

Sri Lanka. Informal sector: 'Live-in domestic workers are invisible; even GNs unaware'

Tuesday 31 December 2024, by [CHAMARA Sumudu](#), [MADURANGA Kalpa](#) (Date first published: 18 December 2024).

Protection Union's Gen. Secy. Kalpa Maduranga points out that 'domestic workers being excluded from Nat'l Minimum Wage Act, is an act of modern slavery' that 'excludes them from EPF, ETF, gratuity, maternity benefits'

Despite being represented by tens of thousands of workers, Sri Lanka's domestic workers are yet to receive legal, policy, and social recognition, and the lack of such recognition has led to a plethora of difficulties and unfair treatment in their jobs.

According to the Protection Union - a union representing informal sector workers - this issue extends to social security, occupational safety, and the quality of life of these workers. The organisation's General Secretary Kalpa Maduranga told *The Daily Morning* that while various forms of advocacy efforts have been initiated to address this situation, the narrow social view that employers can treat domestic workers with no regard for the latter's human and labour-related rights, must change.

Following are excerpts from the interview:

Can you shed some light on the age groups and gender distribution of domestic workers in Sri Lanka?

This workforce comprises mostly women, around 80%, and that is the situation even globally. Sri Lanka's informal sector has people of all ages from children who work as labourers to adults aged around 70 years. The majority of them are between the ages of 30 and 50 years. When it comes to young workers, a large number of them come from areas such as Nuwara Eliya, and one reason is the lack of infrastructure facilities, dropping out of schools, and unemployment in the plantation sector. For example, in Hatton, a worker at an ordinary store receives only around Rs. 15,000 a month. In this context, they consider migrating to Colombo and obtaining a job as a domestic worker which pays two-three times the said wage.

In areas such as Colombo, most domestic workers are between the ages of 30 and 50 years, and most of them are women. One reason for more women entering this field is the stereotypical idea that women should perform domestic work. Due to that role assigned traditionally, there are only around 30-35% of women even in the formal sector, and the remaining 70% have to perform household work either at home or in the informal sector.

What is the situation of working hours-related requirements applicable for domestic workers?

When it comes to the informal sector, due to the nature of this sector, there is a social view that the number of working hours does not matter. In areas such as Colombo sometimes, workers get to decide how many hours they want to work because they are organised and can weigh in on this

matter. However, in some areas, there is no definite number of working hours, and workers have to work for longer periods for low wages.

When it comes to both live-in and visiting care workers that take care of children, if the child wakes up at night, the worker also has to wake up and attend to the child. It is the nature of the job. However, if that is the case, reasonable wages should be paid for their service, which does not always happen. These workers do a great deal of work. Employers think that the workers are there to work for them, and that wages are not a major concern. Sometimes, there is not enough time to go home and come back, which forces them to stay in the workplace.

If we look at the workers hailing from plantation areas, even if they go back, there is nothing for them there. Many of them have been hired in an informal manner and through brokers, and not through a proper system. Once the broker receives his payment, the worker has to stay and work under any circumstance. Some workers have come to Colombo for the first time, and they find it difficult to go back.

In your experience, what are the issues pertaining to domestic workers' living and working conditions?

Discrimination is clearly prevalent in this sector. Some workplaces offer meals, and that is something that has to be offered when it comes to live-in workers. Sometimes, they are given leftovers and sometimes, they receive food that has been prepared separately. Issues relating to food affect mostly those working full-time as a domestic worker. However, some engaged in cleaning activities don't even receive lunch.

At the same time, some workplaces require that workers use separate facilities. Some have no privacy at the workplace, and are required to sleep in places like the kitchen or near the door.

In many cases, basic sanitary facilities are not provided. These workers are not assisted when it comes to occupational diseases. We have met countless domestic workers who had sustained injuries at work or are dealing with health issues caused by activities pertaining to their job. They don't receive proper assistance, and a major reason is them not having been included in labour laws.

Low wages is a pressing concern when it comes to domestic workers. What is the wages-related situation?

Sri Lanka has a National Minimum Wage of Workers Act. In its definitions-related part, domestic workers have been specifically excluded from who is identified as a 'worker'. So, under Sri Lanka's labour law, these workers don't have to be paid the minimum wage. It looks like an act of modern slavery. Removing these workers from the minimum wage-related requirements implies that whether they are reasonably paid or not is not a concern.

However now, these workers are bargaining for reasonable wages, especially in areas such as Colombo. Regardless of whether they are paid reasonable wages, at present, many are receiving wages sufficient to maintain their lives. But, that is not the case in the overall situation. When it comes to internally migrated workers such as those coming from Nuwara Eliya, employers know that these workers cannot go back and they are being exploited to pay less. In some areas, even if domestic workers worked from around 7 a.m. to 7 p.m., their daily wage is only around Rs. 300-500. Their highest wage would be around Rs. 900-1,000. Compared to such areas, those working in Colombo receive higher wages. However, even in Colombo, those hailing from Colombo receive higher wages than those that have migrated to Colombo from other areas.

Major reasons for this situation are the Act having excluded these workers, the relevant authorities not recognising them as workers, and the stereotypical social view that they can be hired for work without paying reasonable wages. We request that these workers be recognised to receive at least the minimum wage. They don't at least receive proper social security assistance. As they grow old, they face a huge crisis due to the lack of assistance. They are excluded from schemes such as the Employees' Provident Fund (EPF), the Employees' Trust Fund (ETF), and gratuity payments whereas maternity benefits are not applicable at all.

Sri Lanka had wages boards for various sectors, and some of them are still functioning. We requested that a wages board be established for domestic workers. Although former Labour Ministers Nimal Siripala de Silva and Manusha Nanayakkara promised to do that, it did not materialise. We expect current Labour Minister Prof. Anil Jayantha to do that.

What do you think about domestic workers' knowledge and understanding about their rights as workers?

We, as a union, have organised around 4,000-5,000 workers, and to the best of my knowledge, around 8,000 workers have been unionised. But, according to a report issued by the International Labour Organisation (ILO) in 2020, there are around 80,000-85,000 domestic workers in Sri Lanka which includes informal sector care workers.

In 2011, the ILO introduced a Convention known as C189, which pertains to the fundamental rights of domestic workers and sets minimum labour standards on decent work for domestic workers. Since then, the enthusiasm around discussing these matters in society has increased, and trade unions and civil society organisations started to raise awareness. Due to such efforts, now, there is knowledge and interest.

However, the segment of live-in domestic workers is invisible. Even the Grama Niladhari (GNs) officers are not aware of the domestic workers working as live-in workers in their respective areas, and this has been confirmed by officers that we have spoken to. In many cases, only postmen are aware of their existence in an area. The total number of domestic workers could be higher than 80,000 now. Clearly, there are workers that are beyond our reach, and they too should be educated. With improved knowledge about their rights, their bargaining power also increases.

General Secretary Kalpa Maduranga

Interview by Sumudu Chamara

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P.S.

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