

The Thinker

Quarter 3 2023 / VOLUME 96

A PAN - AFRICAN QUARTERLY FOR THOUGHT LEADERS

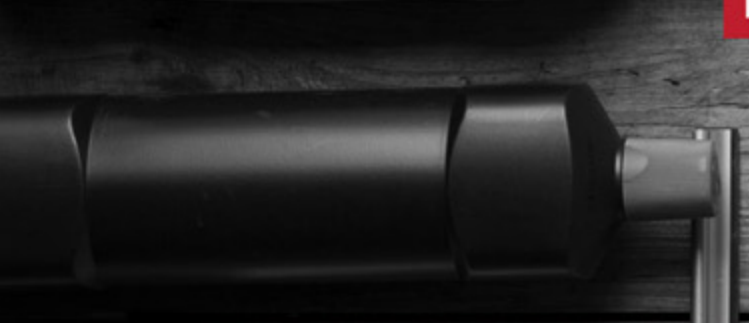
Journal ISSN: 2075 2458



SPECIAL ISSUE ON

DOMESTIC WORK

GUEST EDITED BY DAVID DU TOIT



IN MEMORY OF

ESSOP GOOLAM PAHAD

1939-2023

The Thinker

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Prof Ronit Frenkel

The University of Johannesburg acquired *The Thinker* in April 2019 from Dr Essop Pahad. Over the last decade, *The Thinker* has gained a reputation as a journal that explores Pan-African issues across fields and times. Ronit Frenkel, as the incoming editor, plans on maintaining the pan-African scope of the journal while increasing its coverage into fields such as books, art, literature and popular cultures. *The Thinker* is a 'hybrid' journal, publishing both journalistic pieces with more academic articles and contributors can now opt to have their submissions peer reviewed. We welcome Africa-centred articles from diverse perspectives, in order to enrich both knowledge of the continent and of issues impacting the continent.

CONTRIBUTORS TO THIS EDITION - All contributing analysts write in their personal capacity

Guest Editor's Note

By David du Toit

This special issue is the output from a virtual symposium called 'Maids and Madams: Change and Transformation over Four Decades', organised by David du Toit from the Department of Sociology at the University of Johannesburg in 2022. Having been a researcher of paid domestic work for almost 15 years, the inspiration for the symposium originated from a conversation with a colleague regarding the evolving nature of paid domestic work subsequent to the publication of Jacklyn Cock's influential book *Maids and Madams* (1980). Utilising my experience as a supervisor and external examiner for numerous postgraduate studies in the field of paid domestic work, I extended invitations to students to present their work at the symposium. With determination, I reached out to two renowned scholars in the field, Professor Jacklyn Cock and Professor Jennifer Fish, both of whom graciously accepted the invitation to participate in the symposium. This special issue includes a selection of the symposium presenters' contributions alongside other prominent scholars' works, providing a comprehensive debate on the changes and transformations in paid domestic work in South Africa.

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The Thinker

PAN-AFRICAN QUARTERLY FOR THOUGHT LEADERS

**The Journal for
Progressive Thought**
www.thethinker.co.za

Publisher

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Johannesburg Kingsway
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RETHINK. REINVENT.




 In Memoriam:

Essop Pahad

By Prof. Letlhokwa Mpedi, Vice Chancellor and Principal of the University of Johannesburg

Whilst many will speak today of the historic and invaluable contributions of Essop Pahad to our country's liberation struggle and at the dawn of democracy, it is often forgotten that this came at great pain for him to live a life in exile, isolated from family and friends. Such was the often silent struggle that happened parallel to the struggle for freedom. Though this was an immensely politically active time for him, it was also incredibly taxing. It was in this time that Essop clung to the promise of a free and democratic South Africa. As the Greek tragedian Aeschylus once said: 'I know how men in exile feed on dreams.' So desperate was his dream for a better tomorrow that he worked tirelessly with members of the international community to bring attention to the plight of those he left behind. Throughout his life, he continued to cling onto this dream as he fought for justice and equity long beyond the advent of democracy. He once said: 'Our march to a better life requires that each and every South African should put shoulders to the wheel – all of us as partners in transforming ours into a society that cares. We must know our rights and exercise them, in the same measure as we take on our collective responsibility to build South Africa into a nation of our dreams.'

His association with the University of Johannesburg (UJ) goes back many years with significant intellectual contributions and interactions given his vast presence in politics and his stature as an academic. His PhD awarded from the University

of Sussex focusing on political movements in this country from the 1920s onwards was a seminal piece of work that is constantly referenced. His association with UJ was cemented when *The Thinker*, the journal that he founded, shifted to UJ Press in 2019. *The Thinker* is aimed at creating a space for public discourse, the clash of ideas, to stimulate intellectual debate and scientific discourse. It strives to give all its contributors the freedom to express what they think, understanding that openness in the context of ideas, theoretical divergences and multi-dimensional practice is a necessary condition for fundamental social transformation. It is really in understanding the objectives of *The Thinker* that we understand Essop and his commitment to justice through a critical lens. Beyond this, he was an Honorary Scholar and Board Member of the Centre for Africa-China Studies (CACs), UJ's research Institute focusing on China's relations with Africa. He was also a committed member of the Concerned African Forum (CAF) and worked closely with the South African Research Chairs Initiative (SARChi) Chair for African Diplomacy and Foreign Policy and the Centre for African Diplomacy and Leadership (CADL). His death is a great loss to our community. As Zakes Mda said in his award-winning work *Ways of Dying*: 'Death lives with us every day. Indeed, our ways of dying are our ways of living. Or should I say our ways of living are our ways of dying.' It is in Zakes' words that we are reminded that Essop's legacy and dream are immortal and in this we can take solace.



A Million Dollar Question: What Will it Take to Bridge the Gap Between Legal Rights and Workplace Realities?

By Amy Tekie

'Our employers are abusing us physically, emotionally and mentally but we are scared to report them because we might lose our jobs.'

'Having a written contract may help. Also, if there can be organisations that will speak for us since we are voiceless.'

(Quotes from Malawian domestic workers in South Africa, in 2021)

It may be surprising that African countries stand out (with some exceptions) for giving domestic workers basic coverage under the labour law. Many countries worldwide have failed to meet this most basic requirement, and labour law protections are the critical foundation for activating the social and legal changes that are needed to professionalise the sector. Unfortunately, legal protections are not enough. A recent study on migrant domestic workers in the SADC region showed rampant informality across countries, resulting in a dearth of labour law enforcement (ILO, 2022). It is common knowledge that domestic work is under the radar, and employers are not held accountable to the law.

Looking at several key indicators, the table below relates the degree to which domestic workers in the region have rights equal to other workers in the country (1), fewer rights than other workers (2), or no rights at all (3) (ILO, 2022: 79).

	Angola (live-in workers)	Angola (live-out workers)	Botswana	Mada gascar	Mauritius	Mozam-bique	Namibia	Seych-elles	South Africa	Tanzania	Zimbabwe
Weekly hours	1	2	2	1	2	1	1	1	1	1	1
Weekly rest	1	1	1	1	1	1	1	1	1	1	1
Annual leave	1	1	1	1	2	1	1	1	1	1	2
Minimum wage	2	2	2	1	1	3	1	1	1	1	1
In-kind payment	2	2	2	2	1	3	1	1	2	2	1
Maternity leave	1	1	1	1	2	1	1	1	1	1	1
Maternity cash benefits	1	1	1	1	2	1	1	1	1	1	1

Despite a level of basic coverage, there are still substantial gaps in the protections needed to ensure decent work. In the above chart, key areas where domestic workers have fewer rights are in-kind payment (for example, allowing payment in food instead of wages), lower minimum wages, and higher maximum working hours. The majority of SADC countries include domestic workers in at least one social protection scheme (such as maternity leave, pension, or unemployment insurance), but nearly all of these have less than 30% registration rates for the sector (ILO, 2022).

The landmark Constitutional Court judgement of 2019 enforcing inclusion of domestic workers under the South African Compensation for Occupational Injuries and Disease Act (COIDA) was hard-won by the tireless efforts of the South African Domestic & Allied Workers Union, the Union of Domestic Workers in South Africa, and the SERI-SA.¹ It is now being used as a precedent for similar legal battles in Zimbabwe and Eswatini, through the Zimbabwe Domestic and Allied Workers Union and the Swaziland Domestic Workers Union, with the support of the Solidarity Centre.

Tragically, in the 2.5 years subsequent to the Mahlangu judgement, only seven COIDA claims were made by domestic workers, in a sector of nearly one million. Although the law has required domestic employers to register their workers for COIDA since 2019, as of June 2022 only 1677 domestic workers had been registered.² This is a shocking 0.2% of workers in the industry.

COIDA is a classic example of how, even when the law encodes workplace rights, the daily realities of domestic workers often do not reflect these laws. The One Wage Campaign, an alliance of domestic and farmworker organisations in South Africa, fought for these workers to earn the full National Minimum Wage, with the support of Lawyers for Human Rights and the Solidarity Centre. This was finally granted in 2021 for farm workers and 2022 for domestic workers, but massive numbers of workers in both sectors are still earning less than the minimum wage, with no consequence to their employers.

How do we bridge the gap from policy to enforcement? There is obviously no simple answer to this question, but I would suggest that we start focusing the spotlight and the resources on the women and men who are on the ground changing things for one individual at a time: worker organisations, and advice offices.

Early on in our work at Izwi Domestic Workers Alliance, our Case Manager (a former domestic worker) regularly insisted we emphasise contracts and payslips as a top priority in advocacy work. Initially I was surprised. While paperwork plays an important role, it did not seem as noteworthy as pushing for a living wage or addressing GBV, for example. One case after another, however, it became clear that she is right. The laws forbidding sexual harassment exist, but they are nearly impossible to enforce without the domestic worker losing her job. Seemingly

mundane contracts, payslips and UIF registration may seem irrelevant on this issue, but these signal the accountability and formality which are so desperately lacking in this sector, reminding employers from day one that they do not have license to exploit workers according to their whims.

Sweeping legal changes happen only on the back of long days of case work and CCMA hearings. No one wants to fund small-scale, day-to-day labour rights case work, yet every worker who is supported to challenge her employer changes things not only for herself, but for the future employees in that home, and often in the homes of the employer's friends and family as well. The cultural change that is needed to formalise the sector will happen one contract, UIF registration, and CCMA case at a time.

The SADC region has a small but dynamic array of labour rights organisations supporting domestic workers in at least 14 out of the region's 16 countries. These range from federated unions to member-run worker associations, from migrant worker networks to advice offices and grassroots non-profits. Only a small fraction of domestic workers in the region are individually represented by these institutions, but their advocacy work stretches much further. If we are hoping to see any changes in the actual realities of domestic workers, these are the most critical role players.

Some of their work is highlighted below:³

The Migrant Workers Network of Lesotho is a network of Basotho migrants, many of whom are domestic workers in South African homes. The MWN identifies traffickers and uses its extensive WhatsApp networks to warn women, spotlight illegal recruiters, and engage the Lesotho government to eliminate trafficking.

In Tanzania, WoteSawa supports child domestic workers, returning them to their homes and to school, monitoring child abuse, and providing psychosocial support for victims of trafficking and labour exploitation.

The Federation of Free Trade Unions of Zambia and the Zambia Federation of Employers have partnered

“ The challenges of organising domestic workers are well-documented, and the vast majority of domestic workers in the region remain entirely unorganised and unsupported. Domestic workers in South Africa significantly outnumber both mineworkers and farmworkers, yet they are much less visible in the labour movement and in civil society efforts. ”

with government ministries to create a Code of Conduct for Employers of Domestic Workers.

The Domestic Workers Association of Zimbabwe has worked with the ILO and the Zimbabwean government to create certification standards and related skills trainings for domestic work, increasing workers' credentials and providing opportunities for growth in the sector.

The challenges of organising domestic workers are well-documented, and the vast majority of domestic workers in the region remain entirely unorganised and unsupported. Domestic workers in South Africa significantly outnumber both mineworkers and farmworkers, yet they are much less visible in the labour movement and in civil society efforts.

To accommodate these challenges, and the changing world of work, a variety of organisational options are needed. Trade unions benefit from being part of a federated movement which has a voice in government. Membership associations have fewer political connotations, more flexible leadership structures, and allow for a wider scope of activities. Less formal social media-based networks have massive reach, fluid membership, and extremely low running costs. Only a diversity of institutions can accommodate the diverse contexts and needs of workers themselves.

Legal advocacy is critical, but alone it will not change the realities of workers. Let's engage artists and the media to help the public re-examine their individual roles in perpetuating the culture of servitude. Let's create stronger links between academics and civil society organisations, to more impactfully share knowledge and resources. Let's formalise a network of domestic worker organisations in the region, to build solidarity and magnify advocacy efforts. Until we find a million dollars to spend on labour rights enforcement, let's aim for one million signed contracts. We may find the long-term impact is equally powerful.

Notes

1. Mahlangu and Another v Minister of Labour and Others (CCT306/19) [2020] ZACC 24; 2021 (1) BCLR 1 (CC); [2021] 2 BLLR 123 (CC); (2021) 42 ILJ 269 (CC); 2021 (2) SA 54 (CC) (19 November 2020)
2. Letter from the Department of Employment and Labour to SERI-SA, 'Re: COIDA Claims Submitted by Domestic Employees Post Mahlangu Judgment', 13 June 2022.
3. For more information on the work of various domestic worker organisations in the region, see 'Voices of Domestic Worker Organisations' at www.izwi.org.za.

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International Labour Organisation. (2022). 'Migrant Domestic Workers in the SADC Region: Intersecting Decent Work with Safe, Orderly, and Regular Migration.' *ILO*, pp. 75–103.



Domestic Workers in South Africa:

Inclusion Under the Compensation for Occupational Injuries and Diseases Act

By Candice James, Fairuz Mullagee and Abigail Osiki

Abstract

After decades of deliberate exclusion from labour laws and social protection in South Africa, domestic workers have slowly been able to taste the fruits of years of laborious fights for recognition, inclusion, and dignity. On 19 November 2020, the Constitutional Court ordered the inclusion of domestic workers in the Compensation for Occupational Injuries and Diseases Act (COIDA). This marked another victory for domestic workers. Textual inclusion is a relatively easier feat compared to the real challenge of implementation to give effect to such inclusion. The monitoring of implementation and progress of domestic workers who have benefitted

from this inclusion has been relatively under-explored. This study explores the progress made in the development of social protection following the recent inclusion of domestic workers in COIDA, together with the implementation of this law. The article uses desktop research to investigate barriers to the development and implementation of social protection in the domestic work sector. The article highlights the importance of multi-stakeholder collaboration, clear policies from the Department of Labour, and the provision of constructive support for employers in the domestic work sector to facilitate compliance with COIDA.

Introduction

Globally, there are 75.6 million domestic workers, representing between 1 to 2% of employment of the workforce everywhere (Bonnet, Carre and Vanek, 2022). In South Africa, although domestic work has declined because of the pandemic, there are 797,000 domestic workers in the country (Stats SA, 2023). Furthermore, 94% of these workers are women and 11% of all working women in South Africa work in the domestic work sector (Stats SA, 2023). The context and regulation of this sector, therefore, have broader implications for gender equality in the country.

Domestic work in South Africa has progressed from the colonial vestige of servitude to gaining recognition as a form of employment. The regulatory framework has dramatically changed since 1994, granting domestic workers the same rights as all other workers. These include inclusion into the protective cover of primary labour statutes; the introduction of the 2002 Sectoral Determination 7 (SD 7), which prescribes basic working conditions for domestic workers; the National Minimum Wage Act 9 of 2018 covering the payment of a minimum wage to all workers including domestic workers; and more recently, the extension of the scope of Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA) by the Constitutional Court to domestic workers.

The inclusion of domestic workers into the scope of COIDA is a significant development. However, for workers who have been historically undervalued and marginalised, enforcement and compliance with the judgement of the Constitutional Court is imperative. This chapter investigates the extent to which these rights have translated into reality and what measures are being taken to ensure employers in the domestic work sector comply with the court's judgement. Furthermore, drawing on desktop research, this article explores various barriers to compliance. It argues that while acknowledging the need for legal recognition of domestic work, the state does not go far enough in respect of the implementation and enforcement of legal protection of domestic workers.

Domestic work in South Africa: Context and regulation

A domestic worker can be broadly defined as a person who performs domestic work in the home and includes a gardener, driver or person who cares for children, the aged, sick, frail or disabled (BCEA, 2002). The socioeconomic significance and demand for paid domestic work have grown significantly. However, for many workers, participation in the domestic work sector is circumstance-driven with most of these workers being from disadvantaged backgrounds.

The majority of domestic workers in South Africa are black women who are also disproportionately impacted by the racial and structural legacies of domestic work in South Africa (Ally, 2008). This gender distribution is important when considering the socio-economic implications and impact of domestic work. Women who participate in domestic work are usually the breadwinners in their households and contribute to the reduction of poverty and unemployment in their respective communities (Calitz, 2021). Domestic workers play a pivotal role in gender equality in the ways they liberate other women from household and care labour so that they can participate in alternative economic activity (Budlender, 2011). The economic contribution of domestic workers therefore must be measured by the ways in which they relieve household labour from others, particularly women, so their own participation in other sectors of the economy is made

“ The majority of domestic workers in South Africa are black women who are also disproportionately impacted by the racial and structural legacies of domestic work in South Africa (Ally, 2008). This gender distribution is important when considering the socio-economic implications and impact of domestic work. ”

possible (COSATU, 2012). This facilitates the operation of the labour market and contributes to economic growth in South Africa (Budlender, 2011).

As previously mentioned, there are several legal instruments which regulate the South African domestic work sector. Domestic workers are protected in terms of section 23(1) of the Constitution which affords 'everyone' the right to fair labour practices. This provision applies to all employers as well as all workers. The Labour Relations Act (LRA) and the Basic Conditions of Employment Act (BCEA) were enacted to give effect to the rights contained in section 23. The LRA grants domestic workers the same rights and protections as other employees in South Africa in respect of freedom of association, collective bargaining, strikes, dispute resolution, and unfair dismissal. The BCEA regulates minimum working conditions for all employees including domestic workers. Domestic workers are broadly covered under the Employment Equity Act (EEA) which protects them from discrimination.

Domestic workers were not protected by any special legislation until 2002 when the Minister of Labour promulgated Sectoral Determination 7: Domestic Workers Sector (SD7) to supplement the BCEA. SD7 regulates the minimum standards of employment for domestic workers, making South Africa one of only a few countries where the unique conditions of the domestic sector have been acknowledged in the law. The SD7, read with the BCEA, complies with most of the basic conditions of employment required by ILO Convention 189 for domestic workers (COSATU, 2012). Within this context, SD7 expressly regulates employment-related issues including wages, written particulars of employment, ordinary hours of work, night work, standby, meal intervals, rest period, payment for work on Sunday, public holidays, annual leave, sick leave, and family responsibility leave. For live-in domestic workers, section 8 of the Determination restricts deductions of not more than 10% of the wage for a room or other accommodation supplied by the employer, as long as the accommodation is weatherproof; in good condition has at least one window and door, which can be locked; and has a toilet and bath or shower, if the domestic worker does not have access to any other bathroom. Live-in domestic workers are also entitled to at least one month's notice to vacate any premises. Furthermore,

the Determination grants domestic workers at least four months of maternity leave (BCEA, 2002), prohibits the employment of a child under 15 years in this sector and requires employers to register domestic workers who have worked for more than 24 hours per month with the Unemployment Insurance Fund (UIF) (BCEA, 2002).

The National Minimum Wage Act which came into force in January 2018 aims to provide for the advancement of economic development and social justice through among others, improving the wages of lowest-paid workers such as domestic workers and farm workers. This law set the national minimum wage at R20 and introduced a tiered phase-in with respect to the wages of domestic workers. Consequently, at the time of proclamation in the government gazette, domestic workers were entitled to a minimum wage of R15 per hour, R5 less than the national minimum wage. Domestic workers' remuneration is often low as a result of the work being undervalued on the one hand and low levels of bargaining power on the other hand (ILO, 2016). It is encouraging, however, that in March 2022, domestic workers' wages were increased by 21.5% and equalised with other workers as promised in the National Wage Act in 2019 (Niyagah, 2022). As of 21 February 2023, the national minimum wage was equalised for domestic workers, with all other workers and set at R25,42 for every ordinary hour worked (Republic of South Africa, 2023).

Similarly, with effect from 1 April 2003, domestic workers were included under the Unemployment Insurance Act 63 of 2001 (UIA), which regulates the payment of, amongst others, unemployment, and maternity benefits to qualifying contributors (Du Toit & Huysamen, 2013). Domestic workers working for an employer for more than 24 hours a month have been covered by the Unemployment Insurance Act 78 since 2002, while those working less than 24 hours a month continue to be excluded. Workers have to be registered by their employers who have to complete the necessary forms and submit them through the online uFiling system or manual means.

Notwithstanding the conscious 'inclusion' of domestic workers, labour law is generally designed to fit the 'standard' employment model. Domestic work is typically 'non-standard' (part-time, temporary, informal) and most of South Africa's labour statutes

do not fit the conditions of domestic work nor give domestic workers adequate protection in practice (Social Law Project, 2013). Because domestic workers are in a structurally weak position, the enforcement of legislation in the home raises particular challenges and reliance on legislative measures alone is unlikely to significantly improve the working conditions of these workers. The questions of regulation and organisation are therefore interrelated and without effective organisation there will be little prospect of effective regulation (COSATU, 2012). For example, twenty-one years on, reliable statistics on the extent of UIF registration of domestic workers remain a problem. In 2015, GroundUp reported that only 50% of domestic workers in the Western Cape are registered for UIF and hardly any unemployed domestic workers received UI benefits. A major reason for this was the impossibility of registering domestic workers either online or by telephone. Yet, the UIF surplus at the time stood at R72.3 billion in reserves.

In 2019, it was reported that one-third of domestic workers in South Africa entitled to unemployment insurance benefits were unregistered (Liao, 2019). The impact of the non-compliance was aggravated and more visible during the Covid-19 pandemic (GroundUp, 2020). Related to the UIA is the COIDA which aims to protect employees from income shocks as a result of incapacity and inability to work either temporarily or permanently. Until recently, the scope of application of the COIDA was determined by the following definition:

(xviii) “employee” means a person who has entered into or works under a contract of service or of apprenticeship or leadership, with an employer, whether the contract is express or implied, oral or in writing, and whether the remuneration is calculated by time or by work done, or is in cash or in kind, but does not include ... (v) a domestic employee employed as such in a private household.

Through this definition, domestic workers were explicitly and deliberately excluded from COIDA. It had been consistently argued that the exclusion of domestic workers from the scope of COIDA was unjustifiable in terms of the Constitution as well as Convention 189 (Allsop, 2020). In 2010, the advisory committee of the SA Law Reform Commission, noting

the exclusion of domestic workers from COIDA, observed that there were ‘public policy reasons’ for this but that ‘a review of the exclusion may be warranted’ (South African Law Reform Commission, 2023). In response to a submission by Social Law Project and others in November 2010, urging the inclusion of domestic workers in line with Convention 189, the SALRC in October 2011 recommended a review of the exclusion of domestic workers from the application of COIDA by NEDLAC (SALRC, 2011).

ILO Convention 189 recognises that:

‘Domestic work continues to be undervalued and invisible and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities and who are particularly vulnerable to discrimination in respect of conditions of employment and of work, and to other abuses of human rights.’

‘In developing countries with historically scarce opportunities for formal employment, domestic workers constitute a significant proportion of the national workforce and remain among the most marginalized.’

South Africa is celebrated for having one of the most advanced constitutions in the world and a system of labour law comparable to those of developed countries, yet at the same time conditions of paternalism rooted in the colonial past continue to characterise the domestic employment sector. Paternalism may be abusive or benevolent but inevitably involves a relationship of dependency. Rights-based regulation, on the other hand, recognises the fundamental inequality between the employer and worker and seeks to create a legal framework within which the worker can make her/his services available to the employer without becoming his subordinate. Paternalism and rights-based regulation are two modes of governing work relations that are opposed to one another in almost every way, yet paternalistic traditions and the struggle for the achievement or the enforcement of basic rights co-exist in many countries, including South Africa (COSATU, 2012).

The number of domestic workers employed in South Africa was severely impacted by the Covid-19 pandemic. A quarter of the workforce had become

unemployed as a result of the first lockdown (Stats SA, 2020). While there has been some recovery, there has not been a return to pre-Covid employment levels in the sector. It is argued that the continued loss of domestic worker jobs in South Africa is reflective of the strain households are under as a result of financial pressure (BusinessTech, 2022).

Domestic workers face greater challenges than workers in most other sectors. For example, their job security is directly linked to that of individual employers, who are themselves subject to market forces, such that if the employer is retrenched or suffers a downturn in business, the domestic worker may be the first 'luxury' to be dispensed with. The greatest cause of their vulnerability, however, is their isolation in private households (COSATU, 2012). One worker per worksite being a private home, makes organising in the traditional shop floor way extremely difficult. Collective bargaining in the domestic work sector is therefore limited. The struggle for the inclusion of domestic workers under COIDA has been decades long. It took a landmark legal case to push it over the finish line.

Law Reform: Inclusion of domestic workers in COIDA

In the last two decades, the transformative contents of the Constitution, and increased mobilisation by domestic workers' organisations alongside supportive non-governmental organisations have facilitated the extension of key legal protections to domestic workers in South Africa. One of which is the extension of the scope of COIDA to domestic workers in the Constitutional Court case of *Mahlangu v. Minister of Labour* (CCT306/19) [2020] ZACC 24. The COIDA is part of South Africa's social security system.

This case was brought by the dependent (first applicant) of a deceased domestic worker. The deceased worked as a domestic worker in a private household for 22 years. On the 31st March 2012, the domestic worker drowned in her employer's pool while executing her duties. Subsequently, the dependent of the deceased domestic worker approached the Department of Labour to enquire about compensation for her death (SERI, 2023). The dependent was informed that she could neither get compensation under COIDA nor unemployment insurance benefits for her loss which

should ideally be covered by COIDA. Supported by the South African Domestic Service and Allied Workers Union (SADSAWU), an application was brought before the Gauteng Division of the High Court for section 1(xix)(v) of the Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA) to be declared unconstitutional, to the extent that it excludes domestic workers employed in private households from the definition of 'employee'.

According to the applicants, the exclusion of domestic workers from the scope of COIDA is a violation of their right not to be unfairly discriminated against on the basis of race, sex and/or gender and social origin in terms of section 9(3) of the Constitution. They further argued that the provision differentiates between domestic workers employed in private households and other employees covered by COIDA. Indeed, this exclusion was argued to contravene the purpose of COIDA which is to provide social insurance to employees who are injured, contract diseases or die in the course of their employment; thereby violating their right to social security under section 27(1)(c) of the Constitution. Finally, the applicants argued that this exclusion also infringes on their right to dignity under section 10 of the Constitution.

Interestingly, the respondents, in this case, agreed that section 1(xix)(v) of the Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA) is unconstitutional. However, they argued that the application before the court was unnecessary as the Ministry of Labour was in the process of amending COIDA to include domestic workers. Yet, there have been delays in amending the law despite a previous announcement by the Minister of Labour in 2014 that the COIDA would be amended to include domestic workers (Kubjana, 2016). This can be attributed to the lack of political will on the part of the government.

In terms of ILO's Domestic Workers Convention 189 which has been ratified by South Africa, article 13 prescribes the right to a healthy and safe working environment for domestic workers. Within the South African context, the right to a safe and healthy work environment is regulated by the Occupational Health and Safety Act (OHSA) 85 of 1993. This Act is applicable to all workplaces and requires every employer to provide and maintain as far as is reasonably practicable, a working environment that is safe and

“ According to the court, domestic workers in South Africa suffer multiple oppressions based on race, gender, social status and class. These aggravate the vulnerability of domestic workers, leading to further marginalisation. Consequently, the exclusion of these workers and their dependents from accessing the benefits of the COIDA limits their right to equality and the right not to be discriminated against unfairly. ”

without risk to the health of the employees (Section 8 of the OHSA). Furthermore, domestic workers are employees within the definition of section 1(1) of the OHSA. Consequently, employers of domestic workers have a statutory duty to take reasonable precautions to prevent or reduce accidents or deaths in the workplace. However, not every work-related accident, injury or death can be prevented; hence, the need for a statutory compensation scheme for occupational injuries and diseases.

