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Spotlight interview with Myrtle Witbooi (SADSAWU-South Africa)

"Domestic workers' employers no longer refuse to dialogue"

Brussels, 25 January 2012 (ITUC OnLine): SADSAWU (1) is one of the oldest organisations defending domestic workers' rights in Africa. It managed to secure a number of gains even prior to the ILO's adoption of the international Convention on domestic work (2) in June 2011. Myrtle Witbooi, a founding member and general secretary of the union, looks back on her 30 years as a union activist and the challenges linked to this new Convention.

What changes is the ILO Convention on domestic work going to bring for domestic workers in South Africa?

We currently have good labour laws, but there is always room for improvement and this ILO Convention is going to help us. It will also put greater pressure on our government to better apply the laws in place, by increasing the number of labour inspections, for instance. The South African government made labour inspection available to domestic workers in 2010. They have a telephone number they can call if they have a problem, but given the shortage of inspectors, they still have little chance of receiving help from this front. Like in all countries, labour inspection is faced with a lack of funding.

Access to labour inspection is a right set out in the new ILO Convention. How did you manage to secure it already in 2010 in South Africa?

The South African government used to take all the decisions concerning domestic workers unilaterally, but a year ago it agreed to involve the social partners. We proposed that a Domestic Workers' Forum be set up in collaboration with the Labour Ministry. It meets regularly to take stock of their situation and can act as a spokesperson for domestic workers vis-à-vis the government. When the Ministry asked what our chief demands were, we mentioned access to labour inspection. The Forum and the preparatory work for the adoption of the ILO Convention pushed the authorities to forge ahead and to allow labour inspectors to intervene in the area of domestic work.

Are labour inspectors in South Africa able to freely enter private homes?

No, they still have to ask the employers' authorisation to enter their homes, but employers do not usually refuse their access and allow them to talk to the workers. The situation has changed in relation to a few years ago and employers usually no longer refuse to dialogue, even with the unions; they understand that we want to build relations, not destroy them. There may still be some reticence here and there, but I have never known an employer refuse access to the domestic employee's workplace.

How many members does SADSAWU have?

Around 30,000. We have helped at least 80,000 domestic workers over the years, but not all of them have become members. They come to us when they have problems and then never

come back again, but others come along the next day. We never tell workers that they have to become members to receive our help. We realise that it is a difficult labour force to unionise, because their number one priority is making ends meet. Many South African unions have had to fold, but the determination of its leaders is keeping SADSAWU on the rails and the support we are receiving from the Dutch trade union federation FNV is going to strengthen us, to help us attract new members.

We are also raising awareness at the confederation we are affiliated to, COSATU (Congress of South African Trade Unions) as many unionists employ domestic workers. If every COSATU member decides to affiliate his or her domestic worker with our union, we could become one of the strongest there is.

Many unions have difficulty establishing contact with domestic workers, as their workplaces are private homes. How do you go about it?

We publish a pamphlet every month about our activities and news related to domestic work. Our members distribute them in their neighbourhoods: in the churches, the parks where domestic workers take their employers' children, in public transport, etc. Our telephone number appears on the pamphlets and as domestic workers have mobile phones they can contact us, by sending a text message, for example, and we call them back. We also go door-to-door, to hand out our pamphlets to domestic workers. It is important to knock at the door, because if we leave the pamphlet in the letterbox the employer may put it to one side. Our active members use their days off to help us.

What are your main activities in favour of domestic workers?

We have been very active over the last two years in the fight for the ILO Convention on domestic work. We also organise a range of activities to inform domestic workers about their rights and hold regular workshops on AIDS and issues such as violence, etc. As regards AIDS, for example, many are not aware of their rights or the legislation. They may be unfairly dismissed, for example, because an employer thinks that they are coughing a lot. COSATU has an office where they can come for all kinds of advice.

Some do not realise that when their employer shouts at them or insults them, it is a form of violence, a form of intimidation. We also try to raise their awareness as to the limits with regard to sexual harassment. They do not always realise that it is not normal for an employer to stroke their arm and make flattering comments about their physical appearance, for example. Our awareness raising also extends beyond the world of work, as some are beaten by their husbands and consider it to be normal.

Domestic workers have always been undervalued. We want to empower them. When a worker becomes a member, we hope that her membership will not be limited to paying the union dues; we talk to her about all the activities on offer. We also work with other organisations so that our members have more opportunities to flourish.

Some argue that applying the minimum wage to domestic workers, as provided for in the new ILO Convention, is not realistic, as most employers would not be able to afford it. What do you say to this?

The minimum wage must be applied. If a domestic worker has been employed for a long time on less than the minimum wage, we can come to an agreement with her employer: they can

either pay part of the arrears every month or we can denounce them. Employers who are unable to afford the minimum wage should reduce the number of working hours. Employers cannot keep domestic workers that they cannot afford to pay for; they should give them the opportunity to earn a decent wage elsewhere. No one will lose their job because of this, contrary to what some opinion groups want to make us believe: when domestic workers lose their jobs it is not because of the minimum wage but because of economic difficulties, company closures. They will not lose their jobs completely: the employer will cut their hours from five to three days a week, for example.

Those who cannot afford to pay a domestic worker the minimum wage are often those who most need outside help, those who work outside the home and need someone to look after their children, but do not earn enough to pay this person the minimum wage. We advise these people to come to an arrangement with their domestic employee, for example, reducing their working hours rather than insisting that they always be there for them, even in the evenings or at weekends.

What does your trade union involvement bring you on a personal level?

A great deal of satisfaction! When I was a domestic worker myself, in the 1960-70s, we had no rights, no voice. Those who spoke out were fired. At that time, under apartheid, the authorities could come into our homes, take our children away from us, anything could happen. Domestic work was regulated by the "Master and Servant Act", which meant that anything the master said had the force of law and the worker had no say at all. Unions put pressure on the government over the years and, little by little, we have secured respect for our rights, but the change only came with the arrival of a democratic government. We now have the right to speak out; we do not have to fear the employers any more. There is a little more freedom for domestic workers, and the new ILO Convention can help us to secure even more freedom... as long as its ratification is secured and domestic workers utilise it. But a good convention or good labour legislation is not enough to change domestic workers' lives, because they have to know about them in the first place. We have a great deal of work to do in this respect, but it is also up to the Labour Ministry to inform workers about the laws and standards protecting them.

Interview by Samuel Grumiau

- (1) South African Domestic Service and Allied Workers Union
- (2) See the text of Convention 189 on domestic workers: <http://www.ilo.org/ilolex/cgi-lex/convdf.pl?C189>

-Also read the interview with Marieke Koning (ITUC-Equality): "A historic victory for domestic workers": <http://www.ituc-csi.org/spotlight-interview-with-marieke.html?lang=en>

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