

Developing International and Internal Labour Migration Governance (DIILM) Feb 2016 – June 2021

MAKING DECENT WORK A REALITY FOR DOMESTIC WORKERS

Whether working in Myanmar or abroad, Myanmar domestic workers, who are predominantly women, are under protected, undervalued and often underage. Domestic work is stigmatized and domestic workers can be exposed to exploitation and abuse at the workplace; which is often also where they live.

Licence to Stir Graduation



Licence to Stir domestic worker training



The current legal framework in Myanmar provides only minimal protection of domestic workers' labour rights and excludes domestic workers from basic rights such as the right to leave and holidays. As a result, working conditions including wages, hours and days off are unregulated and domestic workers have little recourse to justice in cases of labour exploitation or sexual, physical or psychological violence. According to the Social Security Act (2012), domestic workers only have the option of paying into the social security system voluntarily, which involves a complicated process, difficult to access for the majority of domestic workers. In late 2014, in response to reports of abuse against domestic workers abroad, the government imposed a ban on the migration of domestic workers. Without access to alternative employment options in Myanmar or to legal migration routes, some Myanmar women migrate through informal channels without protection or access to consular or social services.

Domestic work, in Myanmar and abroad, is an important source of employment and income for women and communities across the country. It also provides an essential service to millions of households, being especially

important for families with young children or elderly. During the Covid-19 pandemic, there was a recognition that domestic workers and care workers provide essential services, although this social recognition did not translate into essential protections afforded to most other essential workers.

To ensure equal protection and rights for all domestic workers in this vital work sector, legal protection is crucial. Since 2016, the DIILM project has worked to raise awareness of the risks

of excluding domestic workers from labour protection; to familiarize key stakeholders with international standards related to the protection of domestic workers, in particular the Domestic Workers Convention, 2011 (No.189); and with national laws of other countries. The project also supports the development of skills trainings for domestic workers and enables domestic workers to voice their concerns. The ILO, together with CSOs, LOs, and legal aid organisations¹, has provided technical input into the development of legislation on domestic work.

Skills and empowerment trainings for Domestic workers

Three Good Spoons

Developed a five-week License to Stir training course to upskill domestic workers. The training includes modules on: cooking, cleaning, child care, nutrition, hygiene, labour rights, labour laws, self-defence, financial management, and life-skills. A total of 40 domestic workers completed the course in 2019, and 75 per cent of the graduates are currently employed as domestic workers with improved working and living conditions.



Kayin Baptist Convention

The KBC's Women's Department has supported domestic workers for over 100 years. In the DIILM project, KBC works in the community to raise awareness among domestic workers, employers and local leaders on the skills and value of domestic work; labour rights and problems. KBC also works with local leaders who can influence employers. Activities were carried out in Ayeyawaddy, Bago and Yangon Regions.

Outreach to workers and influencers



Nay Wun Ni Community Development Organization

Conducted a survey of 159 women domestic workers to understand their challenges and needs. To increase communication, knowledge sharing and safety, Nay Wun Ni set up a Viber group with 78 domestic workers members. 60 domestic workers joined trainings in Mawlamyaingyun Township, Ayeyawaddy.

Baseline survey: key findings

- Daily working hours are 13 hours or longer with no defined working hours and tasks.
- Job placement is mostly through informal recruitment channels and the network of relatives or acquaintances.
- Over 40% of the respondents earns less than US\$ 77 a month (100,000 Kyats), less than the minimum wage.

¹ CSO and LO Network for Migrants (Myanmar); Working Group on Legal Protection of Domestic Workers

Girls Determined

Is conducting outreach activities to promote networking and sharing of experiences among girls working in domestic work, shops, farms and other sectors in Kachin State, Yangon Region, and Mandalay Region. Due to the closure of schools in response to Covid 19, more girls are going to work. Through the network, the girls can share their experiences in different sectors and increase their safety through regular communication.

Legal protection for decent work for domestic workers

Not including domestic work in labour protections results in the working conditions of domestic workers being totally dependent on the employers and is a major cause of informality and vulnerability to rights' abuses and unacceptable forms of work. The DIILM project has made significant contributions to the promotion and development of legal protection of domestic workers in Myanmar and overseas since 2016. To familiarize key stakeholders with labour protection standards for domestic workers, DIILM conducted trainings with:

- 230 tripartite constituents and Civil society organizations (159W: 71M) in Shan State, Ayeyawaddy Region, Mandalay Region and Yangon Region
- A trade union representative was supported to attend the Decent Work for Domestic Workers training course at the ITC-ILO in Turin, Italy.
- A brief on international labour standards for domestic work was published as a tool for advocacy: Policy Advocacy Brief: Towards ratification of the Domestic Workers Convention in Myanmar
- English version:
- https://www.ilo.org/yangon/publications/WCMS_667541/lang--en/index.htm
- Myanmar version:
- https://www.ilo.org/yangon/publications/WCMS_731366/lang--en/index.htm
- DIILM organized round table discussions and provided technical input based on the ILO Domestic Workers Convention, 2011 (No. 189) and the accompanying Recommendation (No. 201), and domestic workers laws from other countries.
- Over 300 parliamentarians from Amyotha Hluttaw and Pyithu Hluttaw; including members of the Women and Peace Parliamentarian Group and the Amoytha Hluttaw Committee on Immigration, Overseas and Local Employment participated in roundtable discussions and consultations