Statutory compensation is payable in terms of COIDA to employees or dependents of deceased employees for injuries, diseases or death arising out of, or in the course of, employment. However, as previously mentioned, section 1 of COIDA excludes domestic workers employed in private households. Therefore, domestic workers have no claim against the compensation fund. Although these workers can alternatively sue for damages under common law, the vulnerability and low income of domestic workers means that these employees might not be able to afford the costs of litigation. Furthermore, to claim damages, domestic workers would need to prove negligence on the part of the employer and this does not guarantee that the employer would be in a financial position to pay any compensation awarded.

In deciding that the exclusion of domestic workers from claiming compensation under the COIDA was unconstitutional, the Constitutional Court relied on sections 9, 10 and 27(1)(c) of the Constitution and South Africa's obligation under regional and

international law. The court noted that in 2016, the ICECR Committee had requested that domestic workers be included under the Compensation Act. Furthermore, the Constitutional Court acknowledged that an interpretation of the COIDA which is a component of the fundamental right to social security must be based on the interdependence of human rights to advance gender equality and just and favourable conditions of work for vulnerable groups. It is widely acknowledged that a deviation from the interdependence of human rights leads to disparity and injustice for vulnerable workers (Mahlangu judgement at para 86). The Court examined this right to social security as being interdependent with the rights to equality and dignity.

In interpreting the right to equality of domestic workers, the court's interpretation was based on the intersectionality theory. This theory recognises that different identity categories can overlap and co-exist in the same individual creating a qualitatively unique experience when compared to another individual (Mahlangu judgement at para 86). According to the court, domestic workers in South Africa suffer multiple oppressions based on race, gender, social status and class (Mahlangu judgement at paras 86–105). These aggravate the vulnerability of domestic workers, leading to further marginalisation. Consequently, the exclusion of these workers and their dependents from accessing the benefits of the COIDA limits their right to equality and the right not to be discriminated against unfairly.

Human dignity must be assured for there to be decent work. Decent work cannot be enjoyed if workers do not enjoy adequate labour and social security protection. The Constitutional Court found that the exclusion of domestic workers from the definition of 'employee' in the COIDA violates their human dignity. According to the court, '[T]he exclusion demonstrates the fact that not only is domestic work undervalued, it is also not considered to be *real work* of the kind performed by workers that do fall within the definition of the impugned section of COIDA' (Mahlangu judgement at para 108). This has facilitated the commodification and objectification of domestic work. The court held this to be contrary to the Constitution's commitment to human dignity which prohibits the notion that people can be reduced to objects (Mahlangu judgement at para 113).

In conclusion, the Constitutional Court held that this confirmation applies retrospectively from 27th April 1994 to provide relief to other domestic workers who were injured or died at work prior to the granting of the court's order. While remarkable, the retrospective application of this order raises the issue of implementation and enforcement. Implementation and enforcement matters, without this the law is a dead letter.

Implementation of COIDA

Undoubtedly, the extension of labour and social security rights to domestic workers has been largely overlooked and when it came to pass, it was long overdue. As noted above, the domestic work sector has been (and continues to be) undervalued, and as a result until recently, excluded from the COIDA. Following the Constitutional Court's decision in the *Mahlangu v. Minister of Labour's* case, it is imperative to assess the degree to which the inclusion in COIDA has become a reality for domestic workers. This section explores the measures taken by the Department of Employment and Labour (DoEL) to ensure compliance with the Constitutional Court's judgement. This will be done by examining the:

- Progress in the uptake of registration of domestic workers by their employers with the Compensation Fund post-*Mahlangu*.
- Progress in the number of claims submitted to the Fund by domestic workers (or their employers) and successfully paid out including retrospective claims.

The DoEL, as part of the executive branch responsible for the implementation of labour laws and regulations, has tried to take steps to help create an enabling environment to realise domestic workers' inclusion under COIDA. Prior to the Constitutional Court's decision in the *Mahlangu* case, the Minister of Employment and Labour had started the process of tabling amendments to COIDA in Parliament (Compensation for Occupational Injuries and Diseases Amendment Bill, 2020), to include domestic workers working in private households amongst other amendments. However, not much had been achieved prior to *Mahlangu* in realising domestic work forming part and parcel of real (paid) work

(*Mahlangu* judgement at para 25). The *Mahlangu* judgement fast-tracked such inclusion and extended the degree of retrospective application for claims of accidents dating back to 27 April 1994 that can be brought to the Compensation Fund. The process of amendments to COIDA continued post-*Mahlangu* during 2021 with the expected signing into law of the amendment to take place in December 2022. This has seemed to come to fruition as the bill has been signed by the President according to the President's spokesperson, however, it is yet to be published in the government gazette (Bhuta, 2023). This does not mean that domestic workers cannot enjoy the inclusion provided with immediate effect by the Constitutional Court. The inclusion through the amendment bill (now Act) is merely to provide a further formalisation of the domestic work sector (COID Amendment Bill, 2020).

Additionally, the DoEL responded to the Constitutional Court's judgement by creating awareness of the importance of the inclusion of domestic workers in the COIDA. The Compensation Commissioner's first point of call was to communicate this significant milestone in social security afforded to domestic workers in a notice published in the government gazette on 10 March 2021 (COIDA regulations in GN 106 GG 44250 of 10 March 2021). The notice aimed to bring awareness to the immediate and retrospective application of the inclusion of domestic workers and encouraged domestic employers to register their domestic workers. The notice set out the process for registration and the parameters for claiming compensation from the Compensation Fund. The notice, however, did not provide more constructive procedural information for assistance to domestic employers to enable them to effectively and efficiently register their domestic worker(s). No clear guidelines were provided to domestic employers who are not familiar with the documents needed to complete registration of themselves as an employer and their domestic worker with the Compensation Fund. A brief generic overview of required documents by employers when registering their domestic worker(s) is provided in the notice. However, no explanatory note nor guidelines are provided in the notice. This could potentially have been an important feature, given that many employers have submitted complaints in

undertaking the registration process, noting a lack of assistance or support by the Fund to make the process easier.

Similarly, the Constitutional Court's judgement provided that the inclusion of domestic workers would apply retrospectively. In the notice gazetted, the general prescription period of one year to submit claims to the Fund could be implied to include retrospective claims. However, after submissions were made regarding this restrictive timeline and the lack of transitional arrangements to address retrospective claims and the way in which retrospective claims are to be dealt with, the notice was withdrawn. A three-year prescription period is provided for in the COIDA amendment bill and transitional arrangements for retrospective claims are to be brought to the Fund (Ss 24 & 63(1) COID Amendment Bill, 2021). The increase to three years to report a workplace accident applies to both retrospective and new claims (once the amendment comes into operation).

Despite the changes in the legal framework, communication of the new information including the amended timeline has not been communicated to workers (or employers) for retrospective claims. This can further be evidenced by the low numbers of domestic workers whose claims have been processed post-*Mahlangu*. Based on a dialogue session that took place in 2021 aptly titled 'Two Years after Mahlangu', less than 10 domestic worker claims had allegedly been processed (Gillili, 2022). Further, it remains unclear how many *retrospective* claims have been submitted to the Fund. Information in this regard is not readily available to the public by the Compensation Fund, and where it is, information seems contradictory.

Moreover, information regarding the transitional arrangements for retrospective claims of domestic workers which is provided for in the amendment bill is not comprehensive. Though the submission has transitional arrangements to cater for retrospective claims in the amendment that have been successful, the transitional arrangements lack clarity. Clarity in regard to whether the same process for 'normal' claims is to be followed, which may be implied as the transitional arrangements, do not provide a different process for retrospective claims or different documents to be submitted where for example a domestic worker no longer works for the employer

where she/he incurred a workplace injury. This could potentially be addressed in a guideline document by the DoEL, however, it is hard to say whether this will be provided, given the current lack of efforts by the DoEL in providing clarity and information sharing when it comes to COIDA.

Moreover, for a domestic worker to benefit from inclusion in COIDA, the baseline is registration. COIDA provides much prescriptive compliance information for employers, including registration. According to section 80 of COIDA, employers (now including domestic workers' employers) are to register their (domestic) worker(s) with the Fund. Having regard to this provision, there are two broad issues that could (or do) potentially hamper the reality of this provision for domestic workers. First, the responsibility rests on the employer to register the worker. Noting the power imbalance still present in this employment relationship, it could be difficult for a domestic worker to encourage (much less demand) their employer to register them for fear of losing their job, amongst other reasons.

Additionally, the enforcement of (and compliance with) labour and social security law in private households remains a challenge (Olasoji, 2022). Compliance by domestic employers remains a challenge, either due to a lack of knowledge of new developments in the sector and/or a lack of interest in complying. This is further exacerbated by the lack of adequate measures (or political will) taken by the DoEL to ensure compliance with labour laws. A case in point would be the UIF Covid-19 Temporary Employer/Employee Relief Scheme (TERS), which many domestic workers initially could not benefit from. This was due to TERS being linked to an employee being registered with UIF, and many domestic employers did not register their domestic workers for UIF. This, however, was remedied when subsequent regulations allowed domestic workers who were not registered for UIF to claim from TERS (News24, 2020). After nearly 10 years of being included by virtue of the law, the practical manifestation of such inclusion was minimal at best.

Secondly, the registration and claims processes are burdensome and further exacerbated by the inefficiencies of the online system (Compensation Fund 'Annual Performance Plan 2021/22', 2020). Existing employers who have registered their

workers with the Fund have noted the struggle in navigating the CompEasy system during registration. Further, the process of claiming compensation is another challenge faced by employers who submit claims for their workers. Together with this, the Compensation Fund has been known to have late or no payments to medical practitioners and workers (COID Amendment Bill: Public Hearings Day 4, 2021). This status quo presents a further implementation challenge that could potentially (and will most likely) be experienced by domestic workers. Domestic workers are vulnerable and, together with existing (and persisting) challenges in the sector, the reality of practical implementation for the majority of domestic workers in South Africa to benefit from COIDA may be a longshot.

Moreover, failure by an employer to register their employee(s) with the Compensation Fund is considered an offence. However, the enforcement of this provision has not gained much traction, particularly in the domestic work sector as many domestic workers are still without written contracts (Visser, 2022). Despite the gentle encouragement by the Compensation Commissioner to employers to register their domestic workers with COIDA or face a penalty for non-registration, the Compensation Fund has shied away from taking actions like providing a cut-off time for registration of domestic workers or issuing the penalty for non-registration.

Much like UIF, the coverage of domestic workers under COIDA is entirely dependent on the registration of the worker by the employer with the Compensation Fund (Malherbe, 2013). However, data on registration is unclear and inconsistent. According to the Director-General of the DoEL, in a presentation made to the parliamentary monitoring committee in June 2021, only 6,461 employers were registered on the CompEasy system. However, the Compensation Fund had previously stated that they had nearly 450,000 registered employers. This means that the number of employers registered in the CompEasy system is only about 1.5% of registered employers in the Compensation Fund (COID Amendment Bill: DEL Response with Submissions, 2021). The implication is that the government continues to provide inaccurate statistical information on progress that is being made, when in reality that is not the case. Moreover, the DoEL continues to have a lack of political will to

enforce penalties for non-compliance or compliance with labour laws.

In addition, the sectors of registered employers are unclear. For example, there has been an increase in the employment of domestic workers (Stats SA, 2022). It can, therefore, be argued that there should be an increase in the number of registrations with the Fund. However, this argument is hard to substantiate as statistical information in this regard is not readily available to the public or easily accessible from the DoEL.

Access to information is an important feature of the domestic work sector. As previously mentioned, one of the first responses of the DoEL was to raise awareness on the inclusion of domestic workers in the COIDA. Besides the use of official government publications, additional channels were used by the DoEL to bring awareness to inclusion. These channels included a few billboards at airports and a few visits to domestic work training sessions. For example, in 2022, UN Women and Women in Informal Employment: Globalising and Organising (WIEGO) organised a provincial advocacy workshop centred around raising awareness of COIDA and UIF, with 25 domestic workers in attendance from the South African Domestic Services and Allied Workers Union (SADSAWU) and the United Domestic Workers Organisation of South Africa (UDWOSA) with two government representatives providing

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workers with a deeper understanding of how UIF & COIDA works (Social Law Project, 2022). Given the manner in which social media platforms usage have increased over the years, official government publication and much more the digital literacy level of domestic workers are sub-par at best. Although the Fund tries to bring awareness of COIDA using radio talks, national campaigns to bring about awareness of COIDA and domestic worker inclusion have not been as frequent since the *Mahlangu* judgement (Compensation Fund 'Preliminary Report' National Treasury, 2020). Most awareness-raising campaigns have been done by domestic worker organisations/ trade unions and supporting organisations. However, according to the DoEL's most recent annual report, 754 campaigns were conducted during 2021/22. Despite these alleged efforts and campaigns, less than 10 domestic workers, out of over 800,000 domestic workers in South Africa, have benefitted from the practical implementation of inclusion (Two years after the Mahlangu Dialogue Session, 2021). From a worker's side, it gets communicated a bit more regularly through trade union campaigns, domestic work support organisations and institutions, but not so much to the domestic employer. Therefore, this calls for a government agency that assures that the minimum compensation standards are respected. This process begins with ensuring the mandatory registration of domestic workers.

The progress in the number of domestic worker claims that have been submitted to the Fund, is difficult to ascertain, aside from the previous allegation of no more than 10 claims being processed. Moreover, there are some additional barriers to compliance with COIDA. Some of these are briefly discussed below:

- **Administrative malfunction:** There have been errors in notices with incorrect codes— including those for domestic employers, which are necessary to navigate when using the CompEasy system (COIDA regulations, 2021). This can be a barrier to compliance as incorrect information, administrative backlogs, and system errors in website links tend to discourage employers who are willing to comply from undergoing the registration. Furthermore, in research conducted in May 2020, August 2020 and February 2021, injured workers expressed their frustration with the CompEasy system, which hampered access

to compensation (COIDA Amendment Bill: Public Hearing Day 3, 2021). These challenges, which are mainly administrative, made it difficult for these workers to navigate the system. According to this research, 78% of participants were unable to submit claims and only 21% of those who submitted claims were compensated (COIDA Amendment Bill: Public Hearing Day 3, 2021). This is further evidence of the challenges being experienced by domestic workers and which could further be a barrier to the implementation of the COIDA.

- **Challenges in the Fund's (and its employees') administrative capacity:** The Fund (through its employees and ICT systems) has been struggling to fulfil its obligations in terms of COIDA in its administration of funds for compensation for workplace injuries (Compensation Fund 'Annual Performance Plan' 2021/22, 2020). The Department is in the process of restructuring the compensation fund, while simultaneously looking at making the fund more effective (COIDA Amendment Bill: Department Briefing with Deputy Minister, 2021).

These barriers hamper compliance and impact negatively on domestic workers who are to benefit from COIDA.

Conclusion

The implementation of the COIDA in the domestic work sector may remain limited as a result of the inherent challenges such as the perception of domestic work, the lack of effective enforcement mechanisms by the DoEL, the challenges within the Compensation Fund including the CompEasy system, despite a plan to address these. With the existing difficulties of monitoring compliance by individual employers with legislation plaguing the sector (Malherbe, 2013), it is hard to imagine a smooth shift in compliance, despite the efforts of increasing the number of labour inspectors. The real issue is ensuring that domestic workers are able to indulge in the fruit of their labour by using appropriate mechanisms that would ensure this is done effectively. This must include measures to ensure employers and domestic workers are aware of its provisions and that employers are held accountable for compliance with it (COSATU

Media Statement, 2022). Although social protection has been extended to domestic workers, by way of the law, implementation remains a challenge.

The COIDA amendment bill needs to be published extensively using traditional media and digital media outlets such as social media. A campaign to bring awareness of the inclusion of domestic workers in the COIDA needs to be strategically placed and visible for employers (as well as domestic workers). Moreover, translating relevant materials into different languages could potentially assist in bringing information across to domestic workers. Cooperation with domestic worker trade unions, employers' organisations, and organisations sympathetic to the causes need to be seriously considered and rolled out by DoEL, as opposed to mere information sessions.

The government ought to look at mechanisms and develop strategies that provide easier access to information for domestic workers and employers. Moreover, it needs to ensure that there is improved efficiency and accessibility to social protection mechanisms such as UIF and now COIDA as well for the domestic work sector. Moreover, given the spatial context (i.e. a person's home) in which domestic workers work, enforcement and compliance with regulation are challenging. The sector currently continues to be marred by informal employment arrangements and it will take a long while for employers to jump on board with compliance with COIDA. The role that the DoEL, therefore, plays in realising that the letter of the law becomes a reality for domestic workers and domestic employers, is of paramount importance.

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The Pacifying Power of Wages in the Domestic Work Domain:

The Case of Tubungu, Eswatini



By Vuyo Gama

Abstract

Historically, scholarship on domestic work in Africa has characterised the sector as oppressive. As an integral part of the oppressive nature of the domestic work domain, this article investigates the contradictions associated with the admirable act of employers paying their domestic workers more than recommended minimum wage in Eswatini. Previously known as Swaziland, Eswatini is a small, interlocked country between South Africa and Mozambique. The country's recommended minimum wage for domestic workers is E 1,246.00 (USD 73.20) per month. Interviews were conducted among ten live-in domestic workers from Tubungu, Eswatini, who earn E 3,500 (USD 205.63) or more per month. This article relies on in-depth interviews to establish the dynamics at work in this act of constructive remuneration. The study's findings challenge the assumption that higher paid wages in

the domestic sector are always a well-intentioned and successful achievement of one aspect of the 'decent work' agenda. Findings show that higher wages subtly increase domestic workers' tolerance of employers' disregard of other working conditions. This is at the expense of the domestic workers' well-being and pacifies their ability to challenge their employers about other working conditions as their entitlement. The study shows how both liberating and oppressive experiences, not just oppression, coexist within the domestic work landscape in Eswatini. This points to an interesting ambiguity in the domestic work field. Finally, the study shows how these contradictory oppressive and liberatory experiences both inform and sustain domestic work in the country. This is in a context where women are part of a labour market with high unemployment, with domestic work being a convenient source of employment for less-skilled labour.

Conceptual considerations

Conditions of domestic work reveal that poor wages are prominent among other conditions that make this sector generally oppressive. Hence, efforts have been made to regulate minimum wages in most parts of Africa, including Eswatini. There are, however, other dynamics that impact the lived experiences of domestic workers, among which are wages that are far above the nationally recommended minimum, and which are regarded as fair by those workers. The goal of this article, therefore, is to investigate how domestic workers' positive experiences of receiving a higher wage are ambiguous and contradictory when wages are regarded as the sole indicator of decent work, while other working conditions that workers are entitled to are disregarded. Decent work for domestic workers recognises domestic workers as workers entitled to a range of rights that define their respectable working and living conditions just like any other employee and promotes the recognition of their social and economic value (ILO, 2011). These conditions are regarded as an acceptable measure of domestic workers' well-being.

Exploring the dynamics at work in the relationships between employers and domestic workers, which is characterised by a 'fair wage', is a departure from the voluminous domestic work literature that focuses primarily on low wages within the paid domestic work sphere. It captures the positive aspect of receiving a higher wage and highlights the ambiguities and contradictions associated with such an act. Summarily, this article aligns itself with broader scholarly efforts that seek to make sense of pervasive oppression in domestic work. Building on Bourdieu's (1989: 23) assertion that, in order to change the world, one must change the practical operations through which groups are produced and reproduced, I argue that, in order to change the persistent oppression inherent in domestic work, one must understand how domestic work is configured. I contend that the domestic work sector is informed by an interplay between both constructive and destructive encounters. Given how the coexistence of constructive and oppressive experiences hinges on knowledge construction on and about the sector, the study offers knowledge and possible direction in understanding how the pervasive oppression in the domestic work sector is possibly configured.

This follows how discourse underpins the ideological foundations of legal instruments and the formulation of policies. This would be useful information to policymakers and legal practitioners who seek to improve the oppressive conditions in the sector.

The focus on the interplay between constructive and oppressive experiences in domestic work is inspired by Rodriguez's (2010: 7) assertion that, while domestic workers' lived experiences are marked by exploitation, degradation, and oppression, they also attest to experiences of strength, hope, love, and empowerment. Ray and Qayum (2009: 3) invite us to consider how privilege and oppression dialectically produce and reproduce relations of servitude. The study regards benevolent or above-average wages as constructive and a liberating experience in the lives of domestic workers (Barua, Waldrop and Haukanes, 2017: 486).

This article reflects on ongoing research done in paid domestic work, with a particular focus on female domestic workers who have migrated to Matsapha, Eswatini's industrial area and economic hub, to look for work. The significant role they play in their families – that of financially supporting themselves, other family members, and their own children in particular – cannot be overstated, as many households continue to rely on meagre wages earned from domestic service for basic survival (Miles, 1996: 81). Domestic work is one of the most accessible types of work, requiring only nurturing skills and minimal education. As a result, despite being one of the lowest-paying occupations in the country, domestic work remains an appealing domain and a gateway into the urban economy (Miles, 1996: 84).

The article begins with a discussion of the general labour climate in Eswatini, and then discusses the social status of domestic workers in the country. The particularities of higher-than-average wages are theoretically explained. Finally, the lived experiences, as well as perceptions of work, of the domestic workers selected for this study are explored.

The domestic labour climate in Eswatini: The main push and pull factors influencing domestic work

Eswatini is an important and interesting country to study because little research focusing on domestic work exists. Sixty-nine percent of the slightly more than one million people in Eswatini live below the national poverty line, of which 25% are extremely poor (World Food Programme, 2022). According to the Human Development Index of 2019, Eswatini is one of Africa's slowest-growing economies and, in recent years, economic growth in the country has stagnated owing to mounting fiscal challenges (Policy Brief, 2020: 3). Eswatini has an unemployment rate of 41%, one of the highest in the world (World Food Programme, 2022). Unemployment and underemployment are common, even among college and university graduates. Very low wages, harsh working conditions and violations of the minimum wage regulation are the norms (Laterza, 2016: 589).

Eswatini is also one of the countries in southern Africa with the lowest female labour force participation rates (Schwidrowski, Kangoye, Imai and Yameogo, 2021: 2; SADC Gender Protocol Barometer, 2018). According to the Global Gender Gap Report, the country ranks 148th out of 189 (UNDP, 2020). That is, compared to men, Swazi women have less access to resources and economic opportunities (Schwidrowski et al., 2021: 2). Historically, this is the result of the colonial restructuring of the country's labour market, which prioritised men's employment while discouraging women's land ownership and participation in paid employment. Women's participation in paid labour was limited to seasonal farm labour and domestic work in colonial towns, while men's employment in the South African mines increased (Miles, 1996).

During the post-colonial era, there has been a shift in the country's economic structure, marked by the increased participation of women in agriculture in rural areas as well as in paid employment, particularly in urban areas. However, with the unpredictability of climate change, the rural economy has not been reliable (BTI, 2022: 18). Consequently, women's participation in the labour market has been steadily on the rise. More women are entering the workforce as professionals, and the economy's move towards exports, particularly in the manufacturing sector, has

provided attractive employment opportunities (Miles, 1996: 82). Notably, women increasingly participated in the textile and clothing industries in the early 2000s. Laterza (2016: 580) attributes the demand for female labour to the establishment of Taiwanese-owned factories. The latter took advantage of Swaziland's inclusion in the African Growth Opportunity Act (AGOA), thereby creating new manufacturing jobs.

The increased demand for women's participation in paid employment in contemporary Eswatini, particularly in urban areas, combined with a degradation in the rural economy, set in motion the wheels of unprecedented rural-urban migration (Miles, 2001: 107). This has had far-reaching consequences for the country's urban population. It has also changed the patterns of labour division in rural and urban households, as more women who lack competitive skills and those who are qualified but unemployed, found work in the domestic work sector (Laterza, 2016: 580). In recent years, the collapse of the garment and textile sector, historically Eswatini's primary economic source of growth, has pushed many women in the country towards the informal economy, particularly paid domestic work (Brown, 2006: 4).

Paid domestic work in Eswatini

Women make up a disproportionately large section of the domestic workforce in Eswatini. Nearly every household, especially in the urban and peri-urban areas, in the country employs a domestic worker, although the precise number of domestic workers in the country is unknown due to its informal nature. According to the International Labour Organisation (ILO, 2021: 30) and the most recent United Nations Worldometer (published in April 2022), 6.6% of Eswatini's one million inhabitants are domestic workers. This makes the country the sixth-largest employer of domestic workers in Africa. Women in Eswatini have been drawn to domestic work primarily as a necessary survival strategy to support their families (Miles, 1996: 66; Tsikata, 2018: 2).

However, the country has not ratified the Domestic Workers Convention of 2011 (No. 189), and working arrangements are informal and verbal. Consequently, domestic workers experience poor working conditions, are fearful of and experience victimisation, dismissal, and even abuse by employers (Southern

African Litigation Centre, 2019: 16). Domestic work in Eswatini is characterised by low pay, long working hours, poor living conditions, and exploitation. According to Bhorat, Kanbur, and Stanwix (2015: 14), Eswatini's minimum wage is among the lowest a worker in the lower-middle-income category can be paid for their work. The government's non-ratification of the abovementioned convention also implies that domestic workers' employers are not compelled to contribute to the National Social Security Scheme, neither are workers covered by the Workmen's Compensation Act of 1983 (Southern African Litigation Centre, 2019: 5).

It is with good reason, then, that scholars have portrayed domestic work in Eswatini as oppressive. Miles' (1996: 81) study highlights the difficult experiences faced by domestic workers in the country. This is not to say, however, that there are no cases in Eswatini where domestic workers are treated with dignity and paid more than the recommended minimum wage. This study investigates this subsection of domestic workers. In particular, it explores the ways in which an ostensibly 'fair wage' not only speaks to, but also participates in, domestic workers' oppression.

The legal status of domestic work in Eswatini

The post-independence period, in most African countries, promised a transition from oppression to freedom and leaders aspired to ensure the welfare of their people and create better jobs for all (Tsikata, 2018: 3; Marais and Van Wyk, 2015: 2; ILO, 2013: 1). As shown in other countries such as South Africa and Namibia, the ratification of the ILO's Domestic Workers Convention of 2011 (No. 189) improves the working conditions of and promotes workplace rights for domestic workers to some extent. Although Eswatini is yet to ratify the ILO's Domestic Workers Convention of 2011 (No. 189), domestic workers in the country are protected by state-level/legal provisions, such as the Employment Act (1980) and the Industrial Relations (Amendment) Act (2005). However, there remains a need 'to establish clear directives on how the Conciliation, Mediation, and Arbitration Commission (CMAC) should respond to reported cases' (Eswatini Human Rights Report on Domesticating UN Human Rights Treaties, 2019: 189).

Selected labour laws and state-level provisions for Eswatini domestic workers

“ This study investigates this subsection of domestic workers. In particular, it explores the ways in which an ostensibly 'fair wage' not only speaks to, but also participates in, domestic workers' oppression. The post-independence period, in most African countries, promised a transition from oppression to freedom and leaders aspired to ensure the welfare of their people and create better jobs for all ”

i) Wages

Eswatini, like most other countries, has a government-mandated minimum wage. According to s15 of the Regulation of Wages (Domestic Employees) Order, 2022, the recommended minimum wage is E 1,246.00 (USD 73.20) per month. Employers who fail to pay this minimum, the order states, may face criminal prosecution. However, the enforcement of this law is poor and whether employers and/or employees pursue – or are even aware of – this ruling remains questionable (Eswatini Human Rights Report on Domesticating UN Human Rights, 2019: 189).

The minimum wage regulation also recommends a minimum wage of E 71.00 (USD 4.17) per day or E 10.60 (USD 0.62) per hour for all other domestic workers, which include house attendants, children's nurses, gardeners, herdsman, and laundresses. If an employee performs more than one job, the employer must add 28% to the domestic employee's wages (s15 of the Regulation of Wages, Order 2022). In any event, failing to pay wages is a criminal offence (s64 of the Employment Act of 1980; Southern African Litigation Centre, 2019: 3).

ii) Working hours

According to s13 of the Regulation of Wages, Order 2022, employers must provide an attendance register documenting the time employees work overtime, on

Sundays, and on public holidays. Employees must also be given a pay slip detailing how their wages are calculated and inspectors can request to see these records at any time (s21 of Wages Act, of 1964).

