

The Living and Working Conditions of Domestic Workers in Namibia (1996)

This report examines the living and working conditions of domestic workers in Namibia. It is divided into three sections: a historical section which considers the origins and development of the domestic work sector; a section highlighting key legal and social developments in the sector since independence; and a section conveying the findings of recent research into the living and working conditions of domestic workers today.

PART 1: A HISTORY OF DOMESTIC WORK IN NAMIBIA

Historical information about domestic workers in Namibia was compiled to give context to the findings of the recent research, and to provide a basis for understanding how some work patterns and perceptions have their roots in past laws and practices.

Domestic work has been consistently undervalued over the years. From the earliest colonial times, it was grounded in the inequalities of racially-based labour practices. Historically, domestic work relationships have involved a certain degree of intimacy which is in tension with the distance between different classes, races and lifestyles – a tension that gave rise to patronising attitudes on the part of employers.

PART 2: DOMESTIC WORK SINCE INDEPENDENCE

After Namibia gained its independence in 1990, several important developments took place which would affect the future of domestic work in Namibia. The first was the advent of the Namibian Constitution, which outlaws race and sex discrimination and protects fundamental worker rights, including the right to form trade unions and the right to strike.

The protections for workers contained in the new Constitution were made more concrete by a new Labour Act which was enacted in 1992. This new legislation, which was the product of tripartite consultations between government, employers and employees, placed domestic workers and farm workers on an equal footing with other workers for the first time. This Act legislates certain basic minimum standards of employment, introduces the concept of 'unfair dismissal' into the law and provides a framework for industrial relations. Unfortunately, the Act does not yet fully recognise the unique nature of domestic work and the need to provide specific protection for this vulnerable sector.

Although this Act has the potential to improve the lot of domestic workers, enforcement in this sector is still weak. For example, inspections in this sector are undertaken only in response to employee complaints. A few domestic workers have brought cases to the district labour courts, but the isolated nature of the working environment means that there are usually no witnesses to support domestic workers in their complaints, thus making it more difficult for them to press their cases successfully.

There have been a few training initiatives for domestic workers in recent years, but these have been limited to ad hoc efforts spearheaded by dedicated individuals. Donor funding for such training programmes in this sector has been difficult to obtain, and government support has not been forthcoming. Nevertheless, the response to the few training courses which have been offered shows that the demand for such courses is high and that domestic workers with specialised training are more employable and can often command higher wages than unskilled workers.

PART 3: RECENT RESEARCH

The primary basis for the third section of the report is data from a survey conducted by the Legal Assistance Centre and the Social Sciences Division of the Multi-Disciplinary Research Centre at the University of Namibia. This survey collected quantitative information from three urban centres

(Windhoek, Keetmanshoop and Oshakati), supplemented by qualitative information from locations throughout the country. This data is compared against findings from the 1991 Population and Housing Census, the 1993/94 Namibian Household Income and Expenditure Survey (NHIES) and data collected from membership forms of the Namibian Domestic and Allied Workers Union (NDAWU).

While the position of domestic workers in Keetmanshoop and Windhoek was comparable in many respects, Oshakati was characterised by younger domestic workers with a higher educational background. This seems to be due to the absence of adequate employment opportunities in the north, which leads young female school leavers to take up domestic work for lack of other options. Many of these domestic workers live and work with extended family members and are often perceived as family members rather than employees – a factor which sometimes leaves them open to exploitation.

KEY FINDINGS

National statistical overview

- There are 22 000 to 24 000 domestic workers in Namibia.
- About 43% of domestic workers live in rural areas, 57% in urban areas.
- Domestic workers in rural areas are concentrated in regions with high numbers of commercial farms. A small but significant number are also present in towns and villages in rural communal areas where civil servants are the principal employers.
- Following historical patterns, there are many more domestic workers in the central and southern regions than in the north.

Gender and domestic work

- About 85% of all domestic workers are women.
- About 10% of all employed women work as domestic workers.
- One out of every 20 Namibian women over the age of 15 is a domestic worker.
- There are more female domestic workers than male domestic workers in rural areas.

