

## Domestic Workers and Social Protection in Tamil Nadu



Tamil Nadu was one of the first Indian states in which the National Domestic Workers Movement began organizing domestic workers. Pictured here is a pre-COVID-19 rally organized by India's National Domestic Workers Federation (NDWF). Photo: P. Clarammal Panipitchai/NDWF

### Key Points

- 1 Tamil Nadu was one of the first Indian states in which the National Domestic Workers Movement (NDWM) began organizing domestic workers in the mid-1980s. Compared to several other Indian states, Tamil Nadu has relatively progressive legislation and programmes for domestic workers, including its own Domestic Workers Welfare Board.
- 2 There are approximately 1.8 million domestic workers in Tamil Nadu, of which 700,000 to 800,000 are in the capital city, Chennai. The typical domestic worker in this survey earned Rs.1,255 per week for a 40-hour work week, amounting to Rs.5,020 per month. This falls below the specified minimum wage.
- 3 Only 14 per cent of domestic workers interviewed reported having access to a maternity benefit. Almost 60 per cent reported that they did not have access to a pension and only 36 per cent said they had access to a food security benefit.
- 4 Barriers to access to social protection for domestic workers include lack of knowledge about their entitlements; lack of documentation for registration; and exclusion of migrant workers from welfare provisions.
- 5 Almost 60 per cent of domestic workers reported spending between Rs.1,000 and Rs.2,000 on transport alone and 57 per cent reported spending between Rs.2,000 and Rs.6,000 on administrative costs. The cost of applying for a social security benefit for the typical domestic worker in this survey was 1.5 times weekly earnings. The typical direct cost paid by domestic workers on a health visit was Rs.1,100, which is the equivalent of almost a week's earnings for most.
- 6 Recommendations to the local government include: ensuring the 2019/20 national labour codes are not applied in Tamil Nadu (the government should instead continue to promote the existing state labour code that includes domestic workers); implementing reforms to the Domestic Workers Welfare Board, with direct representation of domestic workers and their unions on the Labour Welfare Board; and implementing mechanisms for addressing sexual harassment.

Tamil Nadu is a state in southern India and is well-known for its left-leaning politics and government. It was one of the first Indian states in which the National Domestic Workers Movement (NDWM) began organizing domestic workers in the mid-1980s. Compared to several other Indian states, Tamil Nadu has relatively progressive legislation and programmes for domestic workers, including its own Domestic Workers Welfare Board. Nevertheless, domestic workers continue to struggle against discrimination, low wages and lack of access to social protection. This brief aims to provide a descriptive picture of the condition of domestic workers in the capital city of Chennai, as well as highlighting key policy recommendations related to social protection. The study on which it is based included interviews with domestic workers and their organizations, as well as a survey of 73 domestic workers.

## Domestic Workers in Tamil Nadu

There are approximately 1.8 million domestic workers in Tamil Nadu, of which between 700,000 and 800,000 are in Chennai. The demand for domestic workers in the city is increasing with raised levels of education and a greater proportion of the working population living in cities. In the survey conducted for this study, the following key characteristics of domestic workers in Chennai were identified:

**Individual:** This is a slightly older cohort of workers than some of the other groups interviewed across India (e.g. Delhi). The largest group of domestic workers interviewed were in their 40s (39 per cent), with significant numbers of workers in their 30s (33 per cent) and 50s (24 per cent). Education levels were noticeably higher than those found in Delhi, with 72 per cent of workers interviewed reporting some primary education, and 15 per cent reporting some secondary education. The largest single group of workers reported being born in Chennai (34 per cent), while

the migrant workers interviewed were from other parts of Tamil Nadu (Madurai, Thoothukudi and Tiruchirapalli).

**Household:** Sixty-three per cent of workers were married and living with their spouses, while 24 per cent were widowed. Seventy per cent reported having three or more dependants, with 42 per cent having at least one child between the ages of 4 and 12.