Domestic workers are permitted to work for up to eight hours per day, six days a week, for a total of 48 hours per week, excluding the one-hour meal breaks. Workers are entitled to overtime pay of one and a half times the basic hourly rate, and then double the standard hourly rate if they work on a public holiday or rest day (section 13 of the Regulation of Wages [Domestic Employees] Order, 2022).

iii) Maternity Leave

According to s14 of the Regulation of Wages (Domestic Employees) Order of 2022, female employees who have been continuously employed by their employer for one year or more are entitled to 84 calendar days (or 12 weeks) of maternity leave; 30 of these days are to be paid. This regulation also provides that domestic workers who are mothers are also entitled to a one-hour nursing break per day for a period of three months after maternity leave.

iii) Rest days, leave days, and other benefits

Other labour entitlements for domestic workers include one rest day per week as agreed upon between the employer and employee according to the Regulation of Wages (Domestic Employees) Order of 2022. The regulation also provides that the employee is entitled to at least 13 days of paid annual leave at a time convenient for both parties (one day of leave is accrued per month) and the domestic employees are entitled to one rest day a week.

Domestic workers are entitled to a maximum of 14 days of sick leave at full pay annually, as validated in a certificate from a medical doctor, and another 14 days at half pay within a twelve-month period of continuous service (s13 of the Regulation of Wages [Domestic Employees] Order of 2022). Domestic workers are also entitled to paid public holidays. Section 14 of the Regulation of Wages (Domestic Employees) Order of 2022, further states that workers are entitled to compassionate leave with full pay after three months of employment.

iv) Living arrangements and conditions

Scholarly work on domestic work in Eswatini identifies resistance strategies used by domestic workers to overcome spatial constraints. Some domestic workers choose the live-in arrangement to save money on housing costs (Miles, 1996: 103). Accommodation provided by an employer must be free, well-ventilated and spacious, and access to a functional latrine and ablution and cooking facilities must be provided (s7, s22 of Employment Regulations, 1980). If the domestic worker does not live on the employer's premises and is required to start work at or before 7am and leave after 5: 30 pm, the employer must provide free transportation or pay for public transportation (section 13 of the Regulation of Wages [Domestic Employees] Order of 2022).

The labour relationship between the employer and domestic worker

Marx's (1982: 15) classical account of the relations of production in waged workplaces and how workers and employers are engaged in a capital-labour relation is a good place to start for a basic understanding of the nature of the employer-domestic worker relationship. According to Marx (1982: 15), the relationship between worker and employer is marked by a structural tension that is sustained by differences in interests.

On the one hand, employers want to benefit from surplus value. One way of achieving this is to fail to compensate domestic workers for their contributions to production, which is considered exploitation. Similarly, the employer may pay the wages while disregarding other domestic rights, which is also exploitative. On the other hand, domestic workers have an interest in receiving, from their employers, a fair return on the investment of their labour. The asymmetrical relationship between the employer and the domestic worker transforms the way both parties behave and interact with one another. The worker, in particular, specialises in being what the employer requires of them. Souralova (2015: 183) claims that the interaction between the employer and the domestic worker is, similarly, an emotionally charged social exchange. Hochschild (1983: 7) expands on this claim, arguing that this exchange is characterised by workers' conscious or unconscious effort to suppress

or sustain their feelings in order to outwardly display an 'agreeable' attitude.

Wages as instruments of discipline

Foucault's (1995: 223) theory of disciplinary power explains how the dominant class or, in this case, the employer, artfully uses disciplinary power and 'schemes of knowledge' to control, exploit, and dominate. According to Foucault (1995), disciplinary power is a positive technique because it is a pacifying form of social control and a positive way of exercising power. Extending this argument, Aldeen and Windle (2015: 3) argue that there is a relationship between 'schemes of knowledge' and social class. They claim that these are manifested as attitudes and knowledge gained through educational experience which differ across social classes. For example, the dominant class might be able to access information that the subordinate class may not have access to or understand.

Foucault's (1995: 16) notion of 'technology of power' seems to apply in this context, in that the domestic worker's primary need for money is met by receiving higher wages, while because of lack of knowledge and power, she remains unable to claim other legal entitlements that might provide more benefits. Hence, the employers' knowledge of such entitlements and selective compliance to these entitlements becomes an instrument of social control and discipline in the relationship between the employer and the domestic worker. Therefore, employers are able to govern domestic workers through enticement, which effectively neutralises the domestic workers' desire to demand other labour entitlements. This does not reduce the benefits of paying higher wages to domestic workers, but it shows that the payment of higher wages may be a subtle, yet calculated, form of exploitation.

It could be argued that some employers subtly repurpose legal frameworks as tools for dictating the terms of labour relations. The employers' power to determine, without properly consulting their workers, how much they should be paid – be it below or above the minimum wage – is largely an expression of the former's manipulation of bargaining dynamics. It is my contention that some employers use their social position as members of the dominant class to

control and subjugate domestic workers' rights in the provisions of a number of legal entitlements identified earlier. As such, the primary research question of this paper is: What are the lived experiences of domestic workers remunerated above the recommended minimum wage in Eswatini?

Methodology

This study adopted a qualitative approach to capture the deep-seated dynamics at play in the lived experiences of domestic workers who are remunerated more than the nationally recommended minimum wage in Eswatini.

The study was situated in an upmarket residential township called Tubungu Estate, located in the industrial hub of the country, in Matsapha. The township has over a thousand properties with about seven hundred already built and so the township is an appealing destination for job seekers from neighbouring areas. Live-in domestic workers were chosen for this study because of their proximity to, and close interaction with, their employers. It provided the ideal context within which to study the dynamics at play in their work relations, as well as the state of the working conditions.

Snowball sampling was used to select ten live-in domestic workers who all earn above E 3,500 (USD 205.63) per month. The profile of the sample population constituted only local Black African women, between the ages of 23 and 48. The least educated in this group had reached Grade 7, three participants had reached secondary school, five had completed high school, and one participant had a university degree.

A majority of the participants were first contacted telephonically. Once the chosen participants confirmed that they were 'fairly paid,' participants were requested to be interviewed in person. Admittedly, I encountered some resistance from the participants during our first meetings, but the tension was eventually reduced during subsequent appointments and interviews.

Each in-person interview took the form of an informal conversation in Siswati, the participants' home language. Although each interview was structured

around a research guide with semi-structured questions, conversations were allowed to unfold naturally. The format encouraged participants to express themselves freely and share their experiences, while also allowing further probing. Interviews were conducted at a time of the domestic workers' choosing, which included periods such as afternoon walks with their employers' children, park visits, and their off days.

Analysis commenced with the transcription of the interviews. From these, themes were developed and the interpretation of findings was filtered through literature and theory. While the interviews provided a wealth of information about the domestic work sector, I had to keep a clear focus on the study's interest: the ambiguity in the coexistence of oppressive and liberatory encounters as expressed in the payment of benevolent wages.

Regarding ethics, the domestic workers participated voluntarily. All participants were informed of the study's objectives, as well as of the value of their contributions for academic purposes. Participants were also informed that they could abandon the study at any time and for whatever reason. Participant confidentiality was assured by giving them pseudonyms, making it almost impossible to identify them in this article.

Domestic work as a means to an end?

None of the women interviewed intended to be domestic workers, let alone live-in domestics. Participants described domestic work as a low-paying, unappealing job. Most of them dropped out of school due to pregnancy or a lack of funds to continue their education. Some of them completed high school but did not achieve the required results for admission to universities and other higher institutions of learning.

For example, Zethu (32 years old) dropped out of school in Grade 8 and said that she left school because of pregnancy. She stated that this was, in her father's opinion, a deal breaker in her opportunity to receive an education. She indicated that she had to leave her home to seek employment. With no qualifications, she could only do domestic work to support her child; she could not pursue her education after that. Lwazi (38 years old) expressed a similar sentiment, stating

that domestic work was not on her list of desired jobs. She became a domestic worker because her grades were insufficient to pursue higher education. She said:

I finished form five but did not get satisfactory results to get to [a] higher institution of learning. I was, therefore, unemployed for a long time, got pregnant and was forced to go look for a job in the firms (Lwazi, 38 years old).

Lwazi stated that domestic work was a temporary solution until she finds another job. She explained how she was dismissed from the textile industry (firms). But she still had rent to pay, as well as children and a family to support. She was drawn into domestic work due to a shortage of employment opportunities. Domestic work was also found to be a temporary solution for one of the participants who is a university graduate, as she searches for another job. She also mentioned that she knows a few other graduates who serve as domestic workers in the neighbourhood. It is evident from these submissions that the need to survive is the main push factor to the sector.

Interestingly, hairdressing and sewing were discovered to be common skills among these women, as some had previously worked in hair salons and firms in Matsapha. These skills are seen by many as stepping stones to self-employment. Of interest is how there is a possibility that much like domestic work, these skills could be a package of socialisation empowerment for these women growing up, such that they become the default career paths for them in adulthood. Admittedly, the preference for sewing and hairdressing by these domestic workers is an area that warrants further inquiry. However, most of the participants became domestic workers out of necessity, to take financial care of their children and families. The domestic workers' initial unwillingness to be a part of the sector confirms its low social standing and its unappealing nature. It also confirms the prevalent narrative that portrays domestic work as low-paying and thus oppressive.

Perceptions of their work: Is domestic work oppressive or not?

The majority of the participants in this study understood the concept of oppression in relation

to or within the context of wages. Because their wages were comparably higher than those of other domestic workers in Tubungu, none of the sampled domestic workers described their work as unfair. They also compared their monthly wages to the salaries they earned in the past, and not to the nationally determined minimum wage in Eswatini.

All the women interviewed reported earning E 3,500 (USD 205.63) and above per month. They shared the sentiment that they were 'paid well' because they were not only able to cover their financial responsibilities but also had enough to keep up with their stokvel savings. Food for their children and families, school fees, and transportation were at the top of their list of expenses. The concept of a 'fair wage' is subjective and debatable and it appears as if the fairness of the participants' wages was only valid insofar as they asserted it.

The participants' wage expectations were tinged with the belief that Tubungu residents are well-off. This perception can be traced back to before they were hired at Tubungu and it has been maintained because they are paid satisfactorily, as they admit. The perception that the residents of Tubungu are wealthy is drawn from the township's built environment and the cars that the residents drive which show affluence. This sentiment was well captured by Nonhlanhla, one of the longest-serving domestic workers interviewed:

“ This demonstrates how the employers' payment of higher wages is an expression of the employers' awareness of the need to observe the standard of decent work as a 'scheme of knowledge', coupled with the employer's economic capability as socio-economic power. This awareness is not limited to specific residential boundaries (place), nor is it diminished by migration. ”

I've known these people for a long time, and they have money. Take a look at their houses and cars. You can't tell me they can't afford to pay me more (Nonhlanhla, 48 years old).

Only two of the other participants reported having worked for their employers for three years or less. The remaining participants reported that they had been employed by their current employers for at least four years. It is worth noting that the long-serving domestic workers had been employed by their current employers long before they had moved to Tubungu, and they stated that their salaries had always been adequate. This demonstrates how the employers' payment of higher wages is an expression of the employers' awareness of the need to observe the standard of decent work as a 'scheme of knowledge', coupled with the employer's economic capability as socio-economic power. This awareness is not limited to specific residential boundaries (place), nor is it diminished by migration. The main reason the participants described themselves as not oppressed is based on the perception of themselves as being 'well-paid', thus experiencing a certain level of well-being. It is my contention that, despite the participants' reported adequate remuneration, they are not perhaps aware of how other working conditions could influence the nature of their work, and of how a 'fair wage' alone cannot be a strict measure of their well-being. The participants described their experience of belonging to their employing family as a secondary measure of well-being. As Nonhlanhla pointed out:

I have been with these people for 13 years, five of them at Tubungu. I won't lie, they've always paid me well and treated me like their own child (Nonhlanhla, 48 years old).

She quickly added that, during her earlier years with the family, she appreciated her salary more than at present, and that she had not received a raise in recent years. Thuli, another long-serving domestic worker in the sample, stated the following:

They pay me well. [J]ust that I am tired of this job now. But where else would I be paid this much as I am uneducated? That's what's keeping me here now! (Thuli, 44 years old).

The accounts demonstrate the challenges of being employed as domestic workers for many years. Those occupying entry-level positions within this group earn salaries that are slightly higher than what they expected, and higher than what they earned in their previous occupations with the same skills. However, domestic workers lamented that their wages had stagnated over time and that they were unable to acquire other similar-paying jobs because they are 'uneducated' or lack formal skills. It can be said that, instead of being a means to an end, domestic work has become a dead-end street for these women, in a sector within which they are locked primarily because they receive slightly better wages than the stipulated minimum wage of this sector.

The status of the domestic workers' labour rights

Participants were demonstrably unfamiliar with their rights as domestic workers in the country. This was regardless of their varied levels of education. Surprisingly, with the exception of one participant, all of them were unaware of the existence of a legal minimum wage. Many of them reported obtaining labour-related information through their interactions with their fellow workmates. Given that their expectation of a minimum wage was informed by other domestic workers' salaries (as decided by employers), there was some alignment between workers' expectations and the nationally determined minimum wage. While this group of domestic workers' wages were on a margin above the nationally recommended minimum wage, which they regarded as 'fair,' disappointingly, three participants also stated that their wages were not paid on regularly scheduled dates. Yet, they seemed to understand that they eventually will receive payment, thus trivialising this inconvenience.

Some of their daily responsibilities include cooking, cleaning, childcare, and any other tasks assigned by the employer. The participants noted that employers also assign additional tasks through verbal agreements. The common thread running through all the workers' testimonies is that they perform almost every type of task aimed at improving the liveability of the employing family. They stated that they were in charge of the general functionality of these households and that they used their discretion in completing other, unspecified tasks. Their typical

workdays start at 6 am and end around 10 pm. Two workers admitted to getting up as early as 5 am when they needed to perform ironing duties. They thus work far longer than the recommended 8 hours per day, six days per week. Their working days are roughly 14–16 hours long, excluding a few hours spent watching television. This confirms Marx's (1982: 15) assertion that the employer-employee labour relationship is characterised by a contradictory structural tension whereby the employer wants to benefit from surplus value and the worker seeks fair returns for their investment in labour. This structural tension is nested within the household where domestic workers perform their labour.

It is clear, therefore, that what the workers perceive as a 'fair wage' is far below what they deserve, given the number of hours worked. They could have negotiated for a much higher monthly wage, had they been informed with the knowledge of their rights as domestic workers, and how their wages are calculated. This also confirms Foucault's assertion that their lack of knowledge is used as an instrument to control. Such control has been internalised by the domestic worker to the point of self-discipline to deliver on the employer's expectation to have the work done regardless of the inconveniences to them.

Two of the domestic workers interviewed live in a separate room outside the main house, while the remaining participants stated that they live in the main house and sleep in their employers' children's bedrooms. Ironically, the two ladies living in the outer room stated that they could not knock off early as they would often return to the main house to assist with chores, later watching television with the family. Although employees are not obligated to do so, the participants believed it necessary to perform household tasks while they remained in the main house.

Unlimited hours of work have adverse effects on the well-being of domestic workers. Most of them admitted to being chronically exhausted because of the size of the houses and their countless tasks. Lwazi said the following:

Their houses are large as you can see and we are always tired. Worse, they now work from home most of the time. I can't even take my

usual daytime naps or watch TV (Lwazi, 38 years old).

The domestic workers' commitment to having work done for as long as they remain in the main house attests to how they have become an embodiment of the dictates of the employer's expectations without any need for close monitoring by the employer. Instances of an increased sense of surveillance as well as a sense of self-policing have also been reported, particularly when the employer works from home. Furthermore, most participants were allowed to take time off on Sundays but chose not to as Tubungu is inconveniently inaccessible. As a result, domestic workers often find themselves doing some type of housework instead of resting. Their bodies, therefore, have been rendered forms of human capital attached to which are remuneration rewards. Nonhlanhla (48 years old), like many of the other domestic workers in the study, expressed it in the following way: *'They cannot pay me this much and I sit around. After all, if I don't do the work who will?'*

Domestic workers were aware that they are entitled to holidays and off days. Generally, the employer grants these, although in some cases, not as dictated by the law. One way in which some of the interviewed workers subject themselves to exploitation is evident from 44-year-old Lihle's statement: *'I have to ascertain their [the employer's] availability first and whether they have no commitments on the day I intend to be off.'*

On occasion, Lihle's employer requires her to find a replacement during her off days. She describes her reluctance to do so: she fears that her replacement would outperform and thus replace her. Hence, she rarely takes days off. Lihle also admits to using a relative – her safest option – in situations where she really needs time away from work. She attests to impressing her female employer in the week leading up to her off-time: by over-exerting herself, she ensures that there is little work to be done during her absence. Through the above admissions, we see how knowledge of the employer's expectations renders the domestic workers objects of that knowledge that is in turn used to control them. This is displayed in how they employ several ways to impress their employers in order to keep their jobs, including forfeiting some leave days.

Most of the domestic workers also stated that their employers occasionally shout at them as if they were children. This experience, too, they tended to trivialise. However, the fact that they raised how they are infantilised as a concern is a strong indicator of their displeasure with being marginalised. The infantilization can be understood in terms of Barua et al. (2017: 486), where employers cast themselves as custodians of the home, thus treating domestic workers as children under their protection.

The domestic workers admitted, though, that they occasionally tip the scales of power. For instance, most of them admitted to purposefully remaining silent in order to ward off reprimands and get things done their own way. This was well-expressed by Hloni as follows:

I know when they have plans that would require me to sacrifice my off days. That way, I keep quiet and frown a lot so I make it hard for the madam to even approach me about staying (Hloni, 40 years old).

Nonhlanhla also admitted to using this strategy, as follows:

Once I keep quiet for long hours, she is afraid to ask me about anything. That way she resorts to doing some of the work herself, especially cooking and changing diapers (Nonhlanhla, 48 years old).

These sentiments confirm Nyamnjoh's (2005: 185) assertion that domestic workers are elusively 'manipulative as they are manipulated'. Summarily, it is clear from the domestic workers' submissions that wages are an organising principle of the social relationship between the domestic worker and the employer. The workers interviewed in this study overwhelmingly described their relationships with their employers as non-oppressive since the latter met their financial needs every month with a higher-than-average wage. These findings reveal, however, that the participants consider freedom and oppression as absolutes, and not as evolving processes. It became clear that they viewed themselves as either oppressed or free. The participants viewed their above-average salaries as indicators of freedom and privilege, while ignoring the facts that they do not

see their family regularly, are not paid overtime, and are distant mothers, among other inconveniences. Their financial freedom as a sole indicator of their well-being stems from their perception of such inconveniences as 'necessary evils', as they are rational calculators of advantage and, thus, weigh between evils (Nyamnjoh, 2005: 185; Lemert, 2017: 92). Taking this argument further, Burawoy (1982: 78) contends that 'the deprivations that arise from work realities engender relative satisfactions' that become part of customary meanings attached to work. In this instance, the participants' interpretation of a 'fair wage' as the sole criterion of well-being, despite being misaligned with the decent work benchmark, is one such relative satisfaction.

Many participants' ignorance or selective awareness of labour conditions and regulations, as set out by the law, was noted. As previously noted in this article, the majority of domestic workers were unaware of a legal minimum wage. Their understanding of, and appreciation for, their position as 'highly paid' labourers is based on the dominant narrative that domestic work is low-paying, in relation to their own employment histories as well as comparison with other domestic workers.

Their 'schemes of knowledge,' which in this case entail their appreciation and perception, express the cultural default assumption associated with domestic work as a low-paying sector. This has fuelled and sedimented their view that they are 'privileged' compared to other domestic workers who earn lower wages than they do. Consequently, in order to maintain their perceived 'privilege', they have developed the habit of not demanding or questioning their employers. The concealed demise is that the domestic workers actually produce more than their wage as surplus value for the employer. This underscores the co-existence between different combinations of consent and force or oppression and freedom in the sector (Burawoy, 1982: 26–27).

The domestic workers' lack of awareness of their working conditions and entitlements other than wages has led them to 'recognize no other reality other than that which is available to their ordinary experience', in Bourdieu's words (1989: 15). That is, their perspective on reality is formed based on the position to which they are exposed. They lack access to a wider

variety of opportunities and working conditions as categories of perception (Bourdieu, 1989: 20); this, I argue, underscores their view of themselves as not oppressed. While Bourdieu (1989: 19) asserts that 'nothing classifies somebody more than the way he or she classifies', I contend that, had the participants in this study been armed with the knowledge of their rights as labourers, they would have been able to frame and measure their wellbeing in different ways. Being paid a 'fair' wage – seen by the participants as the primary determinant of their job satisfaction – illustrates how 'the visible conceals the invisible that determines it' (Bourdieu, 1989: 16).

Paying employees – especially domestic workers – 'fair wages' is a double-edged sword. Celebrated as a step toward properly rewarding 'decent' work, it nevertheless instils in employees a sense of loyalty and fear. In exchange for a 'fair wage', employees are pacified and remain conditioned to perpetuate their oppression. There is also the legal imperative to be seen as competitive in their work, thus overexerting themselves to impress.

Hence, the 'fair wage' becomes a refined, subtle and 'constructively destructive' form of exploitation. According to Foucault (1995: 16), it is a disguised form of oppression and exploitation, as it is both an apparatus for meeting the needs of the worker and an instrument for exercising social control. Social control is exercised when domestic workers carefully align their behaviours with the expectations of the employer, which disciplines them to keep up with the demands of their work. Hence, employers govern through enticement, effectively neutralising workers' desire to demand other labour entitlements. Borrowing Barua et al.'s (2017: 486) expression, this act is humanitarian and is founded on discourses of domestic workers as vulnerable and dependent. That is, while paying domestic workers more than what their labour necessitates may be well-intentioned and commendable, it binds them to a state of contentious loyalty in which they are unable to demand other rights/entitlements. This is particularly evident given how these women are part of a labour market with high unemployment, and that the majority of them lack competitive labour skills that could translate into decent wages. In addition, employers' selective compliance with legislated working conditions is not just, as Marx asserts, a function of their conscious or

unconscious interest in maximizing profit, but is also a state of affairs that warrants further investigation.

Domestic workers' use of silence to initiate a conversation with their employers and their habit of over-exerting themselves to gain approval attests to how, despite the inherent inequalities between the role players, domestic workers have strategies in place to tip the scales of power in their favour.

In a labour economy characterised by inherent inequalities between the employer and employee, even well-meaning acts can be manipulated to favour the employer. Policy pronouncements and legal frameworks that seek to address the pervasive oppression in the domestic work sector, therefore, must take into account the continuous (re) configurations and transformations of the sector's oppressive nature.

Conclusion

The migration of women from rural areas to industrial Matsapha in search of employment reveals the extent to which many women are absorbed into the domestic work sector in urban Eswatini. The slow collapse of the country's textile industry in recent years has heightened the allure of domestic work, and Tubungu has emerged as one of the neighbourhoods offering better domestic work opportunities. Whereas the sector is predominantly characterised by low wages, this study reveals the ambiguous coexistence of oppression and liberation at the heart of employers' practice of paying 'high' wages. While such an act is admirable and goes a long way toward meeting the needs of domestic workers (most of them mothers and breadwinners), acts of control and consent are inextricably linked to it. I argue that wages that are higher than the national minimum subtly manipulate domestic workers' ways of thinking, being, and doing, and particularly influence their strategies of survival. Overall, this paper aims to better understand how workers' liberating *and* oppressive experiences intersect, thus perpetuating domestic workers' oppression.

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‘Lockdown Work’:

Domestic Workers’ Experiences During the Covid-19 Pandemic in South Africa

By Bianca Tame and Zukiswa Zanzu

Abstract

This article explores domestic workers’ experiences of ‘lockdown work’, which refers to working conditions during the level 5 to level 3 lockdown period in South Africa during the Covid-19 pandemic. Drawing on in-depth interviews with female black African South African and African migrant domestic workers from Zimbabwe and Malawi, the article provides crucial insights into how the pandemic altered existing working conditions and employment relationships. We use the sociological concept ‘boundary work’ to illustrate the relational dynamic and consequence of social and physical distancing during the pandemic. We argue that social and physical distancing deepened the public-private divide in employers’ private households and domestic workers’ intimate workplaces. The

findings show that domestic workers experienced limited or no control over decisions regarding Covid-19-related protocols in their workplace, intensified workloads without additional remuneration, and felt voiceless regarding working conditions because they feared losing their jobs. The experience of lockdown work highlighted domestic workers’ vulnerability because of the asymmetrical and intimate nature of domestic work under new management imperatives that positioned most domestic workers as a high-risk group or perceived carriers of Covid-19. We conclude that the experience of personalism/maternalism and distant hierarchy as forms of boundary work undermined domestic workers’ sense of dignity and employment rights.

Introduction

Domestic employment relationships are fraught with tensions because of the intimate nature of domestic work, which includes cooking, cleaning, and caring for others. Domestic work occurs in the power-laden context of employers' private domains. Yet, the private domain of the household becomes an intimate (public) workplace for both the employer and domestic worker, giving rise to tensions associated with the public-private boundary-making process typical of the employment relationship. Since domestic work remains undervalued, mostly informal, and poorly paid, it is often relegated to black women, highlighting the longstanding power dynamic associated with the raced, classed, and gendered nature of paid reproductive work entrenched in South African society (Ally, 2010; Du Toit, 2013a). While great strides have been made to improve the rights of domestic workers in South Africa, through an array of labour legislation, the sector remains afflicted by poor regulation and non-compliant employers (Mullagee, 2021; Patel, Mthembu and Graham, 2020). These issues are further compounded by the devastating effect of rising unemployment in the sector, with many facing job insecurity through ad hoc, part-time work, or gig work. Statistics prior to the pandemic showed that domestic workers' access to employment was negatively affected by the economic recession in South Africa (SweepSouth, 2022). However, like elsewhere, the pandemic exacerbated the employment crisis and heightened precarity when employers set in motion furloughs, flexible or reduced work hours, retrenchments, or dismissals, plunging households into distress. Aside from economic distress, the fear of contracting the virus and the perception of domestic workers as carriers of Covid-19 presented crucial challenges for domestic workers' working conditions and employment relationships (Chan and Piper, 2022).

This article explores how domestic workers experienced their working conditions and employment relationships during the lockdown period, when employers grappled with their own health needs in their private domains. We argue that social and physical distancing challenged and deepened the public-private divide in employers' private households and domestic workers' intimate workplaces. The power-laden and intimate nature

of domestic work exacerbated domestic workers' vulnerability during the pandemic, giving rise to new management imperatives. The article begins by providing an overview of South Africa's domestic work sector that continues to position domestic workers as precarious and disposable, especially during the Covid-19 pandemic. Then, the theme of 'lockdown work,' which we propose to describe working conditions during the lockdown period, is framed within the context of an intimate workplace, highlighting the interplay of 'boundary work' (Lan, 2003) and 'practices of power' (Ally, 2010) that domestic workers experienced. This is followed by an overview of the methodology of the study. The final sections focus on the findings and discussion, emphasising how the pandemic 'locked' domestic workers into working conditions in the absence of protection in a legally transformed but poorly regulated sector.

'Lockdown work' during the pandemic

Despite South Africa's progressive labour regulation since 1994 to advance the employment rights of domestic workers, access to these rights has been slow and often hampered by poor regulation, a rise in outsourced cleaning and part-time work arrangements, and employers' indifference to labour legislation (Du Toit, 2013a; Du Toit, 2013b). In Du Toit's (2013a) edited collection, domestic work is aptly described in the book's title as perpetually 'exploited, undervalued, and essential.' The volume highlights the contradictory status of paid reproductive labour that maintains households in different ways for the benefit of employers but at the expense of domestic workers. More recently, there have been notable advances to recognise domestic workers' rights to safe working conditions and their struggle for minimum wage. For example, there has been a shift from Sectoral Determination 7 (SD7), which previously determined minimum wages for domestic workers, to the more recent National Minimum Wage (NMW), which now includes domestic workers (Department of Employment and Labour, 2023). In 2020, the Compensation for Occupational Injuries and Diseases (COIDA) Act 130 of 1993 was extended to domestic workers (SERI, 2021). These represent significant developments in the domestic work sector. However,

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domestic workers’ opportunities for decent work are, overall, burdened by high unemployment, informality, underemployment, and downsizing and outsourcing as cost-saving strategies. These developments undermine efforts to turn domestic work into better jobs.

