up to the reader to choose to apply or recruit from the agency. Overall, there were far less agency advertisements in Tamil, with more in Sinhala and English.

Table 22. No. of ads from agencies recruiting and offering services of workers

Language	No. of ads offering services	No. of ads recruiting workers
Sinhala	153	151
Tamil	2	20
English	299	6
TOTAL	454	177

Distrust in agencies

Responses to the employers' survey about preferred recruitment methods showed an underlying distrust in agencies; only one out of the 85 respondents used agencies to source their worker(s). One employer preferred personal recommendations because in their experience, "advertisements and agencies bring in employees without references to their trustworthiness or legitimacy". The language of the ads also indicated an underlying distrust in agencies.

One advertiser looking for a babysitter explicitly stated they were not an agency (“ඒජන්සියක් නොවේ”). In another advertisement, a single person advertises that they can find jobs for domestic workers but specifies that they are not an agency: පළපුරුදු මහත්මියක් විසින් නොමිලේ සොයා දෙනු ලැබේ.- අගේන්සියක් නොවේ. (Find jobs free of charge through an experienced lady – this is not an agency). However, this person would clearly still be acting as a third-party supplier (See “Definitions”) and creating a triangular relationship between the worker, herself, and the employing household. She makes the same promise of a free-of-charge service that another agency does elsewhere in their own ad: කිසිදු ඈය කිරීමකින් තොරව රැකියාවක් ලබා දෙමි (will give jobs without any charge).

Some advertisements from households also showed preferences for direct applications from workers by explicitly stating they did not want to be contacted by agents and wanted workers to approach them directly e.g., “ඒජන්ට්වරුන් අවශ්‍යයි” (no need for agents), ශ්‍රේණි වීඳු (direct to home (i.e., not through an agent)).

Finally, some advertisements that actually were by agencies recruiting people provided only the name of a person – notably a female person – to get in contact, without giving the name of an agency. A former agency employee clarified that agencies would do this because workers would feel more comfortable thinking they are speaking to a single person rather than contacting a company to seek work.

Trustworthy workers, trustworthy homes

In the same way that employers had anxieties about the “trustworthiness” of workers, workers have the same anxieties about the homes they were being recruited to. Agencies played on both these trust concerns. The same words used in Sinhala and Tamil to promote trustworthiness of the workers was used to promote trustworthiness of the receiving households (viz. විශ්වාසවන්ත, நம்பிக்கையான):

(Sinhala) විශ්වාසවන්ත වගකීමක් සහිත රැකියාවක් බලාපොරොත්තුවෙන් සිටින ඔබ සඳහාම රජයේ ලියාපදිංචි අප ආයතනයේ රැකියා අවස්ථා විශාල සංඛ්‍යාවක් ඇත.

(If you're looking for trustworthy, reliable jobs, then we have a lot of opportunities, especially for you, here at our government-registered organization.)

(Tamil) வீட்டுப்பணிப்பெங்கலாக தொழில் புரியுங்கள் விருப்பமுடையவராயின் எந்தவிதமான அலைச்சலும் இன்றி நம்பிக்கையான இடங்களில் பாதுகாப்பு உத்தரவாதத்துடன் நல்ல சம்பளம்.

(If you like to work as a domestic worker without much hassle, in reliable places, with guaranteed safety and good salary...)

(English) responsibility for salary.... 13 yrs trustworthy service govt registered.

While there appears to be an anxiety of trust on both sides of the working relationship, it appears that agencies are the only arbiter. Considering that employers are the ones paying for the services, it does not rest in the agency's best interests to alienate employers by prioritizing the worker's needs. This indicates a space that needs some regulation.

Agencies also used adjectives about workers that are similar to those discussed in “**Purchasing personhood**”. Agencies primarily advertised their workers as trustworthy/විශ්වාසවන්ත. Other keywords include: (in English) active, hardworking, humble, active, three language speaking, reliable, good experienced, kind; (in Sinhala) විශ්වාසවන්ත (trustworthy), වගකීමෙන් (responsible), මනසි වී වැඩ කළ හැකි (hardworking); (the two Tamil advertisements contained no adjectives).