Age

- The average age of domestic workers is 32,7 years.
- For men, domestic work often serves as an entry point into the labour market in their youth, or as an income source to fall back on in later years. Women are more likely to spend their prime earning years as domestic workers.

Under-age domestic workers

- The 1991 census found a total of 180 domestic workers under the age of 14, including 22 workers aged 10.
- Child workers are almost always young girls, who comprise 81% of all workers under age 14.
- Child workers are more prevalent in rural areas.
- Caprivi has the largest percentage of under-age domestic workers, followed by Okavango and Omaheke.

Language

Half of all female domestic workers are Nama/Damara speakers. In contrast, over half of all male domestic workers are Oshivambo speakers. These patterns have their roots in pass laws and labour

practices from the apartheid era.

Marital status

- Domestic workers are far less likely to be married than the rest of the population.
- For males, this is probably attributable to the large proportion of young men in domestic work.
- For females, this may be due to the prevalence of informal relationships (particularly in urban areas), or to a desire for the greater freedom afforded by an informal union, or to the necessity of taking on employment in the absence of any income from a spouse, or to the constraints of live-in arrangements.
- As a result, many domestic workers are single mothers.
- Nearly one-quarter of female domestic workers are household heads.

Education and literacy

- Nationally, 29% of domestic workers have no schooling. This applies to 35% of male domestic workers and 27% of female domestic workers.
- Male domestic workers have a lower level of secondary school attendance than the population at large, while the rate for female domestic workers is higher than the national level.
- The gender differences highlight the more limited employment opportunities available to women.
- The survey found particularly high education levels among domestic workers in the north, underscoring the fact that many young school leavers enter domestic work in this area because of a lack of other opportunities.
- Nationally, domestic workers have lower rates of literacy than the general population – particularly in rural areas. This is because domestic work is one of the few employment options for those who are illiterate or have little education.
- Few domestic workers attend literacy classes.

Employment history

- Domestic work is characterised by mobility and job instability.
- The survey found an average length of service with the current employer of less than 3 years. Only 14% had been with their current employer for more than 5 years.
- The high turnover rate is indicative of the job insecurity in this sector. While some employees leave jobs of their own accord, employees repeatedly pointed out that they were at the mercy of impulsive and unpredictable decisions on the part of their employers.
- People generally choose domestic work because it is the only job available.

Recruitment and selection

- Most domestic workers find their jobs through networks of friends and relatives.
- Because supply is greater than demand, domestic workers enter the labour market at a disadvantage. They are usually not in a position to choose between various work situations or to engage in meaningful negotiation with prospective employers.

Days and hours of employment

- About half of the survey respondents work a five-day week.
- A significant number (21%) work seven days a week. Most of these were live-in workers who

are perceived as being accessible for work at all times.

- 90% of survey respondents work in only one household, with the remainder having two to five employers per week.
- 98% of survey respondents in Oshana work in a single household, reflecting the common occurrence of live-in domestic workers who are extended family members.
- 52% of survey respondents work between five and eight hours a day, while 45% work more than eight hours a day. The remainder work from one to four hours a day.

Meal breaks

Most domestic workers in the survey receive less than the one-hour break specified in the Labour Act, but the majority stated that they decide on their mealtimes themselves. Many prefer to work through mealtimes so that they can finish their tasks and return home sooner.

Overtime

- 35% of the domestic workers in the survey reported that they work overtime, but only 7% said that they receive overtime pay.
- Live-in workers are particularly vulnerable to unpaid overtime.
- The problem is probably more serious than the data suggests. Many domestic workers do not realise when they are working overtime and are unaware that they have a right to extra payment for such work.
- Some workers are employed on the basis of tasks rather than hours. This kind of flexibility is an advantage for some workers, but others find that it leads to long working days.
- Overtime is seldom explicitly discussed by employer and employee. For example, over 65% of respondents did not know if they would receive extra pay for overtime work.

Work responsibilities

- The most common duties for female domestic workers are cleaning, ironing and laundry. For male domestic workers, the most common duties are cleaning and gardening. Cooking and child-minding – more skilled tasks which might command higher wages – were much less frequently cited.
- Miscommunication about work responsibilities can lead to misunderstandings between employer and employee.