There has been an alarming decline in domestic work employment from almost one million in 2019 before the pandemic to 797,000 more recently (Stats SA, 2023). This coincides with the dire economic climate, the Covid-19 pandemic, and state-mandated lockdowns, under which several households cut back on domestic services because of economic and health-related distress (SweepSouth, 2022). Unsurprisingly, unemployment in the sector has had a devastating effect on mostly black African women in South Africa and from neighbouring countries who rely on domestic work for employment. In 2020, the South African state declared that under the strict, hard lockdown level 5, only essential workers could work. Others were subject to mobility restrictions that prioritised collecting social grants, seeking medical attention, and buying groceries (South African Government News Agency, 2020). Level 4 lockdown allowed essential and designated workers to return to work. For both lockdown levels, domestic workers were neither essential nor designated workers, meaning that from March to the end of May 2022, they could not work. Only at the start of level 3 lockdown, announced on 1 June 2020, could the majority of domestic workers return to work, but with health and

safety protocols in place that applied to all citizens during levels 5 and 4 (Mullagee, 2021).

We use the phrase ‘lockdown work’ to describe the working conditions during the state-mandated lockdowns implemented in many countries to curb the spread of Covid-19. During the lockdown period, ‘sporadic hyper-precarity’ — ‘the kind of sporadic risks, uncertainty, vulnerabilities, and stigmatisation at times of crisis’ (Chan and Piper 2022: 270) — exposed the plight of domestic workers globally. Many migrant domestic workers experienced homelessness and precarity when the lockdown was declared or when they were dismissed by employers after contracting the virus (Chan and Piper, 2022). In South Africa, similar cases were reported (Ndaba, 2021). Domestic workers did not know how their situations would unfold and many received no updates about their employment status from their employers (Zanazo, 2023). Domestic workers were either dismissed when level 5 lockdown was announced, received no pay or support from their employers while at home, or no social assistance such as the Unemployment Insurance Fund (UIF) or Temporary Employer/Employee Relief Scheme (TERS). Initially, domestic workers could only access TERS if their employers had registered with UIF. Aside from implementational challenges, there were issues regarding employers who accessed the funds on behalf of employees but kept the money for themselves (Skinner, Barrett, Alfes, and Rogan, 2021: 11). Further, lack of access for domestic workers to TERS was linked to the large number of non-compliant employers who had not registered their domestic worker for UIF, the system used to disburse TERS (Dawood and Seedat-Khan, 2022; Mullagee, 2021). The Casual Workers Advice Office, the Izwi Domestic Workers Alliance, and the Women on Farms Project lobbied for the TERS system to allow employees who were not registered with UIF to apply for themselves (Skinner et al., 2021: 12). Despite this significant victory, however, Skinner et al. (2021) reported low payment rates because of a lack of awareness.

There is now a growing consensus that the pandemic worsened long-existing inequalities, creating ‘new conditions’ for an ‘ongoing crisis of social reproduction’ (Acciari, del Carmen-Britez, and del Carmen Morales Perez, 2021: 15). Acciari et al. (2021: 12) argue that ‘[q]uite strikingly, the sectors and people most essential

to the reproduction of human life are also those most exposed and least protected during the pandemic crisis.' Similarly, Kabeer (2020) argues that the pandemic deepened 'the divide between the "haves" and "have-nots," revealing how those who "have" had homes to lock down in, security of income or savings to fall back on.' Evidence suggests that the pandemic laid bare the extent of vulnerability that domestic workers experienced during the health and economic crisis, including limited or no social protection, joblessness, mental health issues, and increasing inability to support their families (Acciari et al., 2021; Mullagee, 2021). Research in Hong Kong revealed that those who continued to work during the lockdown experienced an intensive workload that necessitated 'sanitized divide' as a new form of social distancing tactic between families and domestic workers (Chan and Piper, 2022: 272). Paradoxically, while domestic workers were at the front lines of sanitising homes with harsh chemicals to keep families safe, they were often perceived as a high-risk group or carriers of Covid-19 (Chan and Piper, 2022). These issues highlighted the undervalued and precarious status of domestic workers, despite their integral role in maintaining households. Further, the pandemic exposed how lockdown work was characterised by employers' cultivation and maintenance of socio-spatial boundaries between their domestic workers and families. Next, we discuss the concept of boundary work in relation to the public-private divide in households as workplaces to explain our argument about 'lockdown work'.

'Boundary work': Social and physical distancing

In cultural sociology, 'boundary work' is a relevant concept for understanding relationality within the domestic employment relationship (Lamont and Molnár, 2002). Lan (2003) refers to boundary work as a tactic for social and physical distancing in the employment relationship. For employers, the aim of boundary work is to exercise control over poor performance or maintain a stable relationship. Domestic work scholarship is replete with descriptions of employers' practices of power as a managerial or boundary work strategy in employment relationships (Ally, 2010; Lan, 2003; Villiers and Taylor, 2019). Typical examples of inclusion-based boundary work include maternalism or strategic personalism. Barua, Waldrop, and Haukanes (2017: 482) define

maternalism/strategic personalism as a form of boundary work in which employers control workers through a relationship of dependency and patronage. In this form of a relationship, employers become the custodians of their domestic workers, while domestic workers become proteges of their employers. The use of maternalism or strategic personalism ensures that quality care and work performance are maintained in the household (Näre, 2011).

Alternatively, employers may adopt exclusionary or distancing tactics such as 'distant hierarchy' or business-type relationships to avoid the power dynamic inherent in domestic work (Lan, 2003). Business-type relationships are commonly associated with outsourced cleaning companies (Du Toit, 2013b). In relationships characterised by a distant hierarchy, what Barua et al (2017: 491) refer to as the marker-based approach, employers limit personal bonds with their domestic workers. Lan (2003: 531) argues that in these types of relationships, employers create boundaries that enhance their class or ethnic status while domestic workers are treated as insubordinate.

For domestic workers, boundary work occurs when they avoid certain work-related behaviour or demanding expectations of employers. In addition, while employers are known to use boundary work to encourage a good work ethic, studies have shown that domestic workers tap into the same 'ambiguities of intimacy' (Ally, 2010) to negotiate better working conditions informally (Näre, 2011). Domestic workers' efforts to reclaim control through boundary work tactics are necessitated because their right to fair working conditions is rarely acknowledged. Jinnah (2020) argues that often, everyday resistance includes remaining silent or invisible as a survival strategy. In other words, there is a constant negotiation between the employer and domestic worker in the employment relationship, despite the power imbalance that exists because of race, gender, and class inequalities.

Domestic workers' silence or invisibility underlies the social relations and power imbalance of the home as a place of work (Bonnin and Dawood, 2013; Fernandez and de Regt, 2014). Therefore, boundary work is not only about the nature of the employment relationship but also about how domestic workers are included or excluded in employers' private households. Here, we emphasise the meaning employers attach to

their 'private' home and domestic workers' 'public' workplace because of the contradictory interplay associated with power differentials and the intimate nature of domestic work in the private household (Bonnin and Dawood, 2013). Further, by recognising and emphasising the household as a workplace, Marchetti (2022: 14) argues that a concerted effort is made to focus on interactions between domestic workers and employers in 'a specific location'. Research shows that when a perceived form of transgression occurs between both parties, the act of silence or invisibility is likely to occur through physical and social distancing (Ally, 2010; Lan, 2003). We adopt Lan's (2003: 527) notion of boundary work and conceptualisation of 'socio-spatial boundaries' to explore the public-private division of the workplace in a particular context. However, in this article, we focus on domestic workers' experience of employers' boundary work tactics to understand the social and physical distancing practices that employers undertook during the state-mandated lockdowns.

Methodology

This article is based on qualitative research that was conducted in Cape Town, South Africa in 2022. Interviews were conducted with 12 domestic workers who worked for mostly white middle-class and upper-middle-class employers. Data was collected using a semi-structured interview design, with follow-up interviews with select participants over WhatsApp to clarify further queries and/or elaborate on their experiences. When the lockdown measures were

eased, interviews were conducted face-to-face but with safety protocols. Interviews were conducted in English and isiXhosa. While the sample appears small, the data collected offers crucial insights into the employment experiences of domestic workers during the pandemic. Given that most domestic workers were from townships and part of established social networks, it was not uncommon for participants to say that other domestic workers had similar experiences to them. Data were analysed thematically through a rigorous process of transcribing and translating, re-reading transcripts several times for emerging key themes, and engaging in three stages of coding including peer-review discussions before finalising the key, emergent themes (Campbell et al., 2021; De Wet and Erasmus, 2005: 300).

Demographic profile of the participants

Table 1 presents the demographic profile of domestic workers in terms of age, nationality, marital status, and number of dependents. The sample consisted of twelve domestic workers. Six were African-black South Africans, four African-black Zimbabweans, and two African-black Malawians. All reported one or more dependents. More than half of the participants were employed full-time, while the remainder had three or more employers with a part-time arrangement of one day per week. Those with part-time employment relied solely on their income as domestic workers. Two domestic workers with one employer reported that they were formally employed, and the rest reported informal employment.

Table 1: Demographic profile and type of employment arrangement before the pandemic

Name of participant	Age	Nationality	Marital Status	Dependents	Number of employers	Part-time/ Full-time	Formal/Informal
Bukelwa	42	South African	Married	1	1	Full-time (Live-out)	Formal
Chiedza	34	Zimbabwean	Married	2	1	Full-time (Live-out)	Formal
Esther	36	Malawian	Married	2	1	Full-time (Live-out)	Informal
Eunice	52	Zimbabwean	Married	3	4	Part-time (Live-out)	Informal
Mary	31	Malawian	Married	2	3	Part-time (Live-out)	Informal

Nomawethu	64	South African	Single	4	1	Full-time (Live-out)	Informal
Nomthandazo	55	South African	Widowed	3	4	Part-time (Live-out)	Informal
Sindiswa	31	Zimbabwean	Single	3	1	Full-time (Live-out)	Informal
Tatenda	31	Zimbabwean	Married	2	1	Full-time (Live-out)	Informal
Thandeka	44	South African	Married	2	3	Part-time (Live-out)	Informal
Thobeka	35	South African	Married	2	1	Full-time (Live-out)	Informal
Zoleka	49	South African	Widowed	3	3	Part-time (Live-out)	Informal

Forms of compensation during lockdown levels 4 and 5

Levels 4 and 5 of the lockdowns were challenging times for domestic workers because they were uncertain about their employment status or if they would receive compensation for not working. Table 2 summarises each domestic worker's compensation during the lockdown levels. Overall, all domestic workers received some form of compensation such as money or food during lockdown levels 4 and 5 if they did not work. This finding suggests that most employers were sensitive to the economic situation of their domestic workers, irrespective of their status as compliant or non-compliant employers.

Table 2: Forms of compensation during lockdown levels 4 and 5

Name of Participant	Form of compensation while at home (Lockdown Level 4–5)
Bukelwa	Paid full wages and claimed UIF/TERS
Chiedza	Paid full wages and claimed UIF/TERS
Esther	Paid full wages

Eunice	Paid by one of four employers and compensated with expired food by one
Mary	Paid by one of three employers
Nomawethu	Continued working
Nomthandazo	Paid full wages by all four employers
Sindiswa	A once-off payment that was later deducted from her wages
Tatenda	Paid full wages
Thandeka	Paid full wages by all three employers
Thobeka	Paid full wages and compensated with food vouchers
Zoleka	Continued working for one employer and never received any form of compensation from two employers

Employment arrangements during lockdown levels 3–5

Table 3 below tracks domestic workers' employment arrangements during the different lockdown levels. Out of the twelve participants, two continued working during level 5, even though domestic workers were not allowed to work. Zoleka explained how she risked her life travelling to work when the infection rate was rising rapidly. Nomawethu was asked to shift to live-in domestic work. They explained that not reporting to work meant no income.

Table 3: Employment arrangements during lockdown levels 3–5

Participants	Nr of employers	Level 5 lockdown	Level 4 lockdown	Level 3 lockdown
Bukelwa	1	Did not work	Returned to work	Continued working
Chiedza	1	Did not work	Did not work	Returned to work
Esther	1	Did not work	Did not work	Returned to work
Eunice	4	Did not work	Did not work	Returned to work
Mary	3	Did not work	Did not work	Returned to work
Nomawethu	1	Worked as a live-in domestic worker	Continued working as a live-in domestic worker	Continued working as a live-out domestic worker
Nomthandazo	4	Did not work	Did not work	Returned to work
Sindiswa	1	Did not work (Dismissed before the lockdown was declared – once-off payment for March that was later deducted from her wages when she returned to work)	Did not work	Returned to work (called back by the employer who dismissed her) Was later dismissed again and reported the employer to CCMA
Tatenda	1	Did not work	Returned to work and worked as a live-in domestic worker	Continued working as a live-in domestic worker
Thandeka	3	Did not work	Did not work	Returned to work
Thobeka	1	Did not work	Did not work	Returned to work
Zoleka	3	Worked for one of three employers	Worked for one of three employers	Worked for all employers but was later dismissed

Five participants were paid their normal wages, while four participants who worked for multiple employers had their overall wages reduced because they were not paid by all their employers when they remained at home. One participant, Sindiswa, received a once-off payment from her employer in the first month of lockdown, although this was later deducted from her first wages upon her return to work. Zoleka continued to work for one of her employers during levels 5 and 4 but received no compensation from her other employers. While the Covid-19 TERS was established to minimise the economic challenges facing workers during the lockdown, only three domestic workers in the sample were registered for UIF and two could claim

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for TERS. The third domestic worker, Nomthandazo, who was informally employed, was registered for UIF by one of her four employers. However, she did not claim TERS. While she did not provide any reason for not claiming TERS, it is likely she did not because all her employers paid full wages while she was at home.

When the lockdown changed to level 4, Bukelwa and Tatenda returned to work. Bukelwa travelled to work and Tatenda’s employment arrangement shifted from live-out to live-in. Therefore, in relation to changing employment arrangements during lockdown levels 5 and 4, two domestic workers experienced a shift from live-out to live-in employment. In both cases, domestic workers suggested that the change in employment arrangement was a pragmatic decision linked to their employers’ safety concerns because they used public transport. When the lockdown was reduced to level 3, all the participants returned to work.

Two domestic workers reported instant dismissal because their employers feared contracting the virus. Sindiswa was dismissed before level 5 lockdown was declared, but later, during level 3, was called back to work, while Zoleka was dismissed after level 3. Before the pandemic, Zoleka, a 49-year-old widow and mother of three, worked as a part-time domestic worker for three different employers that were part of a family network. For one day per week, she earned a set daily rate of R350 or R400 per household. She had no employment contract but sourced regular

income from this part-time arrangement for five years. During levels 5 and 4, she worked for one of the three employers but received no form of support from the other two, who discontinued hiring her. Her employers did not explain what would happen during the lockdown or once the lockdown levels changed. Despite the setback of not having access to her usual employment, she expressed relief because she could work for one employer, and during level 3, she returned to work for all three. However, during level 3 lockdown, she was unexpectedly dismissed by all her employers by SMS after returning from her brother’s funeral in the Eastern Cape. Zoleka ‘thinks [she was dismissed] because, during that time, there were high numbers of infections in [the] Eastern Cape.’

Below, she explains her response to and frustration with her employer’s SMS:

So, I then sent them messages and insulted them. The husband is working for the government. The husband told me not to harass them and I told him I was not harassing them. He said he would get me arrested and I told him to try his luck, but he never did. [...] They all dismissed me on the same day. I replied to all of them harshly. I said to them ‘You call yourselves worshippers, yet you don’t feel my pain. I just came back from burying my brother and now you are doing this to me. How am I going to survive? You are not worshipping God if you don’t feel the pain of another person’ (Interview, 02 June 2022).

Zoleka’s experience illustrates the uncertainty, precarity, opportunities, and losses during the lockdown. Her harsh response, particularly during times of crisis and despair, exposes domestic workers’ vulnerability because of informality and employers’ indifference to domestic workers’ rights. Zoleka explains that her employers never gave her a clear explanation for her dismissal, apart from being told she was replaced by someone who lives closer to them. Their reason for the dismissal made little sense to her because she lived in Khayelitsha throughout her five years of employment with her employers. As Zoleka reasons, it is likely that she was dismissed because her employers saw her as high risk (travelling to work with public transport; attending a funeral during the peak of Covid-19). Instead of reporting the incident

to the Commission for Conciliation, Mediation, and Arbitration (CCMA), Zoleka searched for another job.

Work intensification and remuneration

Most domestic workers in the sample returned to work after three months of lockdown. Upon their return, they reported increased workloads. Although domestic workers with multiple employers usually experience intense workloads (Du Toit, 2013b), those who worked for one employer also reported increased workloads upon returning to work. Given the months spent at home, they were not physically prepared for work, especially in households where employers had not cleaned regularly. Eight participants complained about their workloads. Of these eight, five worked for one employer. The remaining three participants worked for multiple employers. In other words, two participants of the seven participants with one employer did not complain about their workload, while of the five participants with multiple employers, two did not complain. They explained that the workload was not too intense because their employers cleaned for themselves during the lockdown. Mary, who worked for multiple employers, complained about 'catching up' when she returned to work. However, Mary and Sindiswa both recounted their surprise when one of their employers did not pay them for their first month of work after returning during level 3 lockdown. Without informing them, their employers chose not to pay them because they were paid during lockdown levels 5 and/or 4 when they did not work.

Sindiswa's experience throughout the lockdown was that of sporadic hyper-precarity. Before the pandemic, she worked full-time as a live-out domestic worker. However, her employer terminated her employment before level 5 lockdown was announced and she instead received a once-off payment in March, which was later deducted from her wages upon her return during level 3 lockdown. Sindiswa received no financial support thereafter because of her unemployed status. During level 3, her employer asked her to return to work. Like others, she experienced work intensification, but unlike the other domestic workers in the sample who felt powerless and concerned about their job security, she challenged her employer. She reported to the CCMA that she was not paid for the month of work during level 3 even though her employer threatened

to reveal that she was an undocumented migrant worker. In the end, Sindiswa did not pursue the case. She explained how she had no money to travel to the CCMA offices and lost her job. Based on Sindiswa and Mary's experience, it is likely that other domestic workers were not compensated for working extra hours because their employers paid them when they could not work. While some employers appeared to show genuine concern for their domestic workers during the lockdown, others failed to communicate the conditions for compensation when they were not working.

Further, domestic workers reported that their employers increased their work hours without discussing changes with them increasing wages. Most of the domestic workers did not challenge their employer's decision because they felt that they had to endure precarious work conditions to avoid losing their jobs. Thandeka made this clear when she said, 'When it comes to [Covid-19], we just couldn't fight about it.' Eunice elaborated, 'It started during the time of Corona; a lot of things changed. Things were better before than now. Now if you lose your job, you might lose it for good and never get another one again.'

Distant hierarchy and personalism in the employment relationship

Domestic workers reported different examples of personalism in the employment relationship before the pandemic. The most common examples included receiving gifts and financial support, including loans, from employers, which they sometimes did not have to pay back. Domestic workers also reported that some of their employers provided emotional support to their personal problems and employers also shared their personal issues with them. Overall, domestic workers reported 'good' relationships with employers. Yet, more than half of the sample reported employment relationships characterised by a distant hierarchy before the pandemic. Two domestic workers complained that their employers shouted at them or accused them of theft. Five domestic workers felt that there was a shift from personalism before the lockdown to a distant hierarchy during the lockdown.

Although social and physical distancing was part of precautionary measures to curb the spread of

“ The Covid-19 pandemic and lockdown measures necessitated new management practices. Wearing masks, social distancing, and the use of sanitisers were precautionary measures for workplaces to curb the spread of the virus. However, domestic workers reported that Covid-19 protocols were partially or not followed. ”

Covid-19, for domestic workers, social distancing in their workplaces felt discriminatory, signalling a shift from feeling like ‘part of the family’ to ‘outcasts.’ They felt discriminated against because employers applied social distancing to them but not to family members, friends, or neighbours. In the excerpt below, Zoleka describes how one of her employers, who previously shared breakfast with her, distanced himself during the pandemic:

He just made me feel like I was not a human being or even made me feel like I was the carrier of Covid-19 because he was working with people, he was working for charity organisations under the government. So everywhere he went, he worked with people but when he arrived at his house he would only want to be with his family and no one else. (Interview, 02 June 2022).

Zoleka describes a sudden change in her employer’s behaviour towards her. Her employer would request that she should leave the room when he was present. Her movements in the workplace were restricted and differed significantly from the conditions of work before the pandemic. For example, her employer did not allow her to clean the lounge or touch the chairs. Zoleka was not given any explanation for her employer’s behavioural change. As such, Zoleka felt as if she was a carrier of the ‘disease’ and ‘not a human being.’

Similarly, during the pandemic, Thandeka noticed that her employer and daughter would leave when she entered any room in the house, although she wore a mask. While it is possible that her employer

and daughter did so because they were not wearing masks and/or to ensure social distancing, Thandeka shares another significant change that she felt was discriminatory:

I remember there is a guy I work with. He is a gardener, and they bought cups only for me and that guy. The strange thing is that I am the one who washes dishes. So, am I not the one who is going to touch the cups? It is going to be touched by me because I am the one who is cleaning it (Interview, 10 June 2022).

Before the Covid-19 pandemic, Thandeka and the gardener could use any of the dishes but during the pandemic, they were given specific dishes to use. This sudden boundary work pinpoints the contradictory implications of intimacy, given that Thandeka was employed to clean and keep her employer’s family safe. Therefore, as Thandeka astutely notes, the sudden change was nonsensical because cleaning requires touch. At the same time, this change signalled a distant hierarchy because discriminatory social distancing applied to her only and not to the employer’s neighbours and family members. Besides buying separate cups, Thobeka’s employer instructed her to eat in the laundry room, whereas in the past she ate at the dining table. These examples illustrate a distant hierarchy between domestic workers and employers and the socio-spatial boundaries related to separating the public and private spheres of the intimate workplace.

The Covid-19 pandemic and lockdown measures necessitated new management practices. Wearing masks, social distancing, and the use of sanitisers were precautionary measures for workplaces to curb the spread of the virus. However, domestic workers reported that Covid-19 protocols were partially or not followed. Often both the domestic worker and the employer did not wear masks, nor did they practice social distancing or use hand sanitisers. When protocols were partially followed, domestic workers reported being urged to wear a mask while the employer, family members, and visitors did not. The decision to wear or not wear masks was contingent on the employer, but domestic workers reported instances of asserting their right to safe working conditions. For example:

You know what they said, they just said 'We trust you and we know you will not let us down and we want you to also trust us because we know you've got a small baby at home.' So, I was taking care of myself, I would sanitise and everything because...not because they were asking me to, but I had to do it *mos* (after all), everyone for himself (Chiedza, Interview, 04 July 2022).

Chiedza's experience differed from other domestic workers because her employer did not enforce protocols that made her feel like an outsider by, for example, making her wear a mask while the family and employer did not. Chiedza's employer rationalises the decision to not use masks because of mutual trust and the need for responsibility towards each other's families. However, Chiedza did not feel safe without a mask or sanitising. She explained that her choice to wear masks was her attempt to protect herself because her employer decided to not wear masks or social distance without consulting her. While Chiedza did not challenge her employer's decision to not wear masks, she continued to use sanitisers and to wear masks. One explanation for Chiedza's response is that although she experienced personalism in the employment relationship, the unequal power in the employment prevails. Chiedza also raises an important point about 'everyone for himself' – suggesting that there was no guarantee of sick pay or a job to return to if she was ill.

Only two employers changed their employment arrangement with domestic workers, shifting from live-out to live-in domestic work. Wages did not change when they moved in with their employers. In both instances, domestic workers accepted the request despite not being entirely happy with the new arrangement. Their employer's request was based on fear of contracting the virus because their domestic workers use public transport. Nomawethu moved in with her employer during level 5 lockdown because she did not have young dependents. Tatenda was allowed to move in with her children and did so despite disapproval from her husband:

I was not comfortable but they were happy. You know, even the kids were like 'she is here, she is going to sleep here.' So, they were like happier but as for me,

you know, as a domestic worker, like as a helper, you don't feel free like my house (Interview, 5 July 2022).

Tatenda reconciles her discomfort with moving in by noting that the employer and children were 'happier' with the arrangement. Tatenda describes the live-in employment arrangement as 'unfree' compared to a live-out arrangement under which she can retreat to her own space and family setting without restriction. Tatenda revealed that besides not wanting to lose her job, she became a live-in domestic worker despite her husband's response because she felt indebted to her employer, who often gave her gifts.

Bukelwa was one of two domestic workers employed formally. She characterised her employment relationship as one based on personalism. During the pandemic, her employers claimed her TERS on her behalf. Nevertheless, Bukelwa explained that her employer did not give her the full amount. When probed why she did not make inquiries with the Department of Employment and Labour, Bukelwa said:

I just thought that it was going to backfire [on] me because they were going to call her and ask what she did with the money. It was during that time they bought me a washing machine on my birthday, so I just thought maybe they saved the money to buy me a washing machine. But it was my money, and I was supposed to be the one to decide what to do with it. I just don't know [what] I was just thinking (Interview, 05 July 2022).

Like Tatenda, Bukelwa describes how personalism in the employment relationship serves as a tool to control domestic workers. Rather than question her employer, Bukelwa remained silent. Her concern that making an inquiry would 'backfire' on her also relates to her fear of losing her job. However, she raises an important issue noted in many studies that illustrate the insubordinate role of domestic workers when employers decide what is in their best interest and act as their custodians (Ailly, 2010). Bukelwa experienced the classed power asymmetry in her employment relationship when her employer saved her TERS money to purchase a washing machine without consulting her. Bukelwa felt bound to her

employers, making yet another concession to keep her job with them when they revealed she would not get a wage increase for the next two years because they were facing financial challenges. The findings show how personalism/maternalism diminishes domestic workers' bargaining power. In these specific examples, domestic workers had no voice regarding their wages.

Discussion and conclusion

The Covid-19 pandemic and lockdown transformed the nature of domestic work in unsettling ways. First, domestic workplaces became fragile sites of sporadic hyper-precarity. The findings show how domestic workers grappled with employers' uncertainty and anxiety as everyone retreated to their homes, uncertain of what would happen during the lockdown period, especially regarding their employment status. The lockdown rules and health-related protocols called for social and physical distancing to curb the spread of the virus. Yet, social and physical distancing challenged and deepened the public-private divide in employers' private households and domestic workers' intimate workplaces. Domestic workers experienced social and physical distancing as exclusion. The findings show how socio-spatial boundaries adopted by employers were mostly perceived as employers' response to domestic workers as a high-risk group or carriers of Covid-19. In addition, domestic workers were rendered invisible because of the context-specific nature of the pandemic. The example of the politics of food consumption – where one eats separately or with separate crockery – demonstrated othering and the redefinition of the public-private divide because of the enactment of socio-spatial boundaries. Unsurprisingly, some domestic workers felt restricted to certain spaces or back rooms instead of former public spaces such as dining rooms.

Second, while the need for practicing social and physical distancing was necessary, an underlying assumption of shared understanding between employers, families, and domestic workers often led to poor communication. The lack of communication suggests a distant hierarchy in the employment relationship, including among domestic workers who experienced personalism before and during the lockdown period. What is noteworthy is how boundary work occurs along a continuum where 'individual

employers lean toward one or more approaches of boundary work in shifting contexts' (Lan, 2003: 530). Further, poor or no communication revealed the inherent power asymmetry in the employment relationship. The data showed that almost all employers did not communicate with their domestic workers about Covid-19 protocols. Adherence to Covid-19 protocols was partial, ignored, and based on employers' needs. According to de Villiers and Taylor (2019: 7), at times, domestic workers are unable to negotiate employment conditions because of the unequal power between domestic workers and employers. Therefore, the top-down approach of managing domestic workers in an unequal employment relationship marginalised domestic workers' employment rights despite their essential status for keeping families safe and sanitising homes.