Commodification of the worker – guarantees and replacements

Agencies would generally provide a “warranty” or a “guarantee” of their services.

E.g.: “All are warranty of 2 years 3 replacements”; “වසරක වගකීමක් සහිතයි” (guarantee of one year)

This means the following: if a domestic worker is matched with a household, then if there is a problem with that worker (e.g., she leaves), then the agency will provide a new domestic worker, up to X number of replacements within the period of guarantee.

There are a few things to note about this aspect of agency services. Firstly, implicit in the provision of a guarantee is the expectation that domestic work will have a high turnover. Rather than a structural approach to remedy the causes of this turnover rate, the agency culture created – and expectation from employers – is that a quick replacement is provided, which only serves to extend the sense of insecurity on both the employers' and workers' sides.

Secondly, the discursive quality of these guarantees shows the commodification of the worker. It is akin to the language used for kitchen appliances: e.g., if an appliance ceases to work (i.e., if the worker refuses to “function” properly e.g., by leaving, arguing, refusing tasks, etc.) then it can be “replaced” by the vendor (the agency) if it is within the “guarantee” period. If we recall the value placed on workers being “healthy” and “active”, i.e., properly functional, it is evident that the discourse around workers is that of a commodities trade. The valued qualities of the commodity are “health” and “trustworthiness” and the failing of either of these two means the provider (the agency) will issue a replacement commodity. Indeed, in the Lebanese experience, agencies will accept “returns” of workers “if the maid proves to be ‘too stupid’ or ‘not obedient enough’” and will replace her with a brand new worker (Jureidini and Moukarbel 2004, 595). The hypocrisy of these demands is evident when one compares the rhetoric of calling domestic workers “stupid” or “lazy” and yet the assertion of her intelligence (by resisting mistreatment or indignities) warrants the cancellation of her employment (Lan 2003).

Workers' Rights

Workers

For the most part, respondents believed that the best way to secure good working conditions was to find a good employer, rather than through more systematic means such as trade unions, legislation, or challenging through courts. Those who had not faced significant challenges at work were complacent with the situation as it was i.e., that employers determined working conditions. However, those who had faced problems were keen to find alternative routes to secure safe working conditions.

“I want the law to address our rights as a domestic worker and protect our rights. The salary paid should be a fair amount since we are going to work with a lot of difficulties. Some [other workers] do not talk about their issues freely like me, in that case I prefer that all are aware of the kinds of issues [of abuse and work problems] that are happening... Since I was outspoken I was able to handle the issues and come out of it somehow. Many won’t speak up like I do but it’s essential that we speak up to bring these issues to light.” – Gayathri, 24, former live-in worker in Colombo

The same worker pointed out that other forms of employment have their rights secured by law, so why not them? Another respondent was sensitive to the fact that other workers received EPF/ETF out of their salaries but domestic workers were not afforded the same practice. Coupling this with the fact that they are unable to save anything for the future, she underscored the difficulty of income during old age. In fact, most respondents assumed that they would continue working when they got old. The older women interviewed had restarted domestic work in their old age for the very same reason – to have an income i.e., domestic work **was** their retirement plan.

Most workers who have not faced serious issues place more trust in employers’ goodwill and their own hard work to guarantee fair play at work than other traditional protections such as courts, legislation, government intervention/regularization, and even trade unions. Workers had no faith that governments would do anything to help workers like them and so they are left to their own devices. Responses on trade unions were mixed. Respondents from Nuwara Eliya (largely live-ins) were more familiar with unions because of the activities of estate trade unions but some were still confused as to how it functioned. For example, one worker thought she could address issues about her children’s education through the trade union. Others in Nuwara Eliya (primarily live-ins) expressed interest in joining a domestic workers’ union to have a place where they can talk about work-related issues. Workers interviewed in Colombo (live-outs) were more ambivalent about trade unions, believing that it is more straightforward to “find a good employer and be a good worker”.