**Work arrangements:** The majority (85 per cent) of workers were employed in live-out, multiple-employer arrangements (the alternative arrangement being live-out, single employer), with only 14 per cent employed on a permanent basis. Only two of the workers interviewed had a written contract with their employers. Almost all had been employed through a labour broker. A large number (81 per cent) of the workers did other paid work as well as domestic work, although domestic work was their main source of income. Home-based manufacturing is a popular alternative source of income and includes the making of *maala* (garlands).

## Work-Related Risks to Income Security

Like Kerala, Tamil Nadu has a more advanced set of labour protections in place for domestic workers than most Indian states. In 1999, domestic workers were included in the schedule of the Tamil Nadu Manual Labour Act 1982. This was the first instance of legal recognition of domestic workers as workers in India. Child labour in domestic work was specifically banned in October 2006, and the Tamil Nadu Domestic Workers Welfare Board was constituted in 2007 under the Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act 1982. But despite these provisions, domestic workers still face many work-related risks.

**Low levels of knowledge about labour rights:** In 2007, domestic work was brought into the schedule of the state's Minimum Wages Act. In 2018, Tamil Nadu set a minimum wage for domestic workers of

Rs.37<sup>1</sup> per hour for “unskilled domestic work” (such as sweeping, mopping and dish washing), and an hourly rate of Rs.39 for home nurses and care workers. The monthly minimum wage (based on an 8-hour day) has been set at Rs.6,836 per month for unskilled work and Rs.8,051 for skilled work. When asked what they considered to be the minimum wage necessary for survival, two-thirds of respondents (67 per cent) felt that they could survive on Rs.5,000– Rs.6,500 per month, falling within the minimum wage limits prescribed by the state.

However, 90 per cent of domestic workers surveyed reported that “there is no statutory minimum wage for domestic workers in Tamil Nadu,” indicating a lack of knowledge about this provision. The typical domestic worker in this survey earned Rs.1,255 per week for a 40-hour work week, amounting to Rs.5,438 per month. This falls below the specified minimum wage.

**Caste discrimination:** The conditions of domestic workers in Tamil Nadu are often determined by caste and religious discrimination. Most domestic workers in the state are from the Dalit caste and untouchability at the workplace is a common practice. There are separate plates, utensils and toilets for the workers, and they may not be given food while working.

**Poor urban infrastructure:** Access to housing is a serious issue for domestic workers in Chennai, where slum evictions are common. Workers have been relocated to the edges of the city, which has driven up transport costs significantly. “They work in 3-4 houses, and being paid Rs.6,000-7,000. But then more than Rs.3,000 they pay for the bus. They walk 6km to take a shared auto rickshaw to reach the bus stand. It is very difficult for them” (Interview with Sister Clara, NDWM, Dec 2019). Some domestic workers have had to leave jobs due to additional transport costs incurred by relocations out of the city. Chennai also

suffers from water scarcity and the brunt of this is often borne by poorer women. Domestic workers often have to take care of their household’s water supply before they leave for work, which can take time and impacts on their ability to reach work in time, and to take on extra hours.

**Lack of leave provisions:** Paid leave does not exist for domestic workers in Tamil Nadu. Income is forfeited when leave is taken. This is especially difficult when workers are pregnant. In general, they will leave work for a minimum of six months to take care of their babies and then look for work elsewhere.

**Occupational health and safety:** Domestic workers report becoming ill through working conditions such as travelling long distances to work, the discrimination they face, and their own household burdens. They often suffer from ulcers, anaemia, headaches, back pain etc. (FGD with domestic worker union members, Dec 2019). Sexual violence in the workplace is also a common occurrence, exacerbated by workers’ relative isolation and the difficulty in monitoring private homes. Domestic workers are often reluctant to report incidences of sexual harassment due to the fear of victim blaming and loss of earnings that may ensue.