Third, the threat of unemployment heightened domestic workers' anxiety during the pandemic. Surveys tracking middle-class responses to South Africa's economic climate revealed that the leading cause of domestic work job losses occurred because employers immigrated or could not afford domestic services as households grappled with job losses, reduced work hours and pay, and the impact of the war in Ukraine on the economy (SweepSouth, 2022). However, SweepSouth (2022) reports that two-thirds of their respondents (from Kenya and South Africa) thought that they were dismissed for invalid reasons. Although the sample size of this study is small, it suggests, like other studies, that domestic workers were likely dismissed because of employers' fear of domestic workers as a high-risk group or perceived carriers of Covid-19 (Mullagee, 2021; Sumalatha et al., 2021).

In the context of underemployment and mass job losses, the findings show domestic workers were mostly silent. While some employers showed sensitivity to domestic workers' economic situation during lockdown levels 5 and 4, others unfairly deducted what they had paid them previously when they returned to work. Studies by Ally (2011) and Dawood and Seedat-Khan (2022: 7) discuss how the asymmetrical employment relationship and risk of unemployment underlie a 'silent paradox' that is deeply rooted in a culture of 'servitude and institutionalised fear' because of 'a lack of trust in government and low bargaining power with employers

due to the shortage of employment opportunities.' The shift from live-out to live-in employment during levels 5 and 4, working during the hard lockdown, work intensification without remuneration, unfair deductions, and silence towards domestic workers' mental and physical health cemented the conditions for what Dawood and Seedat-Khan (2022) refer to as bonded labour. Therefore, most domestic workers felt they had no voice in a society burdened by high unemployment. Their silence, however, must be contextualised considering employers' partial or non-compliant status with labour legislation, which adds to domestic workers' job insecurity and lack of access to social assistance during the pandemic. Like the findings in this study, Patel et al. (2020) found that most domestic workers did not benefit from TERS during the Covid-19 pandemic because of poor monitoring and enforcement of domestic workers' employment rights. A further constraint was a lack of resources or awareness of support mechanisms such as the CCMA or TERS (Skinner et al., 2021).

In conclusion, lockdown work deepened the public-private divide in employers' private households and domestic workers' intimate workplaces, thus 'locking' workers into conditions of servitude. The experience of personalism/maternalism and distant hierarchy was entangled with the social and physical distancing under Covid-19. These socio-spatial boundaries undermined domestic workers' sense of dignity and employment rights. The pandemic not only revealed domestic workers' longstanding socio-economic vulnerability but also exposed the dire situation and implications of non-compliant employers during economic uncertainty. The findings suggest a need for proactive government intervention to ensure that labour legislation is enforced to protect domestic workers. Campaigning to foster a culture of compliance among employers and to educate domestic workers about their employment rights is one step towards ensuring that domestic workers have access to relevant information, representation, and support services. Using online and/or WhatsApp support groups can further the reach and accessibility of support services under such campaigns. While this study focused on workers' experiences of employer's boundary work, future research can examine how domestic workers offset employers' control during lockdown work and explore employers' perspectives regarding the complexities of the public-private divide

they must navigate. Such studies will likely generate robust debate regarding the future of domestic work in the post-pandemic period.

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‘God Gave us Legs to Walk!’:

Mobility and Social Networks Among a Group of Rural Domestic Workers in the Vicinity of a Coastal Town in South Africa



By Marizanne Grundlingh

Abstract

Domestic work is a major source of income for many Black African women in South Africa. The experience of domestic workers is mainly shaped along racial and class lines – this is a result of the remnants of the legacy of apartheid, where many Coloured and African women were dependent on employment in the domestic work sphere. This article considers the experiences of a group of Coloured female domestic workers in a coastal town in South Africa. Drawing on ten qualitative interviews, I show how their experiences are framed around issues of mobility – this includes moving to work and moving at work and the consequences of immobility in the world of work. Most research that deals with issues of mobility in domestic work focuses on migration

patterns. This novel approach to understanding the notion of mobility for domestic workers contributes to the existing literature on domestic work in South Africa but extends the conceptualisation of movement beyond migration patterns. The article also makes a much-needed contribution to understanding the experience of domestic work in rural settings in South Africa. This is done by exploring the coping strategies that the participants employ to support themselves and their families. Networks and family ties form an essential component of the financial and emotional survival of this group of women. The role of social capital is also investigated as it plays an important role in forging trust and reciprocity among participants of this study.

Introduction

Paid domestic work is a fundamental employment sector in South Africa. While there has been a decline in the employment of domestic workers since the Covid-19 pandemic, it is estimated that there are still approximately 800,000 people, mostly Black African and Coloured women from marginalised and poorly-educated backgrounds, employed as domestic workers (Quarterly Labour Survey, 2022). Apart from these race, class and gender characteristics, migration trends and the influx of domestic workers from other African countries, especially from Zimbabwe, have also contributed to the current intersectional nature of the domestic work landscape in South Africa. Early influential sociological analysis on the political and gendered nature of domestic work by Jacklyn Cock (1980) highlighted the exploitative nature of domestic work during the apartheid period and paved the way for understanding the complex intersectional nature of domestic work in the South African context. Since then, research on domestic work has been guided by themes that relate to gender (Gaitskell et al., 2010), labour regulation (Jacobs et al., 2013), outsourcing (Du Toit, 2021; Du Toit and Heineken, 2021), migration (Jinnah, 2020), and cultural identity (Bonnin and Dawood, 2013), among others. These studies point to the fact that domestic work accounts for the sustained livelihoods of many women and, therefore, an analysis of their lived experience in the workplace is of paramount importance.

The aim of this article is to add to these conversations by focusing on the mobility of, and the use of social capital by domestic workers. Hence, the primary goal of this study is to explore the experiences of a group of Coloured domestic workers with reference to their mobility and use of social capital in a coastal town in South Africa. In addition to this, the paper also considers the coping strategies that the participants employ to support themselves and their families and how social capital aided their financial and emotional survival. The structure of this paper is as follows: First, a brief background to domestic work in South Africa is provided, followed by a discussion on the research setting and methodology of this paper. Next, the findings and concluding remarks are presented on the issue of mobility and social capital.

Domestic work in South Africa

There is a plethora of research on domestic work that considers the lived experiences of Black African women in the domestic sector. Research on domestic work in South Africa has explored the working conditions, employment relations between employers and domestic workers, and the legislation's effect on the paid domestic work sector (see, for example, Ally, 2010; Cock, 2011; Gaitskell et al., 2010). These studies have demonstrated how domestic work remains a vulnerable occupation for women, despite interventions from the state. There is, however, limited research on Coloured women's experiences of domestic work in rural areas of the Western Cape. Scholarly work on women's experiences in the Western Cape has related to issues of the family (Levine, 2013), alcohol abuse (Croxford and Viljoen, 1999), and motherhood (Kruger, 2020). Van der Waal's (2014) edited volume considered wealth, work, and transformation in the Dwarsrivier Valley, but did not focus on the role and experiences of women in the domestic sphere. Ena Jansen's (2016) book *Like Family: Domestic Workers in South African History and Literature* considers how urban domestic workers have been represented in South African literature. Although the book provides a synopsis of the representation of the experiences of domestic workers through text, it does not consider their everyday lived experiences around mobility and coping.

Another major theme prominent in the literature around domestic work is the issue of labour relations and exploitation in the post-apartheid era (Ally, 2010; King, 2007). For example, Shireen Ally's (2010) book *From Servants to Workers: South African Domestic Workers and the Democratic State* provides a good overview of paid domestic work and its political implications in post-apartheid South Africa. Ally (2010) demonstrates how the shift from informal to formal labour relations in the post-apartheid period has both positive and negative consequences for domestic workers. In addition, King's (2007) work shows how the maternalistic employment relationship between employers and domestic workers increases opportunities for dependency, control, and

exploitation. More recently, Du Toit's (2020; 2021) research considered the growing trend of outsourcing and domestic housecleaning companies. His analysis shows that labour legislation is a key deciding factor when choosing to make use of a company as opposed to employing domestic workers privately. In addition, Hunt and Machingura (2016), Vallas and Schor (2020), and Sibiyi and du Toit (2022) also revealed how the gig economy undermines proper working conditions for domestic workers who supply cleaning on demand for middle-class households. What these studies point to is that outsourcing or the gig economy does not improve the working conditions for domestic workers and that the domestic work sector remains characterised by exploitation, poor pay, and inequality.

Regarding research that deals with issues of mobility in domestic work, most scholarly work tends to focus on cross-border migration patterns (see, for example, Jinnah, 2020; Griffin, 2011; Momsen, 2003; Makina, 2013). These studies consider the movement of mostly immigrant women to South Africa from neighbouring African countries such as Zimbabwe, Mozambique, and Malawi and the various push and pull factors that influence their decision to move to South Africa. While these studies provide a good overview of migration patterns of domestic workers, the long-distance migration trend is not relevant to this study as all the participants of this study have lived nearby the coastal town for their entire life. What is unclear in these studies is the experience of moving to and from work and how domestic workers experience movement at work. This article takes a micro-level approach by considering mobility as it relates to moving between home and work and the implications of movement at work. This approach to understanding the notion of mobility for domestic workers contributes to the existing literature on domestic work in South Africa but extends the conceptualisation of movement beyond migration patterns and practices for labour.

The setting and methodology of the study

One needs to contextualise the experiences of the participants of this study in relation to the spatial and geographic location of the town. The town, with approximately fifty white permanent households, is situated in the Southwestern District of South Africa and is mainly a holiday destination for white households. Holidaymakers usually flock to the town

during the summer holidays and this is usually the period that domestic workers of this study are in most demand by families.

The town is situated 40km from the nearest urban area and there are minimal industrial or commercial operations in the vicinity of the town. Several farms surround the coastal town and all the participants of this study lived on farmlands near town. These farms are mostly used for sheep and cattle farming. Some, but not all, of the participants had worked or have family members who worked on the farms where they live. Most women have an informal rental arrangement with farmers in the area. Their houses are simple structures, sometimes made of wood, and lavatories are situated outside the house. Not all households have access to water and are reliant on the municipality to deliver water on a regular basis. The farm area is on the outskirts of the town and many of the women live five to ten kilometres from the town where they work. There are also no public transport options in the vicinity of the town and domestic workers need to walk to their employers' homes.

All the women speak Afrikaans as their main language and self-identify as Coloured. Adhikari (2009) makes the important point that 'part of human social existence is that people self-reflectively create, maintain and revise their perceptions of who they are, and how and why they espouse the values and identities they do, and that social identities are by their very nature contested and unstable.' The

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conceptualisation of the term 'Coloured' in this paper is informed by understanding race as a contestable and social construction.

This spatial segregation is reminiscent of South Africa's political past where most of the Coloured and Black African population lived on the outskirts of urban areas and their movement to and from the urban areas was monitored by the pass system. Although the system of apartheid formally ended in 1994, the legacy of apartheid's structural inequalities – especially as it relates to housing and spatial segregation – is still prevalent. Hamann and Ballard (2021) argue that it is not possible to separate social and spatial inequalities from each other or from racial segregation in the South African context. This is relevant if one considers the spatial and racial segregation evident in the living and working patterns of the town. The participants of this study know each other and come from a tight-knit community where there are generations of interconnectedness through family ties and living arrangements. There is still a distinct sense of separation, both spatially and culturally, between the women who live on the outskirts of the town and the inhabitants of the town. The race and class divides are evident, as the women seldom make use of the beach facilities of the 'White' families and sometimes feel 'unwelcome' in institutions such as the church. This experience is reminiscent of a historical past that often saw Coloured women pushed to the margins of society.

Concerning the methodology, this paper took a qualitative approach to study the lived experiences of domestic workers in a coastal town in South Africa. Ten semi-structured interviews were conducted with women over a three-month period. Non-probability convenience sampling was used to select participants who had worked in the domestic sector of the town for at least two years and who agreed to partake in the study. All the participants were over the age of eighteen years. By means of thematic analysis, the themes that emerged from the data related to issues of mobility, coping mechanisms, and social support.

Ethical clearance was obtained from the author's institutional affiliation. Participants voluntarily participated in the study and all participants were ensured confidentiality. Pseudonyms were used to

protect the identity of participants. In addition, the location and name of the town will remain undisclosed to further protect the identity of the participants. Below is an overview of the profile of the participants of this study.

Table 1: Participants' Profiles

Pseudonym	Age	Years of experience as a domestic worker
Mimmi	48	25
Gill	24	2
Dana	41	21
Maria	50	31
Shelly	35	12
Niena	43	10
Katie	56	30
Selma	32	6
Tia	53	10
Jane	55	15

Mobility and immobility

All participants of this study live on the outskirts of the town and get to work by foot or the occasional transport opportunity with farmers in the area. Most of the time they leave their homes in the early hours of the morning and walk to work. The walk takes them along a dirt road to join the tarred road that leads to town. The five- to ten-kilometre commute forms part of their working routine but also contributes to their physical exhaustion after a long day of physical labour. Mimmi is 48 years old and has done domestic work in the town for several households. She is reliant on work opportunities in town to sustain herself and her three children. Mimmi is estranged from her husband and she is the sole breadwinner for her family. Mimmi explained how she finds the commute to work in the following way:

My legs take me to work and back. I am reliant on them to get me to work come sunshine and rain.

It is especially difficult to get to work on rainy days as you get to work drenched and tired. Our type of work is also very physical. You need to move furniture, wash windows, sweep and mop. I do take tea breaks but can feel if I work in five houses per week that my body takes the strain. I need to be mobile to do my work but moving to and from work and the nature of the type of work I do is very demanding on my body (Mimmi, 48 years old).

Mobility for Mimmi is, therefore, twofold. On the one hand, she is moving to work by walking, and on the other hand, she is moving at work to do the chores set out for her. Although the nature of the movement varies in that when she walks, it is to get to a destination and when she is at work, it is to complete a task, both forms of movement create physical exertion that contributes to her experience of work.

Not all participants, however, felt that walking to work was detrimental to their well-being or work ethic. It seems that there are social benefits of walking to work. Shelly is a 35-year-old mother of two and explained that the commute to work is an opportunity for her to catch up on news from her friends. The fact that she walks may have physical consequences, but the time spent walking also has social value. Shelly elaborated:

Yes, I walk to work, but we have become used to this. If we want to go anywhere, we walk. We do not Uber, or Taxi or use the bus as the people do in the big towns. We walk! God gave us legs to walk. When we walk to work, we often have time to catch up on what is happening in each other's lives and gossip. You know small towns love a bit of gossip and walking to work gives us the time to do this (Shelly, 35 years old).

Although the walk to work may have physical consequences there are clearly intangible benefits of walking to work together. One of these is the opportunity afforded to gossip. Besnier (2009) argues that gossip enables people to make sense of what surrounds them. According to Besnier (2009), 'Gossip enables us to understand "politics from below", particularly from the perspective of those whose voice is rarely heard in public or from the perspective of those that are deemed "not to matter"'. A micro-analysis of the meaning of gossip is not part of the scope of this

paper, but one can argue that many women who are part of this study are marginalised in society in different forms: as women working in a patriarchal society, as Coloured women who have historically been excluded from the structures of society as the result of apartheid, and finally as workers in the domestic work sector where exploitation is often the norm. The intersectional nature of oppression which is framed by class, race, and gender is particularly apparent in the world of domestic work (Cock, 1980). Gossip for these women could be one way in which they raise their frustrations, and the walk to work affords them this opportunity.

The fact that many participants walk long distances to and from work also affects the quality of work some participants felt they could master. Gill, one of the younger participants aged 24, explained that she often decides to start with the work that is more physically demanding (such as washing windows and mopping) first to ensure she has enough energy to complete the remaining tasks. She explained:

Getting to work on foot does influence how well I can do my work. I make a decision to start first with the work that I know is exhausting. I will wash the windows first and move on to cleaning the kitchen and sweeping. This works for me as it leaves me with enough energy to do a good job, but also not feel totally exhausted by the end of the day (Gill, 24 years old).

It seems that the movement and mobility of the participants are also monitored once they get to work. The nature of their work requires that they move into the private spaces of houses – that of bedrooms and bathrooms. Many participants explained that during peak holiday times they are required to be at work and move around at work during the time that the inhabitants of the house are at the beach or going to town. Dana (41) explained how her movement is managed in the following way:

When I work during the holidays I often need to find out when would be the best time for me to be in the house. Holidaymakers do not want me *under their feet* to clean. Sometimes I feel I am invading their privacy if I am sweeping up sand from the beach whilst they are having breakfast. My movement at work is therefore determined by

“ Several scholars have noted that the relationship between the employer and the domestic worker is often imbued with contradictory and hidden meanings. These hidden meanings relate to servitude, vulnerability, and exploitation in the workplace. Grossman (2004) makes the salient point that domestic workers are often ‘silenced’ not through verbal communication, but through hidden meanings. ”

who is in the house. I work better when I am alone in the house as I can move where I want without feeling I am in the way (Dana, 41 years old).

This movement of the participants at work is, therefore, dependent on the movement of the holidaymakers. This point speaks to the limited agency participants have in firstly decision-making on the mode of travel to use to get to work and secondly having the freedom to move around freely when at work. Several scholars (Cock, 1980; King, 2007; Grossman, 2004; Du Toit, 2020) have noted that the relationship between the employer and the domestic worker is often imbued with contradictory and hidden meanings. These hidden meanings relate to servitude, vulnerability, and exploitation in the workplace. Grossman (2004) makes the salient point that domestic workers are often ‘silenced’ not through verbal communication, but through hidden meanings. In this case, the participants are silenced by the control of their mobility by the employees in terms of when an opportune time is to work. This impedes their movement at work but also speaks to the power relationship between employer and domestic worker.

Cock’s (2001) article on ‘invisible work’ shows how the work that women do, especially in the domestic sphere, is often devalued as there is sometimes no or very little payment associated with chores. In a capitalist society, work that is valued has a high monetary return. Invisible labour is deemed as work

that is done but goes unnoticed or is just expected to be completed. One could argue that the movement of the participants of this study (in terms of when an opportune time is to clean the house) reinforces the idea of invisibility. They need to be physically invisible, and domestic work itself is deemed invisible as it is associated with minimal payment. It seems that work needs to get done in an almost ephemeral or invisible manner when the occupants of the house are not present. Jane reiterated this point:

We are needed but we are not allowed to be seen. When I clean a house and the people are in the house I need to move around as if I was not there. If I clean the house when people are not in the house and they return it is as if a magical fairy mopped, cleaned and washed the dishes. I get irritated when they come back from the beach and walk into the house that I have just mopped with their sandy feet. It is as if they cannot see that it has just been cleaned. I feel sometimes my work goes unnoticed, but it is all we have (Jane, 55 years old).

Yarmarkov (2016) has shown how the notion of ‘invisibility’ influences domestic workers’ perception of their self-identity. Blumberg (2016) makes the salient point that different social spaces perpetuate the feeling of being invisible and reinforce ideas around surveillance for domestic workers. One could argue that Jane’s experience of not being seen is twofold as she feels that both the work she has done, like mopping up sand, and her movement around the house, are rendered invisible. This leads to a feeling of frustration and feeling that the work goes unnoticed. This has significance for her sense of self and the value she adds to the world of work.

Another theme that emerged related to domestic work was that of immobility. Domestic work is reliant on a body that is able to do work of a physical nature. The participants of this study, therefore, need to be in good physical health and uninjured to perform their work. The issue of immobility because of health or injury was a prominent theme that emanated from the analysis. Maria is 50 years old, and she has been employed by one of the permanent residents of the town for over 30 years. She explained that she is concerned with her ailing health and finds it difficult

to walk to work and be physically active at work. The relationship she has built up with her employer over the years has seen her being fetched by car from her home, but it was clear that Maria is aware that her immobility at work (due to health reasons) will have a detrimental effect on her ability to maintain a stable income. Maria elaborated:

I have been working for 30 years and have realised that my body becomes more tired the older I get. I have health challenges, and this influences how fast and effectively I can work. I use to only go in to work two days a week and could get it all done, but now I need to go in four times a week to do the same work. I am getting slower and my movement at work is not what it used to be. I worry about this because if I can't move, I can't make money to support myself and my family (Maria, 50 years old).

Clearly, for Maria, her physical health is directly linked to her ability to do her work effectively. The issue of health and injury on duty influences the ability of the participants of this study to maintain an income. A concerning fact is that many domestic workers in South Africa do not have written contracts with their employers (Du Toit, 2020). Although there has been an emphasis on regulating the rights of domestic work through The Basic Conditions of Employment Act of 1997 (which stipulated hours of work, leave and rest periods, and mandatory obligations on the part of the employer) and the Sectoral Determination 7 (SD7), the domestic work sector is largely still unregulated. The SD7 aims to control and implement minimum standards of employment for paid domestic workers. However, none of the participants of this study had an employment contract with their employees or an agreed pension plan. This implies that domestic workers in this study are disposed to the possibility of employer control and exploitation.

In this regard, Blackett (2011) makes the important point that 'the absence of meaningfully enforced labour legislation implies that domestic workers remain dependent on any particular individual employer's sense of fairness rather than a commonly established legal norm valuing the worker's societal contributions and her inherent human dignity.' This raises questions around how injury on duty is dealt with and how 'fairness' of the employer influences the

ability to continue with work. It also draws attention to the lack of union representation or collective agency for domestic workers in rural areas.

Niena, a 43-year-old mother of two, had the unfortunate incident of hurting the ligament in her right foot whilst cleaning one of the houses in the town. She explained how she was stepping off from a step ladder and twisted her foot sideways. This injury incapacitated her movement and her employer assisted in covering the medical costs to deal with the injury. Niena was, however, unable to work for three months over the very busy holiday season – a period that she relies on to ensure she secures an income for the rest of the year. She explained her frustration with being immobile during this period:

Hurting my foot was the most frustrating experience. I could not work as I was on crutches. This came at a time when I had secured work at three houses over the December holidays. I was in tears, as I needed that income to pay my children's school fees and pay the debt that I had at a clothing store. I had to work but could not work because I could not move. Although my employer helped with covering the fees to deal with my injury, the fact that I could not do work was very stressful. Sure, I got time to rest, but I could not make money (Niena, 43 years old).

Evidently being immobile in the domestic work sector has detrimental consequences on the ability to secure an income. Niena's immobility directly affected her financial status at home and added to the personal frustration she experienced by not being able to sustain her family. Despite the issues of immobility, domestic workers showed various coping strategies in difficult times.

Coping strategies and social capital

The participants interviewed for this study knew each other and coped during times of financial distress by relying on each other. They were instrumental in providing information to one another on when and where work is available. One of the ways in which they cope during times of financial difficulty is to share resources. The theme of sharing food amongst family members was prominent. Katie – a 65-year-old

mother of four – explained that she is often gifted leftover food by her employer. She elaborated:

During the holidays there is excess food in many of the houses where I work. The madam then often tells me I can take the food home. Sometimes it is too much for us to consume and I share it with my family, some of whom also work as domestics in the town. Then we eat like Kings! We do not often buy meat because it is expensive, but in December we are grateful for the holidaymakers who braai [barbeque] and then give us what is left (Katie, 65 years old).

In this regard, Archer (2011: 67) argues that 'symbolic codes of racial paternalism between domestic employers and employees are exposed through food'. Food represents forms of soft power and control and communication regarding food mostly comes from the employers' perspective (Archer, 2011). In this study, an in-depth analysis of the dynamic of food was not undertaken, but many participants did note that their relationship with their employers was often laced with the exchange of food. Although sharing of resources such as food and sometimes borrowing money between these women was evident, most women were possessive over the houses they worked at. They are not keen to share their working space as they had developed a relationship with their employer, and when work was scarce, the underwritten rule of respecting each other's turf became apparent. Selma elaborated on this point:

Yes, we help each other to survive, but we are also very dependent on work. If I work for Mrs X and I hear that one of the other domestic ladies cleaned for her behind my back, I would be furious! We have an unwritten rule that you do not clean another person's yard. At times it is respected, but sometimes not. Then you see big arguments among us. At the end of the day, we all need to put food on the table, but also need to respect each other's working arrangements and relationships (Selma, 32 years old).

Selma's story implies that there is tension between helping each other to cope and looking after one's own best interest. This tension does not, however, seem to adversely influence relationships that span over generations. What is, however, clear is that the

social networks and social capital that is built up over generations between the participants of this study have many benefits. Research shows that access to information about job opportunities depends on social structures and the social networks to which individuals belong (Burns et al., 2010; Vanyoro, 2019). Social Capital is a useful conceptual approach to explain the interconnectedness between the participants of this study. Seippel (2006) shows how capital represents some form of future benefit. Social networks are forged with future benefits in mind. Put differently, social capital is about social connections and relationships. It is a way of defining the intangible resources of the community, shared values, and trust upon which we draw in daily life (Field, 2008).

The intangible resources of this group of women relate to them communicating on what job opportunities are available and looking out for each other's needs. They have built up shared values of what the nature of their work means and there is an element of trust that they will not impinge on each other's work territory. These social networks are important as they create a social bond that emanated in the future benefit of some sense of job security. These strong networks have tangible benefits in terms of arranging transport/job opportunities and sharing food, and intangible benefits in terms of providing each other with social and emotional support. Forsyth (2014: 117) identifies five forms of social support. One of these is what he terms informational support, which is when guidance or advice is provided in a group. Tia elaborated on how information is shared to assist one another:

We all know each other because we have grown up together. Our families are intertwined, and we are all in the same circumstances. The other day I had to get to a doctor urgently and X [one of the other participants] got up at 2 am to take me to the hospital in her husband's car. We help each other and because we are on the outskirts of town, we need each other to survive. I also help X if her daughter needs money for school. We survive because of each other (Tia, 53 years old).

Tia's sentiments indicate that there seems to be interdependence between the women. One could argue that this dependence is a coping strategy in a microeconomic environment where very few job

opportunities exist. This was not only the case for Tia but for many women in this study.

Conclusion

This study has considered the notion of mobility and consequences of immobility in the world of domestic work for a group of women in a coastal town in the Southwestern District of South Africa. The analysis shows that these women's movements are multifaceted as they are dependent on movement/walking to get to work, but once at work, their movement is also monitored. I have shown how being immobile at work has detrimental consequences on their ability to secure work. The informal contractual agreement with their employers is a concern as they are at risk of not being supported if work should cease because of injury or illness. In addition to this, the paper has shown that social networks and support are crucial for their livelihood. Through strong bonding social capital, they can secure work opportunities and ensure a sustained livelihood. Whilst domestic work is the largest single sector in which women are employed in South Africa, there is still 'invisibility' to their labour in a very competitive job market. Formal contracts are necessary to minimise exploitation and more research on the lived experience of domestic workers in rural settings is needed to get a holistic understanding of their experiences in the world of work.

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From Dusting to ‘Deening’: Domestic Workers in the South African Muslim Home

By Quraisha Dawood

Abstract

Domestic workers in South Africa continue to tread the blurry line between formal and informal work. Despite attempts to regulate remuneration and organise workers, around 863,000 domestic workers earn their livelihoods within homes across the country. Comprised predominantly of black, semi-skilled women, authors have argued that this often-invisible workforce is vulnerable to exploitation, violence, and an insurmountable workload. Literature, however, hardly acknowledges that many domestic workers can be credited with harmoniously running the home, fulfilling elements of the role of the employer, and ensuring the employer’s children are cared for and supervised. Muslim female employers in particular teach and entrust their domestic workers to clean their home in line with Islamic principles and, more importantly,

ensure their children are cared for and guided towards an Islamic path when left under the supervision of the domestic worker. The role of the mother in the home is emphasised in Islam, and thus, her helper must be an extension of that role, be it dusting with a ‘paak’ (clean) cloth or ‘deening’ (practicing tenets of an Islamic lifestyle). Building on previous qualitative research, this paper argues that domestic workers in South African Muslim homes must not only be ‘good’ cleaners – they must also understand, absorb, and display elements of Islam, both as cleaners and carers, in order to successfully fulfil their role as a trusted part of the Muslim home in South Africa. This paper also explores gendered bonds shared between employers and domestic workers, as mothers and wives, and how religion and remuneration influence this dynamic.