Wages

- Domestic workers generally perceive themselves as being low-paid.
- The average monthly wage of survey respondents varied by region. Karas N\$162; Khomas N\$270; Oshana N\$158. The minimum monthly wage was N\$30 and the maximum N\$700.
- Domestic workers who are members of NDAWU reported similar wage levels, with an average monthly wage of N\$222. The minimum monthly wage for this group was N\$12 and the maximum N\$1 150.
- Domestic workers employed in the homes of their extended family members are often not considered to be entitled to 'wages' at all as their employers do not see them as 'employees' in the ordinary sense of the word.
- A number of employers and employees expressed a desire for more guidance on appropriate wage levels.

Payment in kind

- Few domestic workers receive food or other goods on a regular basis as a supplement to

their low wages. Irregular gifts, such as secondhand clothes and household goods are more common.

- One-third to one-quarter of the domestic workers in the survey receive cash transfers for the payment of fixed expenses such as electricity, water and rent. These are potentially more important income supplements than payment in kind.

Annual bonuses and salary increases

- Just over one-third of the domestic workers surveyed receive a small annual bonus which was usually much less than their monthly wage. This is not a legal requirement, but a discretionary decision on the part of the employer.
- Similarly, just over one-third of the domestic workers surveyed receive annual salary increases which are often lower than the annual rise in the cost of living. There is no legal requirement to give an annual increase, but failure to do so effectively reduces the worker's wages in terms of actual spending value.

Medical aid and pension benefits

Very few domestic workers receive medical aid or pension benefits. This leaves them in a vulnerable position as their low wages are insufficient to allow them to amass savings to use for sudden illnesses or upon retirement. This problem should be alleviated by the forthcoming introduction of state medical aid and pension schemes under the Social Security Act.

Leave

- Most domestic workers surveyed receive an amount of annual leave which is in line with the requirements of the Labour Act but for many this is unpaid leave instead of fully-paid leave as the Act requires. Of all the respondents, 44% receive paid leave and 19% only unpaid leave, while 38% did not know if they received paid or unpaid leave.
- Half of the workers surveyed are given paid sick leave, while 11% receive only unpaid sick leave in violation of the Act's requirements. The remaining 35% did not know if they would receive paid or unpaid leave.
- Most survey respondents did not know what sort of maternity leave they would be entitled to if the need arises.
- 61% of the workers surveyed are granted compassionate leave for sickness or deaths in the family, although it was not clear if this was paid or unpaid leave. There is no legal entitlement to such leave.
- Many employers are reluctant to comply with the Labour Act's requirements on leave because of the difficulty of locating reliable substitutes.

Bringing children to work

Just over half of the domestic workers with children in the survey reported that they are allowed to bring their children to work, but most choose not to take advantage of this option.

Health and safety

This topic was not a particular focus of the survey, but the researchers came across several situations in which domestic workers were locked inside the employer's premises, posing a serious threat to their safety. Many domestic workers were also prevented from using the employer's telephone, even for emergency calls.

Contracts

Only 3% of survey respondents had a written employment contract, with the effect that many working conditions are dependent on the whim of the employer. Greater use of contracts would ameliorate

this problem, as well as giving domestic workers greater clarity about their rights and benefits.

Employer-provided housing

Regional variations make it difficult to assess compliance with the accommodation standards in the Labour Act, as the test of what is 'reasonable' depends in part on comparison with prevailing local standards. While some live-in workers enjoyed greater amenities than commuting workers in the same area, there were a few complaints about substandard accommodation or inadequate space.

Regional comparisons

Of the three study areas of Windhoek, Keetmanshoop and Oshakati, domestic workers in Oshakati were generally in the worst position with respect to wages as well as rights and benefits. This probably stems from the prevalence of extended family relationships in the sector and from the shorter history of domestic work in the region.