One respondent from Nuwara Eliya had an unambiguously negative impression of trade unions. She is an estate worker currently but she is not part of the permanent cadre, meaning her earnings are lower and measured by the kilos of tea she plucks. She has requested a relevant trade union multiple times to help her get registered in the permanent cadre but they have not done this. This experience has made her wary about trade unions (and parties associated with them) that will make promises during election times to amass votes but then do not deliver on those promises.

Employers

Securing domestic workers rights garnered a lot of sympathy from employers surveyed but there are caveats to this.

74 out of the 85 employers (87%) explicitly agreed with statements that support the overall protection of domestic workers' rights: 37% of the respondents support domestic workers' rights regardless of any protections extended towards employers; 50% would support domestic workers' rights if employers' protections were also guaranteed. Employers were also asked explicitly about what legal provisions they would support.

> 70% of respondents support legislation on

- Minimum wage
- Maternity leave
- Sick days

> 50% of respondents support legislation on

- Healthcare
- Casual & annual leave

Only 5% of respondents believed that employment protections of domestic workers should remain a private matter and only one respondent did not support legal protection at all. Respondents may be displaying a level of response bias but the selection of an online survey was to minimize this (as compared to a face-to-face survey). Even if respondents were influenced by what they believed

ought to be the morally right answer to the survey questions, it is clear that these employers are willing to enter into dialogue about securing domestic workers' rights.

However, the means by which this is achieved is in question: employers are largely unsupportive of trade unions for domestic workers. Only 22 respondents (25%) agreed that there should be a trade union for domestic workers and only 16 (19%) were likely to hire someone they knew was part of a trade union. Discussions with employers who were sympathetic towards the recognition of domestic workers' rights showed that they would support legislation over other means such as trade unions or workers' collective. This was partly due to recognizing a sense of "authority" from government-instigated regulations as well as having a negative impression of trade unions. Unions were perceived to be politicized, fragmented along political lines, without the genuine interest of the worker at heart. Additionally, employers believed legislation was an important part of creating attitudinal change towards recognizing domestic work as dignified labour.

Old-age safety nets for workers is an important concern for domestic work activists but employers were less amenable to providing these (29 respondents (34%) supported pension benefits). While some employers were actively providing benefits for old or retired workers of long service (e.g., voluntary stipend, savings accounts), many were wary about having to provide for all their workers since the turnover rate of workers was high. Instead, they posited providing EPF/ETF as an incentive to retain workers e.g., EPF/ETF upon completion of x years' of service.

Some employers believed that the best means of ensuring fair treatment of both workers and employers was to keep relations informal, as it is: "much better to be humane on a give and take basis... treat them well and hope that they will reciprocate". There was a general distrust of formal mechanisms, even legislature. Trade unions were "like a bad word", people were unfamiliar and suspicious of the genuineness of a workers' collective, and there was wariness about the politicization of legislature and its consequent troublesome bureaucracy. All the employers were supportive of workers' dignity and had themselves implemented

diverse mechanisms to support their workers outside of a usual working relationship. However, the scepticism about securing workers' rights remained. Many also posited that changes would naturally come about. For example, returnee migrant workers were more conscientious about contractual obligations and would maintain more formal relations with their employer (e.g., asking for an annual increment rather than leaving it to the whim of the employer). Due to the lack of domestic workers and affordability, younger generations were beginning to fend for themselves and developing a do-it-yourself attitude and lifestyle, releasing the demand for workers. Apartment living decreased the need for extensive domestic work help as well. There was a sense that the field would regulate itself due to a variety of such factors.

In comparison to employers' perceptions stands the view from workers and activists. In 2012 a petition from 5,000 domestic workers was submitted to the Labour Department with a legal draft to bring domestic workers under the purview of national labour regulations. The DWU continues to work for the same and activists cite on-going labour injustice and abuse committed towards domestic workers (Jayakody and Moramudali 2015).