The survey results show that the main reason why domestic workers worked fewer hours than usual was due to illness or accidents. Almost three-quarters (74 per cent) of the respondents who had been ill or injured in the 12 months prior to the survey said that this illness or injury was not related to their work. However, just over one-quarter reported work-related injury or illness in the previous 12 months. Of those workers who had had to miss work as a result of injury or illness, almost none had been paid during this time.

<sup>1</sup> The exchange rate when the survey was conducted was approximately INR 1 = US\$ 0.0136. Available at: <https://www.exchangerates.org.uk/INR-USD-spot-exchange-rates-history-2020.html>

## Access to Social Protection and Social Services

In Tamil Nadu, domestic workers are incorporated into the Manual Workers Act, which establishes the Domestic Workers Welfare Board under the auspices of the Manual Workers Welfare Board. Domestic workers between the ages of 18 and 60 years are required to register with the board and then become eligible to receive the following non-contributory benefits:

- Financial assistance for the education of a son or a daughter.
- Financial assistance of Rs.5,000 on the marriage of a son or daughter.
- Maternity benefit of Rs.12,000, plus financial assistance for pregnancy, miscarriage or termination of pregnancy.
- Accidental death benefit (Rs.100,000).
- Funeral benefit (Rs.5,000).
- Old age and disability pension of Rs.1,000/month.

In this respect, Tamil Nadu is a leader in terms of its provisions for domestic workers. “The Manual Workers Act is a unique act... a pioneer for all over India. Nowhere in India there is such an act that provides two things; i) to improve working conditions of unorganized labour and ii) to provide social security for this group of workers” (Interview with M. Shanmugam, Member of Parliament, Rajya Sabha; Dec 2019).

Nevertheless, there are problems in the implementation of the welfare board provisions. These include:

- Lack of knowledge about the welfare board: many domestic workers and employers are simply not aware of workers’ entitlements.
- The documentation required to register with the board can be onerous, including bonafides from school or colleges, no objection certificates (NOC), Aadhar cards, ration cards, birth certificates and bank books. Sometimes additional documentation is required – a domestic

worker interviewed for this study said that she was asked to submit her husband’s Voter ID card to ascertain whether or not she was married, which made it very difficult to get her registration done (FGD with domestic workers union members, Dec 2019). The arbitrary nature of documentation requirements can make the process of registration extremely difficult for domestic workers, yet this is the only way for them to access the social security benefits.

- No provision for housing benefits. Considering how difficult it is to obtain suitable housing, domestic workers argue that a housing benefit would add significantly to their overall security (FGD with union members, Dec 2019).
- Exclusion of migrant workers from welfare provisions. Tamil Nadu’s social security benefits do not support domestic workers who are migrants from neighbouring states or elsewhere in the country. Although not included in this survey, there are many domestic workers from Andhra Pradesh who cannot register with the welfare board. Even intra-state migrants from outside Chennai find it difficult to register as they require a NOC from the district social security officer in their place of origin.

Overall, there is dissatisfaction in the implementation of the welfare board provisions, as well as the fact that the benefits are significantly lower than those provided through the Construction Workers Welfare Board. As John (2013: p9) points out, “the gap between the existence of a law or welfare programme, knowledge of it among potential beneficiaries, and the actual operation and coverage have to be noted.”

The gap between policy and implementation is reflected in the findings of the survey, where only 14 per cent of domestic workers interviewed reported having access to a maternity benefit, and 17 per cent access to an education benefit, marriage benefit and funeral benefit. Almost 60 per cent of workers said they did not have access to a pension,

although the 40 per cent reporting access to a pension is greater than in other Indian states (bar Kerala) and is likely connected to uptake of the Indira Gandhi National Old Age Pension and the National Widows Pension (considering that a significant number of respondents were widows). Thirty-six per cent reported having access to a food security benefit, but this is not a specific benefit offered by the welfare board.