Introduction

As an integral element of the homes of many South Africans, domestic work continues to occupy a large sector of the informal economy, despite attempts to regulate the sector. Various definitions of domestic work/er have been put forth (Zungu, 2009: 16; ILO, 2023), yet the consensus indicates that a domestic worker is one who performs services in a private home in exchange for a wage. These services include cleaning, washing and ironing clothes, cooking, child-minding, and sometimes taking care of the elderly. These five components are common across the literature (Cock, 1981; Zungu, 2009; Ally, 2010), yet as domestic work occurs in private households, there may be other services such as gardening or taking care of pets that are expected of a domestic worker. As Statistics SA (2023) notes, around 863,000 domestic workers, who are predominantly low or semi-skilled black women (Business Tech, 2023), find their workplace in the private homes of employers every day. Due to the informal, private nature of domestic work, this number is difficult to accurately determine. The invisible nature of this work lends itself to isolation, and possible opportunities for exploitation, and violence, leaving many at the bottom rungs of society, without pathways for social mobility (Anwar and Brukwe, 2023).

With its roots in slavery and shaped by South Africa's history of apartheid, the legacy of inequality still reproduces this gendered, often exploitative, and invisible form of work. Jansen's (2019) work, *Like Family*, traces the history of domestic work from the critique of pop culture such as the Madam & Eve comic strip, to the historical accounts of women who became entrenched in slavery, then being known as 'chars,' and now to their categorisation as domestic workers. Everyday dehumanising practices of othering such as being told to use separate utensils and toilets continue (Jinnah, 2020: 216), with many still being expected to work long hours without seeing their own families. Often, this is contrasted with elements of domestic workers being said to be 'like family' due to the intimacy of the space of the home and proximity to the family. The complexity embedded in domestic work operates across racial, gendered, lingual, socio-political, and cultural vectors.

Thus, the critical, seminal work of Cock (1980, 1981, 2011) remains relevant to contemporary discussions on 'maids' and 'madams'. In line with Ally's (2010) work, *From Servants to Workers*, the development of domestic work in South Africa and the government's attempts to regulate this area of the service industry post the advent of democracy, have been highlighted. This includes protective laws such as the Labour Relations Act (LRA) in 1995, the Basic Conditions of Employment Act (BCEA) in 2002, the Unemployment Insurance Fund (UIF) in 2003, and various increments in the minimum wage since. Yet, domestic workers remain unprotected from occupational hazards, injuries, and diseases and their work continues to be largely unregulated. The South African Domestic Service and Allied Workers Union (SADSAWU) seeks to provide training, mediation, and various counselling and legal services for domestic workers in the country, yet their membership hovers around only 30,000 (Grumiau, 2012). Based on Dawood's study (2012), the laws which aim to regulate or protect domestic workers are, however, deemed inaccessible by domestic workers and difficult to understand due to language barriers. Written contracts and UIF agreements are viewed with suspicion due to an untrustworthy government and domestic workers would rather receive cash payments. In addition, migrants who work as domestic workers are often undocumented and prefer not to share their documents with their employers. As the authors note, many women leave their hometowns and move to urban areas in order to find work as domestic workers in order to earn a living and send money home to their families (Tolla, 2013; Du Plessis, 2018). Zungu (2009) argues that this move disrupts the domestic workers' home life and family structure. In effect, there are around 863,000 mainly black women workers who find themselves in the informal economy, yet their value is diminished. Studies on domestic work in South Africa have evidenced that domestic work, due to its ties to colonialism, patriarchal culture, and links to unpaid domestic chores such as cooking, cleaning, and caring cannot escape its gendered categorisation as 'women's work' (Gaitskell, Kimble, Maconachie, and Unterhalter, 1983; Fish, 2006). Thus, little monetary value is accorded to these tasks. For example, research shows that many domestic workers live below the poverty line in South Africa (Buthelezi, 2021), with

many domestic workers being the breadwinners in their families. They are not protected by health insurance and due to the absence of a written contract, can be dismissed at any time. This was particularly harmful during the Covid-19 pandemic, where scores of domestic workers were left without work or healthcare (Dawood and Seedat-Khan, 2022). In fact, Business Tech (2023) illustrates that almost 250,000 domestic workers lost their jobs during this time and are finding their way back to employment.

Nevertheless, the number of domestic workers continues to climb in line with the cost of living and the increasing demand for paid housework as more women enter the labour force (Business Tech, 2023). As more women and mothers enter or return to the workforce, childcare has become a central responsibility of the domestic worker (Du Plessis, 2018; Dugmore, 2019). Hein and Cassirer (2010; cited in Du Plessis, 2018) encapsulate this dynamic of job creation in the service industry by noting that when employment becomes more accessible for women, so do employment opportunities for childcare providers. Of course, debates around who cares for the domestic worker or nanny while she is caring for her employers' children, is a point of contention. Anwar and Brukwe (2023) note that many domestic workers and those who take on caregiving work endure such conditions because the alternative is unemployment and hunger.

More recent works have touched on the rise of black middle-class employers (Maqubela, 2016) and sister-madams (Bayane, 2019), shedding a novel light onto

a subject that has historically been conceptualised mainly from the white employer-black domestic worker angle. Some insightful work has been done in the realm of shadow mothers (Dugmore, 2019) and the more recent arrival of domestic work on digital platforms in the gig economy (Sibiya and Du Toit, 2022). However, this study focuses on the childcare aspect of domestic work, paying particular attention to caring for children in Muslim homes, where the 'deen' (religion) is practiced and produced regularly. This seeks to build on Dawood's (2012) investigation, which found that the dominant religion of the home manifested itself through shared Islamic vocabulary, dressing, conversations around religion, and ultimately, in the way children were supervised or 'mothered.' Of course, one cannot discuss domestic work in South Africa without looking at the theoretical underpinnings of power, gender, and for the purpose of this study, the concept of mothering. It is within this framework of a power relationship between employer and employee, the gendered nature of domestic work, and expectations and perceptions around caregiving or motherhood that this study finds its place.

Theoretical underpinning

The dynamic of power infiltrates the relationship between domestic workers and employers, despite notions of being 'like family'. It cannot be ignored that the domestic worker is being paid for her labour and caregiving responsibilities, and this will never hold the same power as the employer. While power is by no means static, it is evident that the employer may erect boundaries within the spaces of her home, children, food, and rules around her expectations of cleanliness. The performance of this power manifests through her interactions with her domestic worker. Yet, in a Foucauldian sense, power is rather a strategy, and the relational dynamic between people in everyday life (Simon, 2005). Of course, while the employer may have visibility over her employee, the domestic worker may also exercise her agency and choose to erect her own boundaries. This became clear in Dawood's (2012) study, where domestic workers, despite being 'one of the family,' chose to eat their lunches away from the gaze of their 'madams'. In taking on childcare or caregiving responsibilities, the domestic worker assumes a temporary element of control over her employer's children, while simultaneously being answerable to her employer for their well-being.

“ As an integral marker and performance of the employer's identity, the domestic worker is expected to assimilate or absorb certain everyday Islamic practices or routines in the home, as well as its imposition on her body, such as dressing modestly or eating Halaal food.

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Thus, the supervision of children is supervised by the employer or mother, leading Manathunga (2012) to question the various ways power is strategized, performed, or withdrawn.

While personal relationships in caregiving are not uncommon, domestic work, especially when it involves childcare, brings various levels of complexity (Jinnah, 2020: 220). Dugmore (2019) conceptualises this dynamic as triangular: mother – domestic worker/nanny – infant. The domestic worker/nanny often attempts to mimic the mother, essentially, becoming a 'shadow mother,' until her full supervision or visibility is required. This term is heavily linked to the shadowy presence of nannies during the apartheid era (2019: 45). Often, domestic workers are not trained for this role; rather, childcare is added to her work and it is assumed she will be a maternal influence on her employer's children, due to her visible gender. In this way, 'taking care of the kids is on par with cleaning the toilet,' (Parreñas, 2000: 572), in the sense that it is another manifestation of the gendered nature of domestic work by employees who are predominantly female. Nevertheless, theorists clarify that the presence of the domestic worker as a nanny has a profound effect on the development of the child (Matangi; Kashora; Mhlanga and Musiyiwa, 2013; Du Toit, 2013; Du Plessis, 2018). This pseudo-maternalistic relationship may have benefits for children who may receive additional attention and learning through play and for mothers who grapple with the guilt of having to work and not look after their own children. However, tensions may arise when the children become too physically or emotionally attached to their caregivers if they display behaviour that contrasts with that of the family or leave the job abruptly (Bosch and McLeod, 2015; Dugmore, 2019). These tensions may result in children bearing the brunt of the burden of this triangular relationship and feelings of resentment on the part of the domestic worker, who becomes emotionally invested in children who are not her own.

Motherhood is an essential aspect of the Muslim female identity (Dawood, 2012). As ordained in Islamic texts, 'Jannah' (heaven) lies under the feet of the mother. Along similar lines, the mother's duty to her children is such that they have certain rights over her, such as being fed, kept healthy, and educated. In turn, respect for parents, particularly the mother over the father, is emphasised (Cheruvallil-Contractor, 2016).

Thus, it is imperative that the caregiver is awarded similar respect and is an extension of the mother's role when supervising the children. Religion indeed influences the environment of the domestic worker, especially within the home. As an integral marker and performance of the employer's identity, the domestic worker is expected to assimilate or absorb certain everyday Islamic practices or routines in the home, as well as its imposition on her body, such as dressing modestly or eating Halaal food. Through the Durkheimian lens, religion allows one to separate the sacred and the profane, much like the private and more public areas of the home (Dawood, 2012; Hidayat, 2017). These norms, values, and cultural practices are learned over time through socialisation and religious texts and reinforce the notion of identity. While not all Muslims are homogenous in their religiosity or dressing, for example, there is a consensus on which direction to pray and when Ramadan takes place. Thus, for the domestic worker, certain religious times, areas, and aspects of Halaal and haram or 'paak' and 'napaak' must be understood. These rules of religion may prove to be a point of understanding or contention between the domestic worker and the employer, thus discussing these, especially expectations around caring for Muslim children, is key to ensuring these values are perpetuated when the children are left in the care of the domestic worker.

Minding the Muslim home

Domestic workers who are employed in homes with a dominant religion, for example, a Muslim household, must assimilate to certain religious and cultural intricacies of everyday life in the home (Bonnin and Dawood, 2013). For example, cleanliness is of utmost importance in the Muslim home and is attached to Godliness and the presence of angels in the home. In line with this, there are areas or belongings in the home which are 'paak' (pure), such as the praying area and the Qur'aan, and 'napaak' (impure), such as the toilet and bathroom. Only Halaal (Islamically permissible) food and drink may be allowed or consumed in the home, while haram (forbidden) products such as those containing alcohol, pork, or any items deemed not Halaal, may not enter the home. Various aspects of modesty, such as dressing, one's language and tone, as well as the separation between men and women who are not married to each other, must be observed. According to findings from Dawood's (2012)

study, these boundaries between more private and more accessible parts of the home and its inhabitants determine the way the domestic workers navigate, clean, and ultimately understand their 'place' in such a space. Furthermore, as a woman within the Muslim home, it often becomes a domestic worker's responsibility to cook meals, care for her employer's children, and ensure that the home maintains its Islamic tenets of the 'deen' in the absence of her employer. Practically, this includes dressing modestly, ensuring she does not consume haram food in the home, and that she ensures cleaning materials are kept separate, such as those for the toilet and those for the bedroom or kitchen. Previous studies note that the Islamic ethos of the home has a profound effect on the personal space of the domestic worker (Bonnin and Dawood, 2013), such as her adoption of Islamic greetings and songs, the wearing of a scarf and inaccessibility to sacred prayer mats or texts. These have to be explained to the domestic worker upon employment, but in many cases, previous experience working in a Muslim home, especially caring for children, is preferable.

Caring for children

One of the key responsibilities of many domestic workers in South Africa is childcare. The literature points to debates around being 'paid to care,' transnational mothering, and the dynamics of being domestic nannies, pseudo-, or shadow mothers, which all seek to uncover this element of domestic work (Parreñas, 2014; Dugmore, 2019). They posit that 'childcare has become an undeniable necessity for working mothers' (Du Plessis, 2018: 9). Various options for childcare exist, including relative care (leaving the child in the care of relatives such as grandparents); non-relative care (leaving the child in the care of the neighbour or domestic worker); home-based care (the child is cared for in their own home); or centre-based care (the child is cared for away from home, in a daycare or educational centre) (Du Plessis, 2018: 11). It is not uncommon to find a combination of these types, such as relative home-based childcare, or non-relative centre-based childcare. Overall, research indicates that parents prefer home-based care due to the familiar environment for the child, in which they will receive more attention from the carer (as opposed to at a daycare centre, where the carer's attention is divided), and where there is less exposure to illnesses.

Further, childcare centres are expensive, and times are inflexible. By adding on or emphasising childcare as one of the responsibilities of the domestic worker, the parent ensures the child remains in a familiar environment with a person who the family trusts, and who fulfils the role of a cleaner and carer, all at a lower cost. Thus, the traditional linear structure of the employer-domestic worker relationship becomes triangular in nature.

An overarching theme of these studies indicates that domestic workers sacrifice mothering their own children in order to earn a living looking after the children of others. For example, Le Roux (1999, in Momsen, 2003), finds that many children of domestic workers are looked after by grandparents in rural towns, or the children live in their own corrugated shacks. Parreñas (2000; 2014) is pivotal in her argument that migrant workers face even greater divides, across oceans, resulting in the breakdown of family structure and a rise in child-headed households. Nevertheless, in this economy, women are 'forced' to work and therefore those who are within the informal economy are often compelled to endure these consequences. Taylor (2011) explains that this is a form of exploitation in which 'privileged parents pay socially marginalised women to perform intensive mothering labour in their stead.' Du Plessis (2018: 19) echoes this sentiment, saying that the 'cross-class dyad' characterises this relationship, where the 'employer can afford to pay for childcare, while the domestic worker is supporting herself by providing it.' Thus, these class, language, race, and experiential differences between domestic workers and employers influence the understanding of what quality childcare means (Du Plessis, 2018: 16). In this relationship then, communication, expectation, and a level of trust are key to ensure the values around caregiving are understood. While there is a dearth of data on this subject, authors emphasise the role of the domestic worker in childcare, particularly during the early phases of childhood development (Du Plessis, 2018). It is important to note here that it is within this time frame that children develop a foundational understanding of religion and daily routines which involve religious practices. For example, young Muslim children learn short prayers and etiquettes of eating (such as praying before eating and eating with the right hand), greeting, and going to the toilet (known as *istinja*). Another aspect of development involves learning through play; thus, domestic workers must

find a way to balance their time between childcare and housework (Du Plessis, 2018). Recently, in an effort by a Gauteng-based group, Muslimahs Making a Difference, a Muslimah Nanny training programme has been launched, which teaches domestic helpers and nannies: Learning Quraan through play, sewing, baking, cooking, child and infant massage, adult massage, household management, grocery shopping, beauty therapy, IT skills, financial management, therapeutic art, play therapy, driving and au pair training (Muslimahs Making a Difference Online, 2022). Their website underscores the importance of caring for children, saying that 'A Muslim Nanny is needed in every home, ensuring that your kids are taken care of in an Islamic Environment...being a Muslimah nanny is an honour. The greatest of mankind (Prophet Muhammad Peace Be Upon Him) was raised by a foster mother, and she has the potential to be this to your child too.'

Remuneration

Domestic workers are notoriously exploited and underpaid. Zungu's findings show that many domestic workers were only paid around R 750 a month in 2009. With more emphasis on domestic work wages and increases in the minimum wage, by 2022, the average full-time domestic worker was earning R 3,000 a month. Recently, the average salary for a domestic worker has risen to R 4,000 since the minimum wage revision in 2023 (iLife, 2022). While these may appear to augur well for domestic workers, iLife considers costs such as food, transport, healthcare, utilities, and communication and argues that a living wage needs to be around R 6,000 to R 7,000 in order to afford the necessities in South Africa. The non-existence of written contracts, unwillingness to organise and suspicions around Unemployment Insurance Funds (UIF), allow for the further exploitation of domestic workers who work full-time yet cannot afford basic necessities. Whether a domestic worker is 'live-in' (where the domestic worker lives on the employer's property) or 'live-out' (where the domestic worker travels to work and back to her home each day) also influences the costs and expenses of both the domestic worker and the employer. However, this does not protect the domestic worker from workplace hazards or unfair dismissals. As is evident, over 250,000 domestic workers lost their jobs due to

Covid-19 (Dawood and Seedat-Khan, 2022; Business Tech, 2023), with little or no recourse.

In order to allow the domestic worker to choose the employers and hours they work, various online domestic worker agencies have emerged in the South African market, which includes Rent-a-maid, Marvellous Maids, and so on. The arrival of domestic work in the gig economy has indeed offered a new way of securing clients and domestic workers (Hunt and Samman, 2020; Sibiya and Du Toit, 2022). As the effects of technological advancements infiltrate various parts of life (Ravenelle, 2019), companies such as these match clients with domestic workers who have been through background checks. The rate of pay and hours is stipulated as well. Du Toit (2013: 105) notes that this triangular dynamic between the agency, client, and domestic worker allows for some respite from the exploitation, awkwardness, and pseudo-materialism that comes with traditional domestic work. However, this model is not successful for those seeking childcare, trustworthiness, and long-term domestic help. In fact, Hunt and Samman (2020) argue that this model perpetuates the precarity of domestic working conditions. While the data-free apps may allow domestic workers higher wages, flexibility, and a choice in selecting which 'gigs' to take on, these tasks are heavily monitored, akin to scientific management (Sibiya and Du Toit, 2022). Further, domestic workers still face transportation costs, safety, and security hazards as well as abusive

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clients in these homes. Most importantly, their status as ‘independent contractors’ leaves them with no legal or social protection such as maternity cover, UIF, or union membership. Essentially, the status of the domestic worker remains undervalued and largely unprotected.

Methodology

Following a phenomenological design, the qualitative nature of the study sought rich, in-depth data about the expectations and experiences of Muslim mothers and their domestic workers. Phenomenology considers the everyday, intricate experiences of a population and their perceptions. Thus, this study on the whole related to ‘the Big Q’ (Braun and Clark, 2023: 5–6) which is a flexible, reflexive qualitative approach, which allowed participants to reflect on their own interactions and behaviour. In gaining access to the participants, a non-probability snowball sampling method was employed to identify participants, who then referred the researcher to others who fit the criteria, which included being a mother or having to care for children; employing a helper who cares for the children and; maintaining the tenets of Islam while raising Muslim children. After identifying participants, two online focus groups were conducted, with 4 participants in the first group and 3 in the second. This was done after working hours and online due to the location of participants (KwaZulu-Natal and

Gauteng), to cater to prayer times, and to children's bedtimes. The demographics of participants are illustrated in Table 1 below. All ethical considerations were upheld, including pseudonyms being allocated to each participant. The hour-long focus groups gathered insightful data, which was recorded and then transcribed. Braun and Clarke's (2006; 2023) six-step method for thematic analysis was adopted to allow themes to emerge from this data-driven, inductive study. This involved: 1) becoming familiar with the data through reading and re-reading the data; 2) identifying initial codes and categorising data into piles; 3) seeking potential themes through assigning codes to the data; 4) reviewing these themes and their relevance to the research questions; 5) assigning names to themes and defining and refining the specifics of each theme, and; 6) writing up the research report with a final analysis, including quotes from participants and linking this back to the literature and research questions. While there is no standard thematic analysis, this tool, or ‘recipe’ as the authors call it, ensures the data analysis is theoretically and methodologically sound and that the themes which emerge are meaningful, relate to the theoretical framework, and are relevant to the research questions (Braun and Clark, 2006: 78–80). Based on the thematic data analysis, three key themes emerged: childcare versus cleaning, remuneration beyond the rand, and intricacies of interaction.

Table 1: Demographics of Participants

Name (pseudonyms)	Marital Status	Occupation	Nr of children of employer	Age of child/ren	Nr of domestic workers	Living arrangements of domestic worker	Nr of children of domestic worker
Saira	Married	HR Director	1	6	1	Live-out, becoming live-in	2
Farhana	Married	Director of a retail company	4	8; 9; 15; 18	3	Live-in	3
Zahra	Married	Chartered Accountant	3	1; 9; 11	2	Live-out	1
Shenaaz	Married	Media and Communications	3	8; 13	1	Live-in	2
Rumana	Married	Academic	3	5; 9; 12	2	Live-in	3
Imaan	Married	Business Owner	2	3; 8; 14	1	Live-out	2
Ayesha	Married	Consultant/ studying	2	5; 9	1	Live-out	2

Findings and discussion

Childcare versus cleaning

Most of the participants interviewed agreed that when recruiting a domestic worker who will take on childcare duties, their priority is 'chemistry' or compassion for their children, rather than the standards of cleanliness of the home. Further to this, it was seen as helpful if the domestic worker had children of her own, such that she could share her maternal role in the home:

My main concern is that they treat my children as they would treat their own. They need to be my right hand. And while they (the children) are small, my maids need to come with me to functions or events (Farhana, employer of 3 domestic workers).

For some of the participants who lived far away from their parents or extended families, domestic workers represented a support system and were often referred to as the 'second mother' in the home. This is compounded by the fact that some of the domestic workers were older than the participants. In the case of one participant, Rumana, the domestic worker had already been working in the home for over 30 years when Rumana married and moved into the family home. Thus, it was she who needed to assimilate herself with her in-laws and the domestic worker. Through language, domestic workers were referred to as 'Aunty' and referred to with the respect carried with the authority of being a second mother in the home. However, as Zahra notes, as her children became older, they did tend to talk back to her helper. In effect, the differences between the mother and caregiver became more apparent through the language and attitude of the children. In addition, participants admitted that they were clear that housework was the secondary responsibility of the domestic worker. In some cases, where the home was large and there were many children to care for, multiple domestic workers were employed in order to share the load of cleaning and caregiving (see Table 1). Most of the children of domestic workers stayed with grandparents in their rural homes. One of the domestic worker's children stayed with her, in the employer's home and had been brought up as a Muslim on the insistence of his mother. In this case, the domestic worker's son and the employer's

children grew up together. While domestic workers paid interest to Islam, none of them were Muslims. All participants and their domestic workers presented the 'cross-class dyad'. Du Plessis (2018) observes that race (participants were Indian women, while the domestic workers were black women); class (employer–employee); culture (Indian–African); and experience (lived experiences as women of colour, mothers, religion) are all visible lines of difference between domestic workers and employees. Thus, it is necessary to explore the expectations, tensions, or bonds that domestic workers and their employers navigate on a daily basis.

The participants preferred domestic workers who understood how a Muslim home should be run. Thus, it was preferable to hire someone who had worked for a Muslim family before and had been trained in cleanliness and Halaal food. For Ayesha, training the helper around 'paak' and 'napaak' involved many iterations of labelling items or areas until the domestic worker understood. All participants stayed home for a few days to train their helpers and for those with more than one helper, the more experienced one trained the new recruit. However, some tensions emerged when the older domestic worker felt snubbed by her employer when an additional one was employed. In Zahra's case, this led to the initial domestic worker leaving work multiple times and then finally, in December 2022, via text message with no further explanation. In effect, the children she had cared for, for the last nine years, had to deal with an abrupt and painful loss of a second mother and the employer stated she was 'heartsore' because she treated her domestic worker like a part of her family. In fact, the domestic worker had become so entrenched in their family, that she cooked Indian meals regularly for the family. In Zahra's words: 'When she left, my world fell apart'. Authors (Parreñas, 2014; Bosch and McLeod, 2015; Jansen, 2019) highlight the heavy emotional load of being a second mother, but also the pain endured when this bond is severed.

For Saira, Shenaaz, and Rumana, the ability of the domestic worker to engage with their children and ensure the Islamic ethos and elements of the 'deen' of the home were upheld in their absence was of utmost importance:

She is very interested in his homework. She will teach him Zulu and he will teach her Arabic. She likes to watch him do his homework and will listen while he goes over his sabak (reading the Qur'aan) (Saira, employer of 1 domestic worker).

My helper knows when it is time for prayer. She will make sure my sons get ready to pray or shower early on Friday to make it to the mosque on time. In Ramadaan she makes sure she sets the table for the breaking of the fast and asks if she can taste anything for me to ensure the food tastes nice. She will also remind them to read and little things like if they sneeze, she will say Alhumdulillah. Over the years she's also learnt the words like if you give them something, she'll tell them, 'say Jazaakallah'. Or you like, you know if they come and say, 'You know we did our speech today and we did really well,' then she'll say 'Masha-Allah'. So, it's the small things like I know that even if I'm not here, she would remind them to do these things and read their duas.

Rumana: our helper is a live-in...and I have a very health-conscious brother-in-law, so she makes his sehri (pre-dawn) meals. My home is quite patriarchal, so she helps take on some of the preparation with me (Shenaaz, employer of 1 domestic worker).

Within these relationships, between mother–domestic worker/nanny–child, lies a level of trust. This has been honed over many years of understanding and the employer's acknowledgement of dependence on the domestic worker. The primary role of caregiving, along with trust to supervise the children, however, may create room for lower standards of cleanliness. For example, Saira explained that while she was working full-time in the office, she did not have the time or energy to ensure her home was being cleaned the way she would ideally like – rather, she was more focused on having her child properly cared for. It was only when she began to work remotely from home that she realised that many areas of the home had been overlooked. In agreement, Zahra admitted that she had 'let her helper get away with a lot,' meaning that she had overlooked certain chores that were not completed, as her key concern had been the well-being of her child. For both these working mothers, working from home effectively increased the visibility

of the domestic worker and the fact that certain chores, specifically cleaning, had been overlooked.

In line with the power relations discussed by Foucault (Simon, 2005), the lack of visibility or boundaries then affected the standards of work of the domestic worker. Yet, it was sufficient to see that the child was looked after. During the Covid-19 lockdown, however, Shenaaz mentioned that she felt like she 'cramped' her worker's 'style', as they were sharing the same space every day. When such boundaries are diminished due to external conditions like this, renegotiation of boundaries may cause uneasiness and feelings of being out of place within the home, even for the employer.

In some cases, such a reliance on the domestic worker around childcare, cooking, and cleaning led to the domestic worker 'running the home', having no boundaries, and becoming defensive when critiqued about her work:

You have to correct them in a good tone or in a constructive way, else they get defensive...or you never know...take it out in different ways (Zahra, employer of 2 domestic workers).

This is echoed by Dugmore (2019: 51) who asserts that mothers carry the guilt of having to work away from their children, while at the same time wondering if criticising the nanny may result in the nanny rebelling via ill-treatment of the child. In most cases, as with the participants, employers would choose to overlook low cleaning standards, rather than risk the mistreatment of their children. In this way, power is strategically exercised or not, depending on the employer's priorities and possible repercussions.

Remuneration beyond the rand

Islamically, one is ordered to 'pay their worker before their sweat dries' (Sahih, 16: 8), meaning paying them quickly and with a fair wage. Payment is thus an integral part of the domestic worker and employer relationship which is also guided by Islam. The participants in this study paid their workers between R 3,700 and R 5,000 a month, which was in line with the recent increases to the minimum wage. Most of the participants did not have a written contract with their domestic workers. Only one paid her (employer's) and

her domestic worker's (employee's) portions of UIF, so that her domestic worker would receive her full salary. While some participants admitted that they would prefer a written contract, domestic workers viewed this suspiciously as an official commitment from which they could not break free. Further to this, Shenaaz mentioned that her domestic worker was already collecting another grant, saying that:

a lot of the workers as well receive social grants from within the government for other, child grants or some sort of other grant as well. And by registering for UIF, once they're over the threshold, their grants stop and I think this is what comes into an issue where I know one of my workers, they refused to be on UIF because they would be then over the threshold for pay then (Shenaaz, employer of 1 domestic worker).

In addition, two participants who employed domestic workers from Lesotho pointed out that UIF did not apply to migrant workers who, in turn, preferred to receive cash, which effectively protected their invisibility from the government.

Upon further probing, it was found that remuneration for domestic work extended to loans, food, gifts, and housing. In Farhana's case, each of her live-in domestic workers is paid R 4,000. She covers their transport, groceries, food, and communication costs and often loans her domestic workers money to build their homes in rural areas:

Sometimes, she borrows 10k, 20k from me if she wants to add to her house. She pays back now and then, but mostly it is written off. She is always owing me something (Farhana, employer of 3 domestic workers).