Working within existent labour laws

There are three instances in which existing labour laws can protect some measure of domestic workers.

Firstly, many advertisements asked for workers for their bungalows. Since a bungalow is a profit-making entity (similar to a hotel or rest-house), then the domestic worker employed here should have the same rights entitled to her as any other hospitality worker. Considering Sri Lanka's rapidly expanding tourism sector and especially the growth of boutique hotels and bespoke experiences, domestic workers must be accounted for within regular labour laws. They are the mainstay of these bungalows, providing the central function of housekeeping and cooking but are somehow still outside the purview of the law.

Secondly, pregnant domestic workers could also be protected through the Maternity Protection Convention (Revised) No. 103 of 1952 (C103). As Esufally

(2015) observes, Sri Lanka has ratified this convention, which ensures paid maternity leave and freedom from pregnancy-related discrimination and which also specifically refers to those who undertake “domestic work for wages in private households”. However, in a dualist legal system like Sri Lanka, international agreements must have its mirror in local laws to be effective and implemented. While Sri Lanka is a signatory to C189, it has not yet ratified it (DWU Joint Secretary Ananthi Sivasubramaniam in Jayakody and Moramudali 2015). In this sense, the 2018 cabinet decision to include domestic workers within local labour laws signals a move towards ensuring maternity protections (amidst a range of other labour protections) for domestic workers.

Finally, domestic workers who had faced abuse were consistent in their desire for a written contract over the continuation of verbal contracts; this was perceived by them as a means to prove their employment and hence enable them to lodge a legitimate complaint with the police or elsewhere. However, written proof is not necessary to prove a relationship employment and workers can report abuse or forfeit of employer responsibilities (such as withholding payment) without any written contract. Unfortunately, a malady of the informal sector is that many workers do not pursue these avenues of justice as they do not favour the worker: the police and other authorities are degrading in their treatment of workers from the start, then the fees and time taken to pursue official redress is not amenable to the reality of life as an informal, often daily-wage, worker (labour lawyer, personal communication, 4th September 2018).

Conclusion

This study has provided insight into the broad parameters of domestic work in Sri Lanka, as well as its micropolitics. It has shown that the “domestic worker” is imagined to be a middle-aged woman who works inside and for a household. When she begins work, her salary and, if a live-out worker, her approximate hours of work, are verbally established. The salary offered is independent of tasks to be completed, though she may receive a higher offer in Colombo than elsewhere. The worker’s desirable characteristics (from the employer’s view) has little to do with her ability to work but rather her qualities as a person: trustworthiness, honesty, health, and cleanliness. She is ideally without any family obligations – even though simultaneously she is expected to be of an age where she is most likely a wife and/or mother seeking additional income to support her nuclear and even extended family. She has no sexual desires and is content to remain within the house. In fact, she is preferred to be without any family at all, in which case she can adopt the employer’s household as her own, while she fills in for a female member of the family vis-à-vis chores. The study has shown that these workers may be offered one salary but given quite another and may even be denied their agreed salary out of the seemingly goodwill of the employer wishing to save on the worker’s behalf. If the worker remains with a household for a long time, she may be increasingly treated as “part of the family” but her salary will most likely remain stagnant, at odds with the market rate. However, this relationship can work in the worker’s favour: her child may be admitted into an elite school (through networks of the employers) and given a boost for social mobility; a worker’s family home may gain electricity and water connections, a house itself may even be built; a worker’s alternative livelihood may be supported, such as a trishaw that was in an accident but can now be recovered since the employer can afford the large down payment for repairs. Workers may even have access to loans from their employers that may enable them to escape from cycles of debt they are caught in from other microfinance schemes and loan sharks; alternatively, their debt behaviour may not change and employers are left in the lurch after providing the loan. For those who have had relatively uneventful working relationships, both employers and workers

are not that motivated to secure formal regulations or encourage trade unions. However, for those who have dealt with abuse, non-payment (of salaries and loans), or not honouring verbal agreements (e.g., of pay, of times to report to work), there is more motivation to have some officialness to working relations, such as a written agreement; employers largely prefer legislative action and are averse to trade unions whereas workers have low understanding of trade unions but are more open to them.