Also noteworthy was the costs incurred by domestic workers when applying for a social security benefit. Almost 60 per cent reported spending between Rs.1,000 and Rs.2,000 on transport alone and 57 per cent reported spending between Rs.2,000 and Rs.6,000 on administrative costs, with 20 per cent saying they spent Rs.8,000-10,000 on this. **The cost of applying for a social security benefit for the typical domestic worker in this survey was 1.5 times weekly earnings.**

In terms of access to health care, Tamil Nadu is often ranked among India's high performing states (Parthsarathi & Sinha, 2016). The Chief Minister's Comprehensive Health Insurance Scheme, which covers members of the unorganized sector welfare boards and those earning below Rs.72,000 per year, has now been integrated into Ayushman Bharat. The uptake of health benefits among the domestic workers in this study was high, with 70 per cent reporting access to a health benefit.

Almost 90 per cent of the workers interviewed in this study had visited a health facility in the 12 months before the survey, either for themselves (34 per cent) or accompanying a child (24 per cent) or another adult in the household (28 per cent). About one-quarter of respondents reported visiting a public health facility only, but the majority had visited a mixture of public and private health care providers on their last health-care visit. Ninety-one per cent reported spending less than Rs.500 on the consultation. Almost all of the workers reported being able to access medication, with the majority (64 per cent) spending less than Rs.1,500 on medicine and less than Rs.700 on tests.

These figures certainly compare favourably with findings from other Indian states. Nevertheless, there were also problems. Forty percent of the workers reported having to borrow money to finance their medical costs on their last health-care visit. Travel time to reach health facilities was also very high, with 65 per cent reporting that they had to travel between 2 and 4.5 hours to reach the facility. Waiting times were also long, with 80 per cent of workers reporting that they had spent between 1 and 4.5 hours waiting to see a health professional. The main reasons given for delaying health visits were the expense and the length of waiting times.

The typical domestic worker in Tamil Nadu reported earning Rs.1,255 per week for a 40-hour week. On the last visit, the typical direct cost (medicine, tests, consultation fees etc.) paid by domestic workers was Rs.1,100. **This health visit, therefore, cost the equivalent of almost a week of earnings for a typical domestic worker.** Of the workers who indicated that they had visited a health provider in the past 12 months, about 80 per cent reported losing earnings as a result. Based on average hourly earnings and the time spent seeking health care, the average actual and opportunity cost for these workers was about Rs.1,776 for the last visit (or 1.4 times typical weekly earnings).

Access to child care is also a concern for many domestic workers. The Integrated Child Development Service (ICDS) is well established in the state with *Anganwadis* located in the communities in which domestic workers live. However, the worker has to drop off and pick up her child and the long travel times to and from work can make it difficult to meet the opening and closing hours of the centres (FGD with domestic worker union members, Dec 2019). Safety is also a concern, with several domestic workers reporting that they are forced to leave their young children alone at home, or in the care of elderly relatives. The survey data revealed that 42 per cent of workers with children reported that they had no help with child care while they worked.

## COVID-19 Context and Social Protection Responses

As in other states of India, the COVID-19 crisis of 2020 had significant impacts on domestic workers. The NDWM in Tamil Nadu estimates that 90 per cent of domestic workers stopped working, often because they were considered to be vectors of disease. The state government did implement some relief measures. In 2020, a one-off Rs.2,000 cash grant was paid through the Domestic Workers Welfare Board, along with additional food support often provided by non-state actors. In April and June 2021, the same amount was paid to workers through the Public Distribution System (PDS), along with additional food rations. However, these measures have done little to address widespread food shortages and the major loss of work and income experienced by domestic workers in the state.

## Organizing and Action for Social Protection

Tamil Nadu was one of the first states where the NDWM started its work in 1985 through the efforts of Sister Jeanne Devos, who began working with women and children in the Dindugal District and encouraged small groups of domestic workers to come together with the objective of supporting themselves and one another. In 1995, the process of unionizing domestic workers accelerated through the registration of the Tamil Nadu Veetuvelai Thozhilalargal Sangam, and struggles for legal recognition were realized in 1999 when domestic workers were included in the Manual Labour Act. The presence of unionized domestic workers in the state has been critical in establishing pressures for better wages and social security (Interview with DMK Minister, December 2019).