Saira shares similar experiences, where her domestic worker takes loans from her to refurbish or tile her home, but these loans are never paid back, so they are written off at the end of each year. Many of the participants paid for their domestic workers' children's school fees or accessories, Christmas or birthday presents, as well as providing paid leave and groceries over the December holidays. In Imaan's case, she regularly buys food for her helper and her children when they go grocery shopping because 'they must eat what we eat'. While this may be a marker of the

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gratitude or generosity of the employer, King (2012) reminds us that these gifts may serve to placate the employer's religious or charitable inclinations and temper her feelings around the low living wage. These gifts or loans have been observed by Jinnah (2020: 220) as well but were found to be 'laced with veiled notions of racism and stereotypes.' It cannot be ignored that one of the pillars of Islam is charity and Muslims as a community are often socialised to feed and clothe those who are in need.

Intricacies of interaction

Archer (2011), King (2012), and Tolla (2013) emphasise that food is often a marker of the relationship between the employer and the domestic worker. As established earlier, food can be used as a tool of 'otherness,' or as a shared experience between domestic workers and employers. Besides the intricacies around Halaal and haram, the quality of food and the shared experience of partaking in the meal indicates much about boundaries between employer and domestic worker. Participants agreed that their mothers, grandmothers, or mothers-in-law did engage in practices such as keeping separate utensils for the domestic worker, giving the domestic worker expired food, or not allowing her to eat at the dining table with the family. In Saira's case, she mentioned that watching her grandmother's relationship with her domestic worker evolve over time from being one embedded with these practices of otherness to a rather close, live-in, caregiving relationship exemplified the shift

in rigid traditional boundaries between employer and domestic worker towards a shared experience of being women. However, there was a distinct difference in opinion that still existed between older and younger Muslim employers. Farhana's mother-in-law often complained about her 'spoiling her helper' with good food, and money, or allowing her to sit at the table to share in the Jumma meal. 'I always have to defend my helper...or cover up for her,' she says. Shenaaz elaborates, saying:

My helper is more like my family so like if we go out and buy something she is included; weekly groceries, she'll give me her list and I'll buy whatever she needs. And if I know she's sending food every two months I would make sure that I also buy groceries for her to send home. My mother-in-law says that I'm spoiling her and this has come up so many times. Like even at home, because we eat quite early as well, my helper usually gets food before we eat so that she can also have time to like sit and enjoy her supper, and my mother-in-law found this to be the most disturbing thing ever that she was like I'm spoiling and she's going to take advantage and you know, and this is how problems start. I said, my helper has been with me for ten years now, she's literally raised my kids. If I need to go somewhere, I know I can leave my kids, she'll see to lunch if they needed to be. And I don't feel it as spoiling because she's part of the family, she lives with us so why not? So yeah, the older people do still have this notion that if you're doing too much or even if you're giving them fresh food it's an issue, it's a very big problem (Shenaaz, employer of 1 domestic worker).

Imaan agreed, saying:

They're looking after my children, so like, whatever we have, they can have the same thing. They even cook for my kids. My helpers, both of them, if I'm at work, they will make sure that my kids eat. So, my kids are like fully taken care of so I feel like it's my duty to also look after them and take care of them and they are entitled to eat when we are eating. But I do have that issue of my mother-in-law also telling me I'm spoiling them. But they are our support systems so for me, I do the same that I would do like for other family members, I treat

them the same (Imaan, employer of 1 domestic worker).

This 'spoiling' of the domestic worker speaks to precarity around going too far beyond a working relationship and the employer seemingly giving away her power. Thus, the employer's supervision of her domestic worker or nanny is judged by older generations in her family, who prefer to maintain the rigid boundaries of race and class such that the power dynamic is kept professional. Ironically, it is expected that the domestic worker looks after the children as if they were her own. Interestingly, despite sharing the same food or being invited to eat at the same dining table, domestic workers of the participants erected boundaries around their private time and chose whether or not to accept these offers. Their domestic workers preferred to enjoy their meals in their rooms, away from the surveillance of their employers. Thus, domestic workers exert their agency in various ways and are not passive recipients of power. At times, domestic workers made decisions for the home such as whether to buy or bake items and in the case of Farhana, who was stuck in Dubai for two weeks, managed to run the home, see to the children's meals, homework, and prayer times effectively. During the Covid-19 lockdown, live-in domestic workers of the participants stayed on their employer's property, with some not being able to see their families for a year due to travel restrictions.

Thus, while many workers felt they were subjected to stay at home, many live-in domestic workers were subjected to staying at work (Dawood and Seedat-Khan, 2022) and in the case of domestic workers working in Muslim homes, had to conform to halaal food and Ramadaan beyond their usual working hours. Shenaaz's domestic worker, for example, tried to fast but found it difficult. Yet, they did discuss stories from the Bible and particularly Prophet Musa (Moses, peace be upon him). For participants like Saira, who employed live-out domestic workers, she ensured that her domestic workers received their regular salaries, as well as protective masks, vitamins, and the Covid-19 vaccine. It is evident that the relationship between employer and domestic worker/nanny is multifaceted and relational, rather than a linear one.

Some of the peripheral findings of this study indicate that over and above the triangular relationship

between mother–domestic worker/nanny–child, is the element of the husband in the home. Touching on this briefly, Farhana mentioned that while she is close to her domestic worker, they squabble a lot. She mentioned that her husband often intervenes, lightens the mood, and is a 'buffer' in their relationship. The man is also put forth at times as the one who pays the domestic worker in some cases, so as to quell any awkwardness around payment between madam and maid when loans and salary increases are negotiated. This requires further exploration. In addition, Saira lamented the confusion her domestic worker experiences when she or her husband gives her differing requests. In this case, the domestic worker does not know whom to take instruction from. After discussing this, Saira ensured her domestic work would confirm instructions with her, rather than her husband. This was an unanticipated finding, which could be interrogated further in an additional study.

Overall, for those who employed their domestic workers full-time, the study finds that during time spent together in the home, employer and domestic worker commiserate with each other about certain shared experiences of being female, such as raising responsible teenage daughters or discussing fate and Godliness through the commonalities between Islam and Christianity. Elements such as safety as women in South Africa, the rising costs of living, as well as sickness or childcare concerns arose as points within this relationship between employer and domestic worker upon which they could find common ground. Of course, these boundaries around intimate subjects are erected and diminished within the home, when in the presence of others, or when there is a conflict of interest.

Conclusion

Domestic work continues to comprise a large part of the South African informal economy, despite attempts to regulate this unique form of work. While working behind closed doors sees many low-skilled black women face the brunt of oppression, it is equally important to explore the significance of the domestic worker in the home, particularly one who is depended on for her maternal role in supervising children and running the home smoothly. This is particularly important for working Muslim women in South Africa, who seek to entrust their domestic

workers with the role of maintaining the 'deen' in the home and ensuring their children continue with their Islamic obligations during her absence. Along these lines, the negotiation between childcare and cleaning takes place, remuneration extends beyond the boundaries of the rand, and power is exercised across everyday interactions. Nevertheless, cleaning and caring still fall under the gendered realms of women's work and supervision, especially when underscored by notions of religion, racial undertones, and cultural understandings of womanhood.

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Resilience and Resistance Among Migrant Male Domestic Workers in South Africa

By David du Toit

Abstract

Despite the large body of scholarly research that has addressed the various challenges encountered by female domestic workers, there exists a notable gap in understanding the experiences of male domestic workers in South Africa. The present study seeks to bridge this gap by exploring the experiences of ten black African migrant male domestic workers in Johannesburg. Drawing upon Katz's framework of disaggregated agency, encompassing resilience, reworking, and resistance strategies, the study demonstrates that in the absence of collective resistance through unionisation, male

domestic workers employ resilience and reworking strategies to improve their material well-being. Decision-making processes regarding migration to South Africa, engaging in job-hopping, and engaging in multiple piece jobs are examples of the resilience and reworking strategies used by male domestic workers to improve their living conditions. This study shows that paid domestic work in South Africa, whether performed by men or women, is not without challenges, but that male domestic workers exhibit agency by utilising various strategies to navigate and mitigate some of these challenges.

Introduction

In South Africa, the majority of the approximately 800,000 domestic workers in the country are black African women from marginalised backgrounds who perform domestic and care work duties on a live-in or live-out, full-time, part-time, or temporary basis (Du Toit & Heineken, 2021). Despite the feminisation of paid domestic work, historical studies show that in the Natal region during colonialism, domestic servants were predominantly black African males, referred to as 'houseboys', who cooked, cleaned, and cared for white families (Ally, 2010; Van Onselen, 1982). This supply of male domestic servants later spread to Johannesburg by the late 19th century, as the labour bureaus controlled the influx of black men and women from rural to urban areas and pushed them into domestic services. At the time, black African men rather than black African women were the preferred domestic servants by white households as they were admired for their trustworthiness and working skills (Van Onselen, 1982). Changes occurred with labour shortages in the mines, and black men were steered into mines as miners. Consequently, black African women replaced men as domestic workers, a norm ever since. However, a small proportion of black African men continued to work as domestic workers for families who prefer male domestic help.

Apart from these gender and racial characteristics, paid domestic work is also mainly performed by interregional or international migrants. In South Africa, interregional migrant domestic workers migrate from rural to urban areas, while international domestic workers mainly migrate to South Africa from Southern African countries such as Zimbabwe, Lesotho, Malawi, and Eswatini (Batisai, 2022). A pressing question, however, is why migrant men also perform paid domestic work in South Africa. Looking at online advertisements, for example on *Gumtree*, it seems there are migrant men, mostly from Zimbabwe and Malawi, who seek employment as domestic workers. However, it is not clear why they seek domestic work or what their experiences are of performing a job traditionally associated with femininity. Focusing on migrant male domestic workers' experiences, this study contributes to the discourse of gendered, racial, and transnational performances of paid domestic work in South African households. To unpack this, migration patterns of workers to South Africa are

briefly discussed, followed by a summary of the scholarly work on male domestic workers. Hereafter, the methodology, empirical findings, and conclusion are provided.

Migrating to South Africa

According to the White Paper on International Migration for South Africa (2017), South Africa has been the choice of destination for labour migrants since pre-colonial times. The discovery of gold and other resources pulled many migrants from Europe, Africa, and Southeast Asia to work in the mines. These dynamics started to change with the racial segregation policies during the apartheid period when immigration was tightly controlled and restricted by the government, allowing only white semi-skilled and skilled migrants to become citizens of South Africa. Black African cross-border migrants were considered politically undesirable and could not become citizens of South Africa. They were only allowed to come to South Africa as temporary contract workers and had to renew their contracts annually as per the bilateral labour agreements between South Africa and their home countries (Moyo, 2021). The transition to a post-apartheid dispensation in 1994 transformed migration patterns yet again.

The post-1994 democratic period saw an increase in South-to-South migration. New policies and laws such as the Green Paper on International Migration in 1997, a White Paper on International Migration accompanied by a Draft Immigration Bill, and the adoption of the first comprehensive Immigration Act in 2002, welcomed all types of immigrants to study and work in South Africa (White Paper on International Migration for South Africa, 2017). Due to South Africa's relative stability and economic opportunities, a noticeable increase has occurred in the migration of black men and women from neighbouring African countries, such as Botswana, Eswatini, Lesotho, Malawi, Zimbabwe, and Mozambique, who seek greater access to education, employment prospects, and improved livelihoods (Batisai, 2022). The migrant population in South Africa stands at around three million people, a notable figure considering the country's total population of approximately 60 million. It is worth noting, however, that the actual

number of migrants could be significantly higher, taking into account the undocumented migrants in the country. Recent statistics indicate that around 853,000 migrants entered South Africa during the 2016–2021 period, mostly residing in Johannesburg or Pretoria, which are considered the economic hubs of the country (Moyo, 2021).

Reasons for South-to-South migration to South Africa encompass various factors, including but not limited to unstable economic development and political unrest, leading to conditions of extreme poverty, pervasive violence, and inadequate social circumstances (Batisai, 2022). For instance, Zimbabwean migrants are frequently driven to migrate to South Africa due to the economic and political crises in their home country. These crises have resulted in rampant inflation, high unemployment rates, poor wages, and human rights violations (Makina, 2011). Similarly, individuals from Mozambique and Malawi often seek opportunities in South Africa due to the lack of sustainable development and limited job prospects in their respective countries. In Eswatini and Lesotho, where poverty and unemployment rates remain significant, many individuals are compelled to migrate to South Africa as a means to escape poverty (Bhoojedhur & Isbell, 2019; Simelane, 2011).

According to Moyo (2021), South Africa's political stability and diversified economy make it a desirable destination for migration compared to other African nations. Both skilled and unskilled migrants are attracted to South Africa for both short- and long-term stays. The country's immigration policy has undergone several revisions, most recently in 2016, with the aim of promoting skilled labour migration (Gordon, 2022). For example, the South African government has adopted a more lenient approach towards border harmonisation and has entered into new travel agreements that have facilitated migration within the region. This shift in policy has resulted in a significant decrease in deportations between 2009 and 2018. African migrants frequently migrate to South Africa as a means of survival, with their families relying on the remittances they send back home. Migrants often leverage their social networks to find accommodation and support by relying on pre-existing relationships with friends or family already residing in South Africa (Johnson, 2017). Migrant workers usually enter into a range of low-level service occupations such

as the construction and trade industry, but also the agricultural and domestic work sectors, which come with precarious working conditions.

Male Domestic Workers

Although migrant domestic workers are predominantly women, there has been a growing recognition of the increased employment of male domestic workers, as documented in several studies (Parrenas, 2015; Sarti & Scrinzi, 2010; Perrons et al., 2010). However, research specifically focused on migrant male domestic workers in South Africa remains limited. Therefore, this section relies on international research on male domestic work.

Studies by Moya (2007), Sarti (1997), and Glenn (1992) focus on male domestic work in Europe and the United States. These studies highlight how male servants, alongside female domestic workers, undertook tasks such as butler services, cooking, and cleaning (Moya, 2007; Sarti, 1997; Glenn, 1992). In the 21st century, the migration of male and female laborers, primarily from Asia or Eastern Europe, has resulted in male migrants often working as domestic workers due to limited alternative job opportunities. While male domestic workers still find employment in upper-class households, there has been a shift in the gendered division of domestic work due to globalisation and migration patterns.

“ While male domestic workers still find employment in upper-class households, there has been a shift in the gendered division of domestic work due to globalisation and migration patterns.

”

In instances where migrant men have traditionally performed tasks associated with masculinity, such as plumbing, gardening, and painting, there has been an observable increase in migrant men engaging in traditionally feminised domestic work (Bartolomei, 2010; Kilkey et al., 2013). This suggests that global migration processes are intricately connected to the changing supply of and demands for domestic work. For example, in countries like Italy and the Netherlands, male domestic workers, often from the Philippines, predominantly undertake non-care household chores such as cleaning and ironing. In cases where male domestic workers do engage in care work, it typically involves assisting elderly men with tasks such as walking, shaving, or shopping (Parrenas, 2015; Haile & Siegmann, 2014). What these studies indicate is that migrant male domestic workers are more likely to perform domestic tasks traditionally associated with women, while local men tend to focus on traditionally masculinised domestic work duties outside the home, such as gardening, pool cleaning, painting, and household repairs (Hondagneu-Sotelo, 2007; Kilkey et al., 2013). This highlights the intersection of gender, migration, and domestic work, illustrating how migrant men's roles in the domestic sphere differ from those of local men.

Looking at the global south, women dominate as paid domestic workers in most countries, but in some countries, men are also employed as domestic workers who perform traditional feminised domestic work. For example, in India, one-third of Western Bengali domestic workers are men and are sought after by wealthy households for their multiple domestic labour skills (Qayum & Ray, 2010). In Africa, in Zambia and Tanzania, male domestic workers encompassed almost two-thirds of domestic workers in the 1980s. Hansen's (1989) study conducted in Zambia revealed that black female employers exhibited a preference for male domestic workers over female domestic workers. This preference was attributed to the perception that female domestic workers posed a potential threat to employers and were more likely to cause problems compared to their male counterparts. Similarly, Burja's (2000) study conducted in Tanzania highlighted the preference for male domestic workers among employers. The rationale behind this preference was the belief that male domestic workers were faster learners and could efficiently handle multiple domestic tasks with greater consistency compared to female

domestic workers. Male domestic workers were seen as capable of performing a combination of indoor and outdoor domestic work duties that meet the diverse needs of employers within the domestic sphere.

Similarly, Pariser's (2015) historical study on male domestic workers, specifically referred to as 'houseboys', in Tanzania sheds light on their extensive responsibilities within the domestic sphere. Houseboys were hired by employers to perform a wide range of domestic tasks, including gardening, laundry, cleaning, and cooking. The study suggests that male domestic workers were valued for their trustworthiness, attention to detail, and ability to handle multiple aspects of inside and outside domestic work. Pariser's (2015) study, as well as others, contribute to our understanding of male domestic work as an immigration niche and a space where notions of gender and masculinity are negotiated and redefined within the international division of domestic labour.

However, within a South African context, where female domestic workers dominate, it is unclear how male migrant domestic workers experience paid domestic work. Not only does this study aim to fill this void, but it also explores how migrant male domestic workers use their agency to respond to the circumstances of paid domestic work. Consequently, I draw on Cindi Katz's framework of 'disaggregated agency', as practices of resilience, reworking, and resistance, to take account of the constraints posed by oppressive contexts and ideologies in shaping both understandings of exploitation and the diverse responses to it (Katz, 2004).

Katz's Typology of Agency: Resilience, Reworking, and Resistance

Katz's theory of disaggregated agency focuses on the diverse outcomes of agentic social action, which include survival (resilience), reconfiguration (reworking), and subversion (resistance) (Katz, 2004). Firstly, resilience is defined as a strategy of endurance and a determination to survive within oppressive conditions on a daily basis without challenging the structure. For example, resilience tactics among workers include working multiple jobs in low-wage occupations to improve their daily livelihood. Another form of resilience could be when workers construct existing working conditions as normative. Despite a consciousness of exploitation and unfair treatment,

workers often show resilience in adopting a range of tactics in response to difficulties encountered at work. Resilience practices commonly recounted included distancing and treating work instrumentally as a means to achieve non-work-related goals (Katz, 2004: 224–246).

Reworking is another type of agency, which refers to altering the conditions of people's existence to enable more workable and comfortable lives within the power and legal structures (Katz, 2004: 247–251). In other words, strategies of reworking tend to be driven by explicit recognition of problematic conditions and to offer pragmatic solutions to better meet their needs and desires (Anwar and Graham, 2022). For example, the common reworking strategy is to change jobs that make more economic sense, instead of trying to get the employer to change the working conditions. Another form of reworking is when workers use their legal knowledge to compensate for some of the imbalances cast by the employment system. For example, Berntsen's (2016) study demonstrates acts of reworking when a Polish construction worker fell and broke his arm. When the employer refused to pay for sick benefits, the worker threatened his employer with informing the labour inspectorate about this. As a result, the employer compensated the worker, although for less than what he was legally entitled to.

Lastly, resistance describes strongly oppositional practices whose goal is to disrupt unequal and

oppressive power relations. Katz (2004: 251–257) refers to resistance as practices that draw on and produce a critical consciousness to confront and redress historically and geographically specific conditions of oppression and exploitation at various scales. Forms of resistance include collective strikes and union organisations to deliberately resist employers' power and change the labour structure and working conditions. For migrants, some trade unions may have been reluctant in the past to represent them, but there is evidence that immigrants, migrant workers with settling intentions and circular migrants do join trade unions when unions make strategic and resourceful efforts to include them. Whether this is the case for migrant male domestic workers in South Africa is unclear, but in general, collective forms of resistance are limited as union membership is particularly low among domestic workers.

Thus, in essence, Katz's typology of resilience, reworking, and resistance provides a useful framework to explore the agency of migrant male domestic workers in the domestic work sector. The next section describes the methodology of this study, which is followed by the empirical findings obtained from the interviews to describe how migrant male domestic workers use resilience and reworking to improve their daily working lives.

Research Methods

This study is situated within the qualitative research paradigm to understand migrant male domestic workers' experiences of working as domestic workers in Johannesburg. It allows for context-specific in-depth views of a subject, which seems appropriate for this study.

Participants were recruited using Facebook where messages were posted asking if anyone employs or knows someone who employs a male migrant domestic worker in Johannesburg. Two responses were received from employers and appointments were made with their male domestic workers. These two male domestic workers referred me to other male domestic workers they knew. In total, eight more male domestic workers were interviewed at their employers' homes or in nearby coffee shops during their lunch breaks. Interviews lasted about 40 minutes to an hour, were recorded, transcribed, and thematically analysed.

“ Given the constrained employment prospects in their home countries and the potential for job opportunities abroad, engaging in transnational work is predominantly regarded by migrants as a reworking strategy aimed at improving their material well-being. ”

Table 1: Profile of Participants

Participant (pseudonym)	Age	Nationality	Living arrangement	Area in Johannesburg
Dennis	48	Zimbabwean	Live-in	Parkhurst
Paul	43	Malawian	Live-in	Parkview
Baron	47	Malawian	Live-in	Parktown North
Edwin	29	Zimbabwean	Live-out	Midrand
Patrick	38	Malawian	Live-in	Morningside
Matt	46	Malawian	Live-in	Bryanston
Stanley	52	Malawian	Live-in	Parktown North
William	37	Zimbabwean	Live-in	Rosebank
John	45	Malawian	Live-in	Sandton
Daniel	44	Zimbabwean	Live-out	Sandton

Regarding the participants' profiles, all self-identified as black African men, who were originally from Malawi or Zimbabwe (Table 1). The average age of the participants is 43 years. The youngest participant is 29 years old, while the oldest one is 52 years old. The areas in Johannesburg where participants render domestic services are considered to be upper-middle-class suburbs such as Parkhurst, Parktown North, and Bryanston. Regarding the participants' employers, most are couples, while only one works for a couple with children. However, none of the participants are doing any care work and only perform household cleaning and laundry tasks, as well as gardening and household maintenance work.

The research was conducted in the most ethical way possible when data was collected. This entailed obtaining written consent from the ten participants which contained information on the aims and objectives of the study. All participants participated in the study voluntarily and none of them withdrew from the interview, although they could. Participants were assured of confidentiality through pseudonyms, making it impossible for readers of the article to identify them.

The Path to Male Domestic Work: Coming to South Africa

In all the interviews, the participants articulated a narrative of migrating from Malawi or Zimbabwe to South Africa, in pursuit of a higher quality of life. The participants departed from their families and relocated to South Africa to secure employment and remit funds to support themselves and their families. Typical responses included: 'There are no jobs in Malawi'; 'Our economy back home is very bad'; 'Getting a proper job there [in Zimbabwe] is a very big challenge'; 'I don't have any education, so what type of job can I get?'. Given the constrained employment prospects in their home countries and the potential for job opportunities abroad, engaging in transnational work is predominantly regarded by migrants as a reworking strategy aimed at improving their material well-being.

Migrating to South Africa was made possible due to having family members already in the country that could provide them with networks and contacts to secure a job. Stanley mentioned that coming to South Africa more than twenty years ago was easy, because 'my uncle was here and he said I must come to South Africa to work.' Other participants like Paul, John, and Edwin also used social networks to secure a job in South Africa. Despite utilising social networks and family members residing in South Africa to obtain employment opportunities, none of the participants

initially secured employment as domestic workers. Instead, all of the participants worked in manual labour roles within the construction industry, or as painters, gardeners, or kitchen cleaning staff in hotels and restaurants. Some participants spent several years working in these industries before transitioning to domestic work. Patrick (38 years old), for example, shared his story about his journey to South Africa:

In Malawi, I worked on a farm. So, when I came to South Africa, I was working on a farm first, in Durban. I worked on the farm from 2011 until January 2016. But it was tough. The money was the problem. It was not enough at the time. I then left and moved to Gauteng, I was working at Fourways, and I was working as a builder in this group. We built houses. But again, the money was not enough (Patrick, 38 years old).

Similar to Patrick, the majority of the participants' initial employment in South Africa involved tasks that they had experience with back in their home countries, such as working on farms or on construction sites. Nevertheless, all of the participants indicated that they have held various positions since moving to South Africa and that they have changed jobs frequently in search of higher wages. The change in jobs indicates that participants like Patrick used reworking as a coping strategy where they left jobs for better-paying ones. Baron (47 years old), for example, described how he first worked as a builder and a painter before being employed as a domestic worker:

When the guys started dealing with renovations before they moved in, I helped them. So, it took about eight months to almost a year. Building, making the rooms bigger, painting the rooms and the house outside. Cleaning the yard. They were busy doing whatever they were doing, yeah, and I was looking after them and the cleaning, yeah, just that. Since they move in, I just started working inside and outside. This was the first time I was cleaning inside. It was strange at first, but now I'm used to it (Baron, 47 years old).

Like Baron, many other participants recounted their journey into domestic work, which typically began with performing outdoor household tasks such as yard maintenance, pool cleaning, or painting. Matt shared that he was recruited for indoor domestic work by an

elderly couple when the male employer suffered a stroke, and his wife was responsible for caring for him. She no longer had the time to carry out household chores and cleaning tasks and asked Matt if he would be willing to clean the house while she cooked and cared for her husband. Initially hesitant, Matt has grown to appreciate cleaning inside the house.

Duties and Working Conditions

The division of domestic work according to gender is a common phenomenon, where men are usually assigned to perform outside domestic work such as gardening, maintenance work, and painting, while women are expected to perform inside domestic work such as cleaning, cooking, and care work. Men who perform inside domestic work tend to perform cleaning, laundry and tidying up tasks, and sometimes cooking duties, but almost never care work (Parrenas, 2015; Haile and Siegmann, 2014).

Findings indicate that male domestic workers in this study also perform emotionally distant and instrumental domestic work tasks such as sweeping floors, making beds, washing dishes, and tidying up rooms. None of the participants perform any care work, and only Matt sometimes helps his elderly male employer with bathing and shaving, if the employer's wife cannot assist. When asked about their work schedules, the majority of participants reported working from Monday to Friday, with some also working on weekends. They explained that they have a set routine for performing both inside and outside domestic work. For instance, Dennis (48 years old) described his inside domestic work duties, which he alternates with outside domestic work responsibilities:

Like when I came here in the morning, I do the dishes. I clean the bedroom and the bathroom. Then I put the clothes in the washing machine. Then I mop the floors of the bedrooms and bathrooms, dusting or doing anything while the washing machine cleans the clothes. Then I come down the steps cleaning everything, dusting everything, the tables. Lastly, I hang up the clothes outside, I clean the stoep and braai area, and the pool. On Tuesdays, I will do the same job and the ironing. On Wednesday, I have to do the cleaning of the bedrooms and bathrooms, and then after lunch, I work in the garden. On

Thursday, I do the washing and ironing. On Friday, I do the cleaning and clean the garden again. On weekends, there are sometimes people here, but only in the evening. During the day, I will be resting, and then around 6:00 pm when there are people, then I start cooking. The boss buys the food and I cook. On Sunday morning when he wakes up, then I just go in to do the dishes and make the bed, and then I am done (Dennis 48 years old).

Dennis is the only participant in this study who also cooks for his employer, a task he learned while working as a kitchen cleaning staff in an Italian restaurant. The owner of the restaurant slowly introduced him to cooking by teaching him how to make pizza and pasta dishes. Over time, Dennis gradually took on more responsibilities in the restaurant where he worked, including making breakfast, lunch, and dinner. However, he had to leave the job when the restaurant closed down. Later on, he was hired by his current employer where he performs cleaning and cooking duties. Apart from inside domestic work tasks, all participants perform outside domestic work, which includes gardening, cleaning the yard, and pool cleaning, but also other duties like dog walking, painting, washing cars, and looking after the house when their employers are on vacation.

Reflecting on whether participants are satisfied with performing domestic work, most participants offered narrative accounts of a sense of accomplishment and pride in cleaning up other people's homes. Domestic work tasks range over a spectrum of inside and outside domestic work duties, and participants expressed a feeling of achievement when they can turn dirty homes into clean ones. For example, Edwin said: 'It makes me very happy to clean, to see that my boss is happy when he comes back from work and sees the house is clean.' Likewise, Dennis said he is very proud of his job and does not want to do any other job. A sense of resilience is picked up from some of the participants who endure the job because it makes them and their employers happy.