It is perhaps little wonder that employers and workers rely on abstract dynamics of domestic work relations, such as affect and manipulations of space and privacy, to create some form of regularity to the work and security, both in the sense of employers' security as well as work and social security for the worker. On the one hand, there is a gap in the legal structure or regulatory options that can support either party in the case of work-related issues. On the other hand, domestic workers' dependence on "good employers" to procure them good healthcare, education for their children, water and electricity, housing options, and more, attests to the failure of the state to provide these basic necessities to its populace. Sri Lanka is supposed to have public education, public health, low-income monetary support, universal water and electricity – but the seeking of these provisions from private individuals (i.e., employers) suggests some shortcoming in its delivery to citizens. In such a situation – no labour protections on one side and insufficient state-provided safety nets on the other – workers rely on their employers to guarantee not only their work-related fair treatment but also overall welfare.

In light of this study's findings, it appears that Sri Lanka's policies (or lack thereof) and practices towards domestic workers are also paradoxical and out of step with the social realities the country faces.

Paradoxical because, on the one hand, employers surveyed seem very caring for their workers – providing benefits and bonuses and emotional care, etc. – while on the other hand the care stops short of providing dignified and formal working conditions with workers' rights in tow. This is the case even within the sample of employers in this study, who, as noted in the methodology section,

are predisposed to be sensitive towards domestic workers' issues. The analysis provided in this paper has illuminated perhaps why this is so, and shown that it is not necessarily paradoxical or contradictory but related: a charitable, benefactor relationship manifests an emotional power that consolidates the material power held by the employer. Given the failure of state welfare to take care of workers, workers are then left to leverage this emotional relationship to gain dignity for themselves as well as material benefits. Where this relationship is good, it can be very good: the quasi-patronage relationship can facilitate a social mobility for the worker that may otherwise be inaccessible, while providing a level of care and work for the employing household that can be difficult to access through formal working relationships. Yet, when it is bad, it has terrifying consequences: a woman like Dwaraka (case study 2) can effectively become a slave for years, believing her employer has her best interests at heart, all while her labour is exploited for free.

It is paradoxical also because migrant domestic workers are a frequent subject of activism, policy discussion, and public outrage in Sri Lanka while the same cannot be said of local domestic workers, even though much of the discourse applies equally in either case. Even though the same micropolitics (e.g., about intimate space, affectual relations) are applicable domestically, the situation of local domestic workers has not garnered quite the same attention as that of migrant workers. Even extreme situations of abuse and child labour have been documented locally, though the attention on them in the public sphere is limited (See Appendix 2; "Domestic Workers and Employers Survey" 2015, 12; Palaniappan 2010). Many of the policies and practices in place to safeguard migrant domestic workers could easily be applied to the local field of domestic work, such as registration and regularization of agencies and provision of upskilling trainings before commencing work (as is currently provided by the Sri Lanka Bureau of Foreign Employment (SLBFE) for outgoing migrants). Interestingly, the latter upskilling has been set up expressly for workers to then be better equipped to demand better working conditions (Centre for Poverty Analysis 2014). Upskilling for local domestic workers could then be done without the need for much/any additional infrastructure.