To support the policy and legal reforms, the following papers were developed:

- Policy Brief on Domestic Workers' situation during Covid-19 (to be published)
- Legal Gap Analysis of Myanmar National Laws and International Standards for Domestic Work (Brief)*
English version:
https://www.ilo.org/yangon/publications/WCMS_731547/lang--en/index.htm
Myanmar version:

https://www.ilo.org/yanmar/publications/WCMS_731564/lang--en/index.htm)

- Legal Gap Analysis of Myanmar National Laws and Convention 189* (full version)
Myanmar version:

https://www.ilo.org/yanmar/publications/WCMS_731674/lang--en/index.htm

- Legal Gap Analysis of Myanmar National Laws and Recommendation 201
Myanmar version:

https://www.ilo.org/yanmar/publications/WCMS_731686/lang--en/index.htm

DIILM, working with the CSO and LO Network for Migrants (Myanmar) has organized lively public events each year since 2016 to celebrate International Domestic Workers Day (June 16th). The events, which have been attended by thousands of women workers and widely covered in the media have given voice to domestic workers demands to lift the ban on domestic workers migration, to recognize domestic work as work and to develop legal protection. In 2020, a five day event was streamed on Facebook with special guest, Myanmar celebrity, Chan Chan: Do join us on International Domestic Workers Day 2021!

(https://www.facebook.com/ILOMyanmar/videos/?ref=page_internal).



Materials and tools developed

To promote public awareness on legal protection of domestic workers' rights developed by DIILM:

- Cartoon Booklet: Convention 189 on Decent work for Domestic Workers
Myanmar version:
http://ilo.org/yanmar/publications/WCMS_634937/lang--en/index.htm
- Public Opinion Poll: Legal Protection of Domestic Work in Myanmar: What does the public think? (Brief)
English version:
https://www.ilo.org/yanmar/publications/WCMS_731540/lang--en/index.htm
Myanmar version:
https://www.ilo.org/yanmar/publications/WCMS_731541/lang--en/index.htm

To provide guidelines on developing domestic workers groups:

- Getting organized, reducing stigma and promoting rights of domestic workers: A practical guide for domestic worker support groups
Myanmar version:
http://ilo.org/yanon/publications/WCMS_634950/lang--en/index.htm

PROGRESS TOWARDS LEGAL PROTECTION OF DOMESTIC WORKERS

- At the National Preparatory Meeting for the 10th ASEAN Forum on Migrant Labour (AFML) 2017 convened by MOLIP, tripartite participants recommended more comprehensive protection of migrant domestic workers in the region, including strengthened consular assistance in countries of destination.
- In April 2019, the Myanmar Government lifted the ban on domestic workers going to Singapore, Hong Kong (China), Macau (China), and Thailand. However, no procedures have been set yet to facilitate this migration.
- The Women and Peace Parliamentarian Group prioritized domestic work for development of legal protection and worked with the Amoytha Hluttaw Committee on Immigration, Overseas and Local Employment to develop a draft domestic workers bill.
- A draft bill on Domestic workers has been completed.
- The ILO is providing technical comments on the draft bill.

FUTURE INTERVENTIONS

- Support in respect of the promulgation of the domestic workers bill and for its implementation, of ratification and implementation of Convention 189 and implementation of Recommendation 201
- Nationally certified skills trainings for domestic workers
- Facilitating the organization and representation of domestic workers and their employers
- Extending social assistance during the Covid-19 to domestic workers and their families
- Extending social protection coverage to informal domestic workers
- Developing effective communication channels to provide clear guidelines to employers and domestic workers on Covid-19 and safety at work. Technical assistance to enable integration of international standards on gender equality across labour and migration legislation and policy
- Upscaling labour inspectorates to enable application of labour standards
- Capacity building on gender empowerment and gender sensitivity among policy makers and implementers as tools for sustainable development

The Developing International and Internal Labour Migration Governance in Myanmar (DIILM) (2016 - 2021) project works with tripartite constituents and civil society organisations in Myanmar to strengthen the legislative and policy framework governing labour migration. The people of Myanmar have long used migration as a survival strategy; for safe refuge and for livelihood. Improving labour migration governance can ensure a migration experience that is more beneficial for women and men migrants, and better contributes to the development of Myanmar. DIILM and the tripartite partners work to 1) support development of key legislation and policy; 2) promote decent work for all migrants including in the informal sector; 3) increase the coverage and the quality of services offered to migrants and 4) strengthen policy coherence.

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