The mobilization of domestic workers is done through the district level leaders and members who go door to door and create awareness. They conduct surveys after working hours to assess the conditions of domestic workers. These surveys are used to

collect information about the membership, but they also act as a mobilizing and awareness-raising tool in addition to the more regular types of campaigns that the union organizes. Such campaigns include media campaigns aimed at changing negative public perceptions of domestic work. Support for those wishing to receive counselling relating to sexual harassment is provided by the union, which also provides assistance to workers who have been unfairly accused of theft.

The NDWM has provided entrepreneurship training to its members, providing them with nationally recognized certificates in housekeeping and market-oriented skills. This training has allowed some workers to move out of domestic work altogether, while it has given others an alternative income stream and a stronger negotiating position with employers regarding wages.

Although the establishment of the Domestic Workers Welfare Board has been a victory for domestic workers in Tamil Nadu, it has also created some challenges for the union. They find their paid-up membership has been decreasing as workers register themselves with the board, instead of renewing their membership which includes a Rs.10 fee to fund advocacy work at the legislative level.

## Recommendations for Policy and Practice

Tamil Nadu is a leading Indian state in terms of the provisions made for domestic workers and their access to social protection, through the Domestic Workers Welfare Board. Nevertheless, gaps in protection continue to exist. Policy recommendations include the following:

### **Ensure the 2019/20 national labour codes are not applied in Tamil Nadu:**

Until there is specific and comprehensive national legislation for domestic workers, the state of Tamil Nadu should resist the implementation of the national labour codes, which do not recognize domestic workers.

The government should instead continue to promote the existing state labour code that includes domestic workers.

**Implement reforms to the Domestic Workers Welfare Board:** These reforms should include:

- Direct representation of domestic workers and their unions on the Labour Welfare Board. Representation is currently limited to central trade unions and government.
- Implementation of the welfare board outside of Chennai. At present, the welfare board functions only in Chennai, which creates a significant barrier to access for domestic workers outside the capital.
- Increase financing for the welfare board, so that it is better able to function. Additional funds could come from a 1 per cent household tax, plus a contribution equal to one month's salary from employers, and a worker contribution.
- Include a housing benefit in social security provisions. The issue of housing – and particularly the eviction of many domestic workers from the city centre, re-housing them on the outskirts – undermines income security. A housing benefit – as well as other support to ensure that workers may be housed reasonably close to economic opportunities – should be considered a key aspect of domestic workers' welfare and a housing benefit should be incorporated into the welfare board provisions.

**Implement mechanisms for addressing sexual harassment:** There are no redressal mechanisms or complaint committees through which sexual harassment and exploitation complaints can be addressed. Institutionalizing a sexual harassment complaints committee through the welfare board could be one solution to this.

## References

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Parthasarathi, R and Sinha, S.P. (2016). 'Towards a Better Healthcare Delivery System: The Tamil Nadu Model,' *Indian Journal of Community Medicine*, vol 41 (4).

Interviews conducted in December 2019:

- Interviews with the NDWM staff - Sister Clara, State Coordinator for NDWM
- Interview with Additional Labour Commissioner, Chennai, Labour Department
- Interview with M. Shanmugun, MP, Rajya Sabha
- Interview with Geetha Ramakrishnan, Labour Activist
- FGD with leaders and members of the Tamil Nadu Veetuvelai Thozhilalargal Sangam

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\* This brief was compiled by Laura Alferts, based on qualitative research conducted by the Institute of Social Studies Trust (ISST), and survey data produced through NDWM in collaboration with IDWF and WIEGO.

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## ABOUT IDWF

The International Domestic Workers Federation is a membership-based global federation of domestic workers. It consists of 76 affiliates in 59 countries representing over 560,000 domestic workers worldwide. Its objective is to protect and advance domestic/household workers' rights everywhere through building a strong, democratic and united global organization. It is affiliated to WIEGO and IUF.

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