Policies and practices are also out of step with Sri Lanka's changing social realities. Increasing urbanization means internal migration towards cities, especially as agriculture and other rural industries are seen less and less as preferred employment options for new generations. Jayasekara (2016) showed this in the specific case of labour migration from tea plantations to domestic work in urban areas. Urban spaces are also changing. Large older houses were often built with living quarters for domestic workers but as space continues to shrink, new houses and apartments no longer encompass these spaces, shifting the demand of work from live-in workers to live-out, presenting further opportunities for urban migrants as well. Workers themselves also prefer live-out to live-in work since the latter implies round-the-clock availability and responsibility whereas the former enables more freedom and flexibility. Additionally, Sri Lanka's social organization is changing from one based on care and domestic work being fulfilled by the emotionally extended family to one fulfilled by the nuclear family (UNFPA Sri Lanka 2016). In the context of an ageing population, these nuclear families are expected to both support themselves and their ageing family members. Within just over a decade, the population of those above 65 years of age is expected to overtake the population of children. There will be fewer young people able to support those past working ages. What will this mean for care arrangements? For the labour force of domestic workers? For women members of nuclear families? And especially for the families of care workers? In the latter case, research into migrant domestic worker families has shown that the displacement of women (who would otherwise primarily be doing the household care work) leads to a care deficit in their homes, affecting entire communities even (Kottegoda 2004; Withers and Piper 2018). Male spouses rarely fulfil the reproductive work left behind and the burden is put onto other women in the community, who often ought to have been care subjects rather than care-givers (e.g., older women and young girls) (Cooray 2017).

Observing this growing population of domestic workers, the greater demand for it, and changes in the nature of paid domestic work arrangements, continuing the field of domestic work as things are, i.e., by convention, risks increased precarity for both employers and workers. In the context of Sri Lanka's changing

realities and its imminent care crisis, the field of domestic work warrants far more attention than it currently receives. This study has been one foray into this, hopefully pointing towards aspects of the field of domestic work that require greater scrutiny.

It is pertinent to note here that existent labour law has indeed been mobilized previously to ensure protections of those employed in domestic work. The Act to Regulate the Employment of Women, Young Persons and Children No. 47 of 1956 essentially precludes any child under the age of fourteen from being engaged in work. Even though the Act was passed in the 1950s, child labour was still rampant in the 1980s. Through an increased spotlight on child labour in the 1980s and 1990s, activists and movements in Sri Lanka were able to clamp down on child labour and child abuse. Even though the Act does not explicitly include or exclude domestic workers, the Act has been mobilized to curb child labour in the field of domestic work, alongside the wider societal changes that increasingly frowned upon child labour. This example demonstrates that what is needed is political and social will alongside a legal framework to protect workers.

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Appendix 1. Notes on method to calculate salaries

Salary offers in advertisements took different forms. There were two main types of salary values provided: monthly wages and daily wages. Many advertisements simply stated that the salary was negotiable or could be discussed.

Most advertisements, however, stated a salary numerically, with some providing a single figure, others providing a range (e.g., 20,000 – 23,000), and others providing an upwards range (e.g., 25,000+). Some salary offers have a starting salary and then explicit increases after a certain duration of work (e.g., Rs 35,000 starting and Rs 40,000 after two months; Rs 20,000 starting and then Rs 23,000 after 6 months).

To get an idea of the salaries on offer, all salaries with a range would be counted with their minimum value (e.g., offer 1 of 25,000 – 30,000 and offer 2 of Rs 25,000+ would both be counted as Rs 25,000). Salary values varied between Rs 11,000 to Rs 100,000, as shown in the minimum and maximum values presented in the findings.

As ages were specified as broad ranges, there was no meaningful way to compare age and salary.

Appendix 2. Case Study: Abusive Employer

When Kamini was 20, she worked for a household of a housewife with her child while the husband worked overseas and visited on and off. Both employers were very strict about Kamini's work and performance, reminding her that she was working for a salary and that she had to work properly to earn it. They controlled what Kamini ate, serving her food instead of letting her eat as she required, and locked her inside the house when they went out. She would work the whole day long and when she finally finished all tasks around 3pm, the woman of the house would come and drop her baby in Kamini's arms to take care of it. Like this, Kamini got no rest on any day.

