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Spotlight interview with Albert Njeru (KUDHEIHA(1)- Kenya)

"Some employers threaten to kill their domestic worker if she talks"

Brussels, 29 January 2010 (ITUC OnLine): New legislation introduced in 2008 recognises more rights for Kenya's domestic workers. According to Albert Njeru, general secretary of the KUDHEIHA union, which organises domestic workers, although this is a step forward, we should not forget the many serious forms of exploitation they still suffer.

What are the main difficulties facing domestic workers in Kenya?

Sexual harassment, no employment contract, no freedom of association, very low pay. Many domestic workers have a low level of education and are not aware of their rights because they are still very young or have been employed since childhood. Domestic child labour sometimes begins at the age of 10, even though it's illegal.

We carried out a survey on domestic child labour in Mombasa, in collaboration with the AFL-CIO's Solidarity Center. Mombasa attracts domestic workers from across the country because it has a reputation for being better off, partly because there are foreigners there who pay in dollars. The survey showed that most domestic workers are not given food by their employer, that their identity cards are confiscated, that they are underpaid and that many of them are locked in the house when the employer leaves, with the risk of being unable to escape if there is a fire.

The situation there is specific to Mombasa, because it is a coastal town with a big port. Human traffickers seek out vulnerable people and try to send them out of the country, particularly the Arabic countries, where they do not get paid the minimum they were promised.

Apart from the specific situation in Mombasa, how are domestic workers recruited in the cities ?

New legislation that came into force in June 2008 provides for the registration of employment agencies. Otherwise, it's by word of mouth: someone is looking for a maid in the neighbourhood, in the extended family, and often it is girls who drop out of school that are recruited.

But if the employer knows the girl's family and neighbours so well, how can he or she exploit her so much?

In most cases, they just don't care: they pay a tiny wage, the maid comes from a poor family, so the employers feel in a position of power. Some employers threaten to kill the maid if she talks, or to make sure their brother or sister loses their job. Even when the girl gets pregnant as a

result of sexual harassment, they don't dare reveal who the father is, else the employer will sack them, and won't care about the child.

Has the new legislation improved the situation of women domestic workers?

It came into force in June 2008 and recognises the domestic employment relationship, which is progress. Now we are trying to get it applied, but there are obstacles, the main one being the ability to pay the minimum salary: a lot of people who employ maids are worried about registering the girls' employment officially because they aren't able to pay the minimum salary and the social security charges. The minimum salary applies to all professions. It is 5,500 shillings, about 75 dollars. If you are employed by an enterprise on the salary wage, how can you afford to employ a maid on the same salary? That's why people still ask a cousin or a niece to come and help out, and why they are only paid about 1,000 shillings.

What should a decent salary be?

You need about 500 dollars to support a family of four in a decent home.

Are there migrant domestic workers in Kenya ?

Yes, a lot of Somalians come to Kenya. As their country is in ruins, they come and look for work to survive. Some work just for their food and shelter, nothing more, they are not worried about a salary. There are a lot of Somalian women in domestic work in Nairobi.

Who are your union's members?

Our union has been organising women workers since 1948, long before independence. At that time we held meetings in the evenings for the women working for the colonialists, mainly in Nairobi, so they could exchange experiences, and information. Little by little, the union opened up to other categories of workers and now we have about 40,000 members, nearly 5,000 of whom are women domestic workers. Domestic work is a difficult sector to organise because the women are not aware of their rights and because there is no collective bargaining. The 35,000 other members are nurses, non-teaching staff, etc.

How does KUDHEIHA support women domestic workers ?

Our priority at the moment is to teach them their fundamental rights, in partnership with the IUF. We explain to them that if they know of a case of exploitation, they must tell the authorities, the police, because that will spark an outcry, and people will realise that there is a union taking care of women domestic workers. We have contacts with the police stations who help us, we have taught them about what happens to these workers. When an employer realises he or she is in the wrong, they may try to bribe their way out, but from then on they usually try harder to respect their maid's fundamental rights, if only to avoid problems in future.

How do you contact women domestic workers, who are a difficult group to reach given that they work inside private homes?

Before beginning our training we select a number of women in the area, we

ask them when they are free and where we could meet them, and we bring them together, group after group. We begin by inviting one, then two, then a whole group. They prefer Sundays, but some employers lock their maids up in the house, even on that day. It is also difficult because they are worried about being seen as someone who knows about trade union activities, because in Kenya employers look upon the unions as trouble makers.

Will the possible adoption by the ILO next June of a new international standard on domestic work help you in a practical sense?

As the trade unions, employers and government are partners in the ILO, it will be easier to raise awareness among employers if we have this standard. A convention would really help us a lot in our day-to-day work when we are campaigning for the remuneration of domestic workers, against child labour, for decent work, for the application of existing legislation....It would provide an international framework that could support our action.

Interview by Samuel Grumiau

(1) Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers, affiliated to the IUF

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