Knowledge and awareness of rights

- Knowledge of the Labour Act is very limited in the domestic work sector. Only 23% of survey respondents had heard of the Act, and only 12% had an awareness of its contents.
- About half of the respondents were aware of the existence of NDAWU, and about 11% were members. There appears to be much scope for greater dissemination of information about trade unions and their functions.
- The limited knowledge of worker rights and the low level of trade union membership contribute to the extreme vulnerability of domestic workers and point to a need for more proactive enforcement of the labour laws in the sector.

Employers

- Households which employ domestic workers tend to have three or more members, with a significant proportion consisting of five or more members.
- Afrikaans was used most often as the language of communication between employer and employee in the survey areas. Instructions are usually given to the domestic worker by a woman, usually a wife.
- Most employers in the survey had received some form of tertiary education. Very few employers are housewives, while many are professional women such as civil servants. Having a domestic worker to assume household responsibilities enables many women to enter the labour market.
- Employers usually recruit through word-of-mouth. Most had no preference for domestic workers of any specific ethnic group. Interviews with employers provided supporting evidence of the high turnover in the sector, with theft and alcohol abuse being cited as common reasons for dismissal.
- Historical patterns of paternalism survive, with many employers claiming that their domestic workers are 'part of the family'. Employers felt that this informal attitude humanised the working environment, in contrast to workers' perceptions that it could prejudice their rights.
- Most employers did not object to their domestic workers bringing children to work. Employers of live-in workers had no objections to children residing with their mothers, or to visits from family and friends during free time.
- Some employers had no objection to a minimum wage as long as it is reasonable. A number of employers claimed that they are unable to pay their domestic workers higher salaries because their own income is so low.
- Few employers were familiar with their duties under the Labour Act or the Social Security Act. None of the employees surveyed reported work conditions that are fully compliant with the Labour Act.
- While a few employers were strongly anti-union, most had no objection to their domestic

workers becoming members.

Socio-economic conditions of domestic workers

- There are about 20 000 households in which at least one person is a domestic worker, and these households support an estimated 125 000 individuals, or 9% of the Namibian population.
- The average size of a domestic worker household is 6,3 persons, as compared to the national average of 5,7 persons.
- Nationally, 37% of domestic workers come from female-headed households, which is close to the national figure of 38%. Female domestic workers who are household heads are more likely than their male counterparts to be single, and more likely to live with a higher number of children and extended family members.
- The average living standard of domestic workers is slightly above the national average, but significantly below the average living standard for urban areas – even though a majority of domestic workers are urban-based.
- The 1993/94 NHIES found that on average domestic worker households have an annual per capita income of N\$3 073, which is slightly higher than the national average of N\$3 031, but substantially below the urban average of N\$6 676 (and well above the rural N\$1 550 average).
- The distribution of consumption of domestic worker households closely resembles that of urban female-headed households, which form a significant component of the domestic work sector.
- The average income and consumption figures mask considerable disparity among domestic worker households and obscure the relative poverty of many.
- Many domestic worker households maintain strong links to family members in rural areas, with a small but significant proportion having access to agricultural assets. These rural ties enable domestic workers to supplement their income with food which they produce themselves or acquire through in-kind exchange.
- Most survey respondents regularly provide financial support to extended family members.
- Households headed by female domestic workers are particularly vulnerable and often face shortfalls in cash needed for basic expenses.
- Male domestic workers must sometimes maintain themselves as well as families left behind in rural areas, placing a serious strain on their resources.
- Female domestic workers employed on farms are among the most vulnerable categories of workers. They typically have very low levels of literacy and education and often experience harsh working conditions with little or no pay aside from rations.
- Domestic workers must often turn to loans as a crisis management strategy. They most commonly turn to their employers for advances on wages, meaning that the sector is an appropriate target for group savings and credit union schemes.
- Many domestic workers face a 'double shift' of labour, as they bear primary responsibility for the household duties in their own homes as well as in the homes of their employers.
- Domestic workers with young children often leave them in the care of an extended family member living elsewhere, often in a rural area. Others keep their children with them, but enlist the help of female relatives to care for the children during their absences at work. Few domestic workers can afford crèches.
- Domestic workers experience very low levels of job satisfaction. Most would prefer jobs with a more formal structure and potentially higher wages and better benefits. Almost no domestic workers would like to see their children become domestic workers.