After about five months, Kamini decided that she had better leave, since she also observed that they were abusing another worker in the household. The wife had previously threatened to kill her baby and herself if the two workers left. Eventually though, Kamini got together with the other worker and quit, both demanding their final pending payments so they could leave. The male employer threatened Kamini, saying that if she didn't stay that he would hand her over to the police and charge her with stealing jewellery.

"They were rich and powerful and in that case the police will more likely believe their story than ours," Kamini said. "We are just domestic workers and we had nothing as such to prove ourselves. If it's a known place then it's always safe but a place like that where I knew no one, I was helpless."

The employment reached a frenzy when Kamini tried to leave with the other worker. The male employer still refused to let Kamini go, so she tried to get the other worker to stay until Kamini was also given permission to leave. Angered by this solidarity, he locked Kamini in a room. From inside, she shouted as loud as she could so someone would hear her. Though the neighbours inquired about what was happening, the employer diffused their curiosity. Kamini continued screaming and banging on the door. Fed up with her behaviour, the employer finally let her out saying that it was more troublesome to keep her than to let her go. The employers paid only the other worker her due salary and the two of them escaped with that.

Kamini's story demonstrates the danger that domestic workers are in since they are isolated and within the household of their employers, effectively imprisoned and at the mercy of their employers. The wife's reaction to Kamini and the worker's threat to leave demonstrates the use of emotional blackmail, where she could leverage affectual relations to guilt the worker into staying.

Appendix 3. Migrant workers

Three workers interviewed had also worked overseas as migrant domestic workers prior to their work locally as domestic workers.

One respondent had worked for two years in Saudi Arabia when she was unmarried. Upon return she got married and although she had wanted to return to work, her husband refused to let her go. She did not expect to have to work again in Sri Lanka but now she is engaged as a live-out domestic worker in Colombo.

Another worker also spent two years in Saudi Arabia, returning to Sri Lanka when she lost her father. Her migrant experience taught her some Arabic, which she was then able to use to leverage some work with a Saudi Arabian woman living in Sri Lanka.

The third respondent had worked in Kuwait for five years, going back and forth between Sri Lanka and Kuwait to the same household. She had a very positive experience with her Kuwaiti family and wanted to return but illnesses of her parents required her to return to Sri Lanka and stay.

Appendix 4. Child Labour

Several of the interview subjects had started working as children. Most of the former child domestic workers had begun work in the 1990s but one began in the 2010s. Although child labour nowadays is widely socially unacceptable and sending families also place more value on children's formal education, it may be worthwhile to investigate if contemporary vulnerabilities may push families to send their children for work. Savitri Goonesekere explains the nature of demand for child workers in the early 1990s and there are eerie resonances with contemporary Sri Lanka: "There is a steady demand for destitute, displaced or abandoned children whose parents can be persuaded to hand them over for foster care and informal adoption. These euphemistic terms in fact concede (sic) a desire to obtain cheap unpaid domestic service." The possibility of child domestic work continuing to occur these days seems plausible considering contemporary contexts of poor post-conflict recuperation, high living costs and insufficient wages, natural disasters, and other situations that exacerbate socioeconomic challenges. Although previously child domestic work was carried out openly, its current social unacceptability may serve merely to push it under the radar, where children are sent to work without identifying information so their age cannot be verified or has been falsified. This underage labour has certainly been the case in migrant domestic work, as seen in the tragic case of Rizana Nafeek, whose case caused a frenzy internationally when she was executed in Saudi Arabia in 2013, charged with the death of an infant in her care when she was 17 years old (Jeyaraj 2013).

Age

7 out of the 13 respondents had been child domestic workers. 3 would have begun work in the 1980s and another 3 in the 1990s, all beginning at ages under 14 i.e., under the minimum age allowed by law to work (*Employment of Women, Young Persons and Children Act No. 47 of 1956 n.d.*). The 7th began when she was 17 years old in 2011. Although this is above the minimum age requirement, she still qualifies as a "child" by the definitions of the Convention on the Rights of the Child (1990) (to which Sri Lanka is a signatory, ratifying it in 1991) and

the National Child Protection Authority Act No. 50 of 1998, and so should be entitled to the protection of her rights as a child even as she works.

Payment

Of the seven workers, only one said she was paid to her hand. The others' wages were either paid directly to their parents or they were not paid at all and instead had a sort of informal adoption arrangement where the child worker was provided with home comforts.

“They never paid salary for me since I was small. They bought me all what I needed, they bought me clothes, food and biscuits, jewellery. And when I leave for the holidays they buy me biscuits and clothes for the home as well.” Swarna, who worked for this family from age 11 to 16.

“I used to go for daily work. Since I was little, they treated me like one of their kids too. So because things were good I decided to just live there.” Laxmi, who began work earlier than age 10 (she cannot recall the exact age) and worked there for about 3-4 years.

This latter expression of filial connection was often described in incidences of child domestic work i.e., the feeling that the families were treating them as one of their own children, even while they extracted labour from them. The employer families would often maintain ties with the former child workers, helping in expenses with weddings and other costly life events. Some of these connections were lifelong, such that as adults, the workers would continue to go work occasionally at these houses.

In the case of Kala, who began work as a 17 year old, she refused pay from the employing household. They had helped her with her education when she was younger and she saw this as a means of repaying a favour she felt she owed them. This is a curious connection to make, as ultimately, the education they helped with did not lift her out of the poverty cycle and she had to continue as a domestic worker.

Recruitment

In all instances, the children found work through a close relative – their mother, father or grandparents. In two instances, the girls took up places of work formerly occupied by their mothers, who were then too ill to continue work.

Example: Dushyanthi began work as a 13 year old. Her father's salary was insufficient and her mother had diabetes and could no longer work. Since the household needed a second income, Dushyanthi went to work in the place that her mother previously worked for. She worked from age 13 to 17.

In one instance, domestic work served as a means of escaping troubles at home.

Case Study

Srimalee's father was an alcoholic, was abusive towards her mother and the children, and did not support the family. When she was 10, her father told her that she had to go to Colombo to work. He had found a place for her to work through one of his relatives. Her mother worked at the estate as a daily wage earner. While her mother was out at work for the day, Srimalee's father snuck her out without her mother's knowledge. He earned a Rs 3,000 commission for having sent her.

Srimalee originally earned Rs 5,000 when she began at age 10 but by age 14 she was earning Rs 10,000. Her whole salary was sent home though. The employing family would not allow her to leave and so she had to lie to return home to visit. However, Srimalee preferred to continue work because she wanted to escape the alcoholism and abuse of her home situation. Eventually, though, the work became too hard and the employing house was too restrictive so she said she had to leave for a major family event and left and never returned.

An exploratory study of attitudes and practices towards domestic workers in Sri Lanka

Annemari de Silva

Although domestic workers are a regular feature of many households in Sri Lanka, this section of our workforce has remained understudied and unprotected by existent labour laws. The advent of the Domestic Workers Convention (2011) and developments in local activism and political environment signals potential change in the near future in Sri Lanka.

This study explores attitudes and practices in the field of domestic work using the findings of three tools: an employers' survey, an analysis of newspaper advertisements, and in-depth interviews with workers. It charts some of the parameters of the field, such as characteristics of demand, salary variations with factors such as gender and location, employment arrangements (e.g., attitudes towards contracts), and working conditions including living conditions for live-in domestic workers. It also uses discourse analysis to look at workers' motivations to work, the gendered dynamics of domestic work, the mythology of being "like part of the family", how domestic workers are valued by employers, attitudes towards agencies, and attitudes towards domestic workers' rights. The study outlines the micropolitics of employer-worker relationships and the patronage-like relationship that both parties may rely on in the absence of regulation.

Paid domestic work is an important economic opportunity for many women in Sri Lanka and an important service for potential employers. In the context of Sri Lanka's imminent care crisis and the increasing labour migration of women into domestic work, this sector deserves greater scrutiny towards creating informed policy.

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