However, the sense of accomplishment that participants experience is perhaps linked to how they are treated by their employers. All the participants mentioned that they have a good relationship with their employers, as confirmed by Edwin who said:

'Where I am working like I am part of the family. I am not like I am a worker or whatever.' Whereas numerous studies have shown that 'being part of the family' masks exploitation and abuse (Ally, 2010; Cock, 1980), in this study, it appears that participants are treated well, given that all of them receive wages that are higher than the minimum wages stipulations and, in some cases, even double, compared to what female full-time domestic workers normally receive.

Not only are they satisfied with their wages, but all participants said that they receive food from their employers, have at least fifteen days of paid leave annually, and receive increases every year, which is in line with the SD7 stipulations. Dennis also mentioned that when it is his birthday, his employer gives him either cash or gifts. Scholars doing research on the paid domestic work sector are often critical of gift-giving and link it to the maternalistic behaviour of the employer to evoke harder work and loyalty from domestic workers (Ally, 2010; King, 2007; Cock, 1980).

Most of the participants also live on the premises of their employers, in modest rooms attached to the main house or in a room in the backyard. While numerous studies (Ally, 2010; King, 2007) argue that live-in domestic work adds to the possibility of exploitation by employers by expecting domestic workers to perform duties beyond working hours, it seems that most of the participants felt that receiving food and lodging reduces their expenses and allows them to send money to their families in Zimbabwe and Malawi. Interestingly, most participants send money to their homeland families not just for their survival, but also to invest in land and property. During the interview, Dennis showed me pictures of the plot he bought and how he plans to build a house for himself and his family. Stanley also said that he does not only send money to his wife and four children to buy food but also to maintain his house there as he wants to retire in Malawi one day. It seems that participants are relatively satisfied with their jobs and that it allows them and their families to have a higher standard of living and status in their home country where unemployment and poverty are high.

All participants are employed by white upper-middle-class employers, who live in wealthy suburbs in Johannesburg. Interestingly, all participants mentioned that they prefer working for white

employers as they are treated better than they would be by black employers. Stanley (52 years old) shared his views about working for black families as a domestic worker:

I got friends who used to work or who are working for black families. So, I know how difficult black men are. I will not put myself in that situation. Mostly they are difficult. They are difficult. And when it comes to payments, they don't want to use money so they give you a lot of jobs, a lot of work but when it comes to payment, they are not good. The boys here [referring to his white employers] are paying me good money. When there is conflict, we sit down and talk. We sort it out (Stanley, 52 years old).

Similar sentiments were shared by others who have no desire to work for black employers. Dennis mentioned how his friend works for a black family in Johannesburg and is only allowed to take two days off per month while working almost 15 hours per day. Thus, participants in this study feel that white employers show more empathy toward them, pay better wages, and treat them better. Perhaps being culturally and ethnically similar to employers and cleaning up their dirt could be experienced as a humiliation and a disgrace.

What is also noted in Stanley's story above, and others like Baron, Patrick, William, and Paul, is that

“ Participants in this study feel that white employers show more empathy toward them, pay better wages, and treat them better. Perhaps being culturally and ethnically similar to employers and cleaning up their dirt could be experienced as a humiliation and a disgrace. ”

when conflict arises, it is dealt with in a mature and amicable manner. They sit down with their employers and discuss the issue and try to solve it pragmatically. Cock (1980) shows how strategies of resistance can also be 'muted rituals of rebellion' (Cock, 1980: 103), consisting of silence and mockery of employers to maintain 'personality and integrity'. None of the participants shared any stories where they felt that they were treated unfairly by employers.

With regards to multiple jobs, only three of the fifteen participants work for more than one employer. For example, Matt (46 years old) works as a full-time domestic worker for his employer, but over weekends, works as a gardener for another family to supplement his income. Similarly, Paul (43 years old) and Daniel (44 years old) perform painting and household repair jobs over the weekends as a strategy to earn extra cash. Thus, Matt, Paul, and Daniel show resilience by not actively changing the systems, but actively seeking pragmatic ways to supplement their income by doing other jobs. Resilience is also shown by some participants by accepting domestic work as just another job, that both men and women can do.

Gender, Masculinity, and Shame

Paid domestic work is predominantly performed by female domestic workers as household cleaning and care work is often believed to come naturally to women (Ally, 2010). In this study, however, participants had mixed views on performing domestic work. The one group of participants, which includes Dennis, Matt, Patrick, and Edwin, had no objection to being referred to as domestic workers and are not ashamed of telling others what they do. For example, Stanley said that: 'I am not ashamed. No. All my family knows what I am doing. I'm a domestic cleaner. I clean homes.' Similar sentiments were shared by others in this group who said that men and women can equally clean homes. As Patrick said: 'domestic work is not a woman's job in Malawi. Men clean in Malawi. Some men also clean here in South Africa'.

However, the other group of participants, which includes Paul, Baron, Stanley, William, John, and Daniel, believed that performing domestic work could harm their sense of masculinity. For example, Paul said that 'domestic cleaning is a girl's job'. Similarly, Paul said that 'people make jokes if they see a man works

inside the home as a domestic. You know, they think you can't get any other job and you must take this job'. Paul's statement implies that domestic work is only reserved for women and men who are domestic workers could not find a better job. Domestic work is a low-status job and others would be condescending to men who are employed as domestic workers. Baron (47 years old) tells the following story about how he was ashamed of working as a domestic worker:

I used to lie and say my boss is owning a company, so I am just helping him do whatever where he lives. I just didn't tell them the truth as I was scared. I was scared they will laugh at me. I was feeling ashamed telling people that I am a domestic worker. (Baron, 47 years old).

Although Baron is no longer ashamed of working as a domestic worker, he and some of the participants were hesitant to call themselves domestic workers or maids, because that implies a job reserved for women only. Paul, William, Baron, and John referred to themselves as a housekeeper, which is a gender-neutral term, while Stanley and Daniel referred to themselves as gardeners, despite performing inside domestic work too. It appears that they fear not being seen or treated like 'real men' and that their masculinity is questioned by others.

The issue of participants' masculinity was further emphasised when they were asked if women can perform outside domestic work such as gardening and pool cleaning. With the exception of Dennis and Edwin, who mentioned that times have changed where men and women can do any job they want to do, all the other men in this study said women should only perform inside domestic work and not gardening, household repair work, or pool cleaning. Matt (46 years old) shares his views on the gendered division of domestic work:

Women must work inside. The men can be outside. Because sometimes you have, maybe you have a big garden, and she cannot push the lawnmower. And they cannot take the ladder and paint the wall. It is hard for women. It is a job for us men. (Matt, 46 years old).

Similar views were shared by others who claimed that while men and women can perform inside domestic

work equally, outside domestic work should be reserved for men only. Matt and others believe that outside domestic work involves masculine strength and skills that women do not have. It is clear that these men have traditional views of the gendered division of domestic work. Men are supposed to do work that requires strength, while women should do the softer, more nurturing domestic work duties like care work. When it comes to inside domestic work, where women normally dominate, participants had no objection, clarifying that they clean as well, and, in some cases, even better than women. For example, Edwin (29 years old) said 'Anyone can do cleaning, and it is very easy', while Dennis (48 years old) thinks he is a better cleaner than most women because he knows 'how to clean, and cook and iron. I'm better than anyone else'. These sentiments potentially demonstrate the participants' resilience, as they show a willingness to embrace their role as domestic workers.

However, some male domestic workers in this study are uncomfortable performing certain domestic work tasks such as handling women's underwear. Baron, who works for a gay couple, said he is lucky that he works for men only, as he said that it would be a challenge to work for a man and a wife and that he 'would not be comfortable cleaning the wife's underwear'. Similarly, Daniel said that he avoids laundry tasks as his employers pay a female domestic worker to do laundry tasks, which he also sees as a task that only female domestic workers should perform:

There is a maid when it comes to ironing. I clean the dishes. I mop and vacuum the floors. I change the bed. I clean the bathroom. I clean the toilet. I do everything. But the laundry [and] the ironing, the maid is there. When it comes to ironing, that's the time when I go to the garden. (Daniel, 44 years old).

The outsourcing of feminised tasks to female domestic workers emphasises the gendered division of domestic work. In the example above, Daniel is distanced from intimate aspects of domestic work where he does not handle or clean the underwear of his employers. What these findings show is that male domestic workers negotiate the tension of inherently performing paid domestic work tasks that are regarded as women's work. Similar to Qarum and Ray's (2010) argument that male domestic workers try to

make sense of their everyday lives in a workspace that is typically feminine and inferior, some participants in this study try to construct a masculine identity that separates them from the degrading domestic work tasks that only women must do.

Discussion and Conclusion

Few studies have focused on the experiences of male domestic workers performing domestic work within South Africa. As such, paid domestic work is perceived and theorised as something between women, where middle- and upper-class female employers pay women, normally from marginalised backgrounds, to clean, cook and care. However, historically and in different geographical contexts, men have also been employed as domestic workers (Scrinzi, 2010; van Onselen, 1982). In recent years, there seems to be a resurgence of male domestic workers, and this study documents the experiences of male domestic workers in South Africa.

The first finding shows that male domestic work has a migrant character, where they leave their home country due to high levels of unemployment, poverty, and poor wages. South Africa is the destination of choice as it appears to offer more and better employment opportunities to them. These findings support the general push and pull factors of migrant literature (Batisai, 2022; Bhoojedhur & Isbell, 2019). While all participants worked in different employment sectors, they ended up in the paid domestic work sector. It appears that perhaps their migrant identity helped them secure a job as a domestic worker. This finding links to Hondagneu-Sotelo's (2007) argument that migrant men are more likely to perform domestic work than local men. Findings also show that participants seem to be satisfied with their job. Inside domestic work is alternated with outside domestic work, which adds to the variety of tasks and the usage of different skills.

The second finding points to the tasks that male domestic workers perform. Similar to female domestic workers, the men in this study perform general household cleaning duties, which include sweeping and mopping floors, tidying up rooms, and washing dishes. Only one participant cooks for his employer, and one participant sometimes does care work helping an elderly man with shaving, bathing,

and dressing. All male domestic workers also perform outside domestic work such as tending the garden, painting, and repairing household fixtures. Regarding the working conditions, all participants felt they are treated fairly by their employers, despite the inherent exploitative character of paid domestic work. Most of the male domestic workers in this study receive better wages than the minimum wage stipulates, but they are responsible for most of the inside and outside domestic work duties. It could be argued that they do more than one person's job and therefore receive better pay.

The third finding illustrates that some male domestic workers hold traditional views regarding the gendered division of domestic work. Despite working as domestic workers performing duties that female domestic workers predominantly do, some men in this study feel ashamed of their job and lie about it to others. By working as domestic workers, some fear being judged that they could not find a job with higher social status, and are, therefore, targets for bullying and public ridicule. However, male domestic workers are active agents by avoiding certain domestic work tasks that they view as inferior to their masculine identity. For example, some expressed being uncomfortable washing the underwear of female employers, saying this is the 'maid's' job – referring to a female domestic worker. Others justify their job by arguing that it requires strength that women do not have. Outside domestic work was found to be a male-only space and women should only perform inside domestic work. In essence, men can do a woman's job, but women cannot do a man's job.

Significantly, none of the participants are affiliated with labour unions. Consequently, in the absence of collective resistance, participants use resilience strategies to enhance their livelihoods, rather than overtly challenging these practices. For example, their resilience is exemplified by their acceptance of the domestic worker role, where they perceive fair treatment from their employers. Additionally, some participants engage in ad-hoc gardening or household repair tasks for other families during weekends, supplementing their income to a certain extent. This signifies their resilience by maintaining the existing state of affairs in domestic work while actively seeking supplementary employment to improve their living conditions.

Moreover, the utilisation of reworking strategies is evident in participants' mobility strategies. Firstly, coming to South Africa and performing transnational jobs indicates a reworking strategy by participants to improve their livelihoods rather than collectively change the situation in their home countries. Secondly, reworking strategies are also demonstrated through the participants' history of job-hopping prior to settling into domestic work. Many individuals initially worked as gardeners or kitchen staff but changed jobs due to poor payment until securing their current employment as domestic workers.

In conclusion, although this study is small in scope and provides only a snapshot of a particular group of migrant male domestic workers in Johannesburg, it shows that male domestic workers are connected to the international division of domestic work. Where class, race, and gender are intricately linked to paid domestic work, when it comes to men performing domestic work, the migrant identity of workers adds a new layer of complexity to the study of paid domestic work. It appears that migrant men are more likely to work in the paid domestic work sector than local men, although the uneasiness of performing work typically associated with women does not disappear entirely. By choosing not to resist collectively or unionise, migrant male domestic workers exert their individual agency in manners that tend to improve their personal well-being materially. This indicates that in order to protect domestic workers as a group from exploitation and to improve their livelihoods collectively, regulators, enforcement authorities, and trade unions need to adopt a proactive approach to include workers, as the initiative for transformative actions and collective resistance at a broader scale is unlikely to originate from the workers themselves.

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A photograph of a person wearing a white puffer jacket and a teal shirt, looking down at a smartphone. A coffee cup is visible on the right side of the frame. The background is blurred.

The 'Platformisation' of Domestic Work in South Africa:

A Shift Towards Marginal Formalisation and Deepening Informalisation of Domestic Work Employment

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Abstract

Digital platform technologies have brought about a new labour form in the occupation of domestic work, in which domestic cleaning work is now being managed and organised virtually through an online platform, or 'app', operated by private technology companies and provided to householders on a convenient and on-demand basis. This paper analyses the emerging impact of this new form of 'platform domestic work' in South Africa's domestic sector using an interpretivist case study done in Cape Town on ten platform domestic workers and

their platform companies. Using evidence obtained through in-depth interviews and analysis of published company discourse material, this paper argues that far from formalising and modernising domestic work through the twin forces of commercialisation and digital platform technology, the phenomenon of platform domestic work is deepening informalisation in paid domestic work as a form of insecure 'gig work', and also through the widespread practice of platform leakage by domestic workers on the platform.

Introduction

Digital platform technology has entered the paid domestic services market and is creating a new labour form in the domestic sector that can be referred to as 'platform domestic work'. Platform domestic work is a term I use to refer to commercial domestic work that is organised through internet-based digital platforms or mobile phone applications ('apps'). By commercial domestic work, I mean the form of domestic work whereby domestic workers' labour is directed and controlled, whether directly or indirectly, by a private company for commercial gain (Neetha, 2008). The company in this work arrangement derives a profit from the domestic worker's labour and typically provides the worker with access to a large customer base (Mendez, 1998; Anderson and Hughes, 2010).

Platform domestic work is a form of commercial domestic work where a platform-owning company (henceforth referred to as 'platform company') employs domestic workers as independent contractors to provide short-term cleaning services to its customers through its digital platform technology, and profits from the exchange. The service exchange between the platform domestic worker and the customer is organised through the digital platform, and allows for the instant matching of workers with customers in need of their cleaning services within a specified geographical location (Hunt and Machingura, 2016; Madden, 2015).

The takeover and restructuring of economic and social exchanges by digital platforms in the last decade or so have prompted the creation of what scholars term a 'platform economy', or a 'digital economy', where new digitally-based forms of work and commerce have emerged (Kenney and Zysman, 2016; Vallas and Schor, 2020; ILO, 2021). Platform domestic work is therefore also a form of platform-based work in the platform economy that falls under the platform work category of 'gig work' or 'gig economy work' because it is a short-term, digitally organised form of service work.

As internet-based structures enable communication and economic exchanges, digital platforms are used by platform companies to either usurp and transform existing markets or create entirely new platform-based markets of their own (Vallas and Schor, 2020). In the home services market, the former is true: digital

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platforms that are being provided and run by platform companies are transforming already existing informal independent domestic work (or 'char') into a new commercialised and platformised form of domestic work. Platform domestic work, therefore, represents the platformisation of domestic work and it is the latest employment trend in paid domestic work that is building upon decades-long structural shifts from full-time employment to part-time work, self-employment, and employment through private agencies (see Salzinger, 1997; Ehrenreich, 2003; Rio, 2005; Neetha, 2008; Ally, 2009; Anderson and Hughes, 2010).

The platformisation of domestic work is a crucial issue that merits attention and critical study as we strive for better working conditions and decent work for domestic workers in South Africa and beyond. Studies on platform domestic work are slowly emerging, although much of the literature on commercial domestic work is lacking and in need of development. This is especially true for the domestic sector in the South African context. As platform domestic work takes hold successfully in the domestic sector, its transformation of the paid domestic work sector will have a significant impact on how domestic work is experienced by workers, and on the efforts and gains made toward formalisation and the reduction of exploitative employment practices in the South African domestic work sector (Hunt and Samman, 2020).

Based on evidence from a qualitative case study conducted on a select group of platform domestic workers and their platform company in Cape Town, I argue that while the platformisation of domestic work in South Africa does represent the formalisation and 'modernisation' of domestic work through commercialisation and technology, it is also deepening the occurrence of informality in employment relations of the South African domestic work sector. This adds further challenges to the discourse around the potential virtues of the commercialisation of domestic work as a modernising force in the occupation (Du Toit, 2013; Mendez, 1998; Ehrenreich, 2003). It also adds to the growing literature in South Africa about domestic workers' experiences of gig work in the platform economy.

In the sections that follow, this paper first discusses the methodology used in the case study of the selected group of platform domestic workers and their platform company 'SweepSouth' in Cape Town, South Africa. Next, the paper discusses the literature on the commercialisation and formalisation of domestic work and then compares it to the author's own findings about platform domestic work employment. The paper then moves into a discussion about the implications of the platformisation of domestic work for employment relations in the sector and concludes with further recommendations and the possible interventions needed.

Methodology

To better understand the emerging trends in domestic work's platformisation in South Africa, an interpretivist case study was conducted on a group of platform domestic workers in Cape Town, that had experience working under the popular South African platform domestic company 'SweepSouth'. The main objective of the case study was to uncover the ways in which this form of domestic work is structured and workers' subjective interpretations and experiences of platform domestic work as a new labour form in the domestic sector.

Semi-structured interviews with ten platform domestic workers and one expert interview with a SADSAWU union representative were conducted. A snowball sampling approach was used to select participants for this study. I identified and recruited

workers to interview in a variety of ways: through the platform itself as a service requester, through participants' recommendations of other interested parties, and through personal contacts and university colleagues. The resultant sample was a mix of both current and former platform domestic workers from SweepSouth.

Interview data collected were supplemented with extensive document research on SweepSouth that involved the collection and analysis of the company's published information such as its annual reports, terms and conditions documents, company website content, and publicly available interviews given by the company's CEO through various media forums such as news podcasts and several YouTube video interviews and presentations.

The Covid-19 pandemic and mandatory lockdown regulations in South Africa posed a significant challenge to the methodology of this study in that it made identifying and conducting interviews with participants difficult. Telephonic interviews had to be adopted in place of in-person interviewing to match social distancing rules and requirements. Attempts were also made to secure interviews with SweepSouth representatives but these were unsuccessful due to the company citing time constraints and Covid-19 disruptions as hindering factors.

Commercialising domestic work for better working conditions

Paid domestic work is an old occupation that traces its roots to practices of slavery, indentured servitude, and colonialism (ILO, 2010; Ally, 2009; Cock, 1980). It is an occupation that is described as 'pre-modern' in many ways because it is still a highly exploitative occupation, predominantly done by marginalised groups, mainly lower-class women, in informal and unprotected employment (ILO, 2010; Coser, 1973). It has been argued that the source of domestic workers' exploitation problem lies in the informal, private, and personalised character of the domestic work employment relationship, which makes it an occupation of servitude (ILO, 2010; Coser, 1973). The assumption, therefore, is that commercialising and bureaucratising domestic work employment will effectively formalise, rationalise, and depersonalise the employment relationship and hence allow for better

working conditions for domestic workers (Meagher, 2002; Mendez, 1998; Devetter and Rousseau, 2009).

Commercialisation as a modernising force in the occupation of domestic work is what many for-profit home services agencies or companies also use as part of their marketing discourse (Meagher, 1997; Mendez, 1998). Modernisation through commercialisation has also been a policy adopted by some governments, most notably in Europe, to 'industrialise' domestic work and provide employment using a variety of policy interventions that are meant to subsidise the financial and administrative costs of employing domestic workers (Devetter and Rousseau, 2009; Pérez and Stallhaert, 2016). In South Africa, policy interventions have sought to modernise domestic work mainly through the extension of employment and social rights to domestic workers (Ally, 2009; Fish, 2006). As a result, there has not been a direct or explicit policy initiative aimed at modernisation through the marketisation of care.

Private companies in the domestic sector have been rapidly growing in South Africa despite this lack of explicit marketisation policy intervention in the country's domestic work sector. This has led some scholars to argue that the formalisation initiatives by the state have not only extended rights to domestic workers in South Africa but have also created the demand for third-party agencies amongst householders that are better positioned to handle the growing administrative costs of hiring a domestic worker that has accrued because of formalisation (Tame, 2018; Du Toit, 2013). The continuing lack of a socialised, public care regime in South Africa also means that care services continue to be a private matter for households, that can only be addressed through the market or as a familial responsibility, thereby creating opportunity for private enterprise in the sector (Ally, 2009).

While it is difficult to estimate the number of domestic workers that are employed by agencies in South Africa, observations and research shows that agencies are becoming significant employers in the domestic work sector. SweepSouth alone claimed to have reached a milestone of 20,000 domestic workers working through its platform in the year 2020 (SweepSouth, 2020a). This shows that many domestic workers are turning to commercial agencies for

work opportunities in South Africa. Agencies can be divided into either direct service providers of home services, including home cleaning and other home maintenance-related services, or they can be classified as recruitment and placement service providers that are involved in the brokering of domestic workers to be privately employed by householders (Tame, 2018; Devetter and Rousseau, 2009). Direct home services providers enter into an employment relationship with domestic workers while recruitment and placement agencies do not. However, what they have in common is that they often assume the role of mediators in the triangular employment relationship between the householder, the domestic worker and themselves. Meagher (2002: 56) uses this fact to argue that what distinguishes agency-provided domestic work from informal domestic work is the existence of this third party in the employment relationship, creating a distinction between a 'mediated' and an 'unmediated' domestic work employment relationship.

Studies on the experiences of domestic workers in 'mediated' domestic work employment provided by commercial agencies are still eclipsed by those focusing on 'unmediated' and often informal domestic work employment between the 'madam' and the 'maid' (Du Toit, 2013; Devetter and Rousseau, 2009; Farris, 2020). Studies that report on workers' experiences of mediated domestic work that is commercialised and bureaucratised have mostly been conducted in the global North, with only a few studies emerging in South Africa in recent years. Since agencies in the domestic sector operate as either direct home service providers or as recruiters for placements, domestic workers' experiences will vary depending on their employment relationship with the type of agency they use.

Formalising the hiring of domestic workers using contracts and the legal registration of domestic workers seems to be the most obvious and important contribution of agencies in the sector (Tame, 2018; Meagher, 2002; Du Toit, 2013). Because of this, agency workers in the domestic sector have a better chance of obtaining employment rights, protections, and benefits from their employment than those in informal domestic work (Du Toit, 2013; Tame, 2018). This benefit is mostly observed among domestic workers hired by direct home service-providing agencies that enter an employment relationship

with their domestic workers, thereby entitling them to employment benefits and protections (Du Toit, 2013; Devetter and Rousseau, 2009). Agencies as employers of domestic workers are also observed to be more likely to seek to professionalise domestic work by training and upskilling domestic workers as employees of the enterprise (Devetter and Rousseau, 2009; Du Toit, 2013).

Studies also show that agencies as ‘mediators’ in the triangular employment relationship between workers and household employers do reduce the maltreatment of workers by mediating the service interaction between the worker and the householder (Meagher, 2002). However, this is again mostly observed in studies of direct home service-providing agencies where the companies often appoint ‘middle managers’ to oversee the service provision and to interact with the customer or householder on the worker’s behalf (Du Toit, 2013; Ehrenreich, 2003). Under this arrangement, the workload can also be better regulated through a service contract that highlights the terms of service, thereby reducing incidences of overworking and performing a ‘diffuse and non-specific servant role’ for the customer (Du Toit, 2013; Devetter and Rousseau, 2009; Coser, 1973: 32). Agencies also depersonalise domestic work employment relationships by reducing workers’ reliance on a single household employer for their livelihood (Du Toit, 2013). Recruitment and placement agencies are the most important in this regard because they assist workers in navigating better employment opportunities more easily than they can through informal networks of friends, family, and acquaintances (Tame, 2018).

Despite these positive benefits of commercialised domestic work, the literature also points to the negative side of agency-provided domestic work. Most significantly, studies show that while agencies are an important formal employment-making vehicle in the sector, wages remain low and part-time work is the prevailing employing practice, leading to severe cases of underemployment among commercial domestic workers (Farris, 2020; Pérez and Stallhaert, 2016; Devetter and Rousseau, 2009). Placement fees charged by recruitment and placement agencies have also been criticised as added costs to domestic workers seeking work, who often must register with multiple agencies to increase their chances of finding good matches with clients (Anderson, 2000). Others

have also taken a critical view of agencies’ tendency to commodify workers’ labour by adopting a unitarist management principle that is hostile towards trade unionism, and their problematic marketing practices to customers which often reinforce gender and racial stereotypes and misrepresentations about domestic workers and their occupation (Du Toit, 2013; Devetter and Rousseau, 2009; Tame, 2018; Maher, 2004).

These debates highlight the challenge of commercialised domestic work and offer a critical background for us to evaluate the latest iteration of this trend through digital platform technologies. The next section presents emerging insights about the experience of the platform-driven formalisation of domestic work and workers’ responses to this process, using findings from the case study of the popular South African platform SweepSouth and its platform domestic workers in Cape Town.

Formalising domestic work through digital platforms? An overview of emerging findings

In the platform economy, several forms of labour and employment relationships exist. I use the typology of platform workers presented by Vallas and Schor (2020) in their discussion of platform economy and platform-based work. According to this typology, workers in the platform economy can be divided into two broad categories of workers: the creators of the platform, and those workers that approach the platform as ‘users’

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to find short-term work opportunities or 'gigs' (Vallas and Schor, 2020: 276). Workers that are the creators of the platform include the platform's founders and CEOs, its architects, and designers. These workers tend to be limited in numbers, are employees of the platform, and oversee the setting of working conditions on the platform for other workers as users of the platform to follow. This category of labour in the platform economy is also highly skilled, and performs high-end, and innovative work as 'venture labour' or 'entrepreneurial labour' that is highly paid as observed in the literature (Neff, 2012; Neff, Wissinger and Zukin, 2005; Kenney and Zysman, 2019). Workers that are users of digital platforms are in a much higher supply than platform creators and are also quite diverse (Vallas and Schor, 2020). The kind of work they receive from the platform is regarded as 'gig work' because it is short-term, flexible, and non-standard in nature (De Ruyter and Brown, 2019). These workers are part of a 'gig economy', working as independent contractors exchanging their services for a fee from customers on the platform (Rogers, 2015; Prassl, 2018; De Stefano, 2016; ILO, 2018). Gig work can either be location-based, where it is performed in-person in a specified geographic location such as with home services work, ride-hailing, and delivery; or it can be cloud-based work performed by freelancers online offering a variety of professional services to customers from anywhere in the world (De Stefano, 2016; ILO, 2018). SweepSouth's Platform domestic workers are 'users' of digital platforms, and therefore fall into the category of location-based gig workers.

Like other platform companies offering gig work in the platform economy, platform domestic work companies such as SweepSouth are operating an open-employment model that allows the platform to expand access to work for thousands of domestic workers at a time (Vallas and Schor, 2020). The platform is not liable for employment-related costs for domestic workers and can therefore engage an unlimited number of domestic workers as desired, with SweepSouth reporting to have reached the milestone of 20,000 domestic workers working through their platform in 2020 (SweepSouth, 2020a).

Easy access to work opportunities is certainly a positive for domestic workers because the domestic sector is a significant employer of women in South Africa (Statistics South Africa, 2022). There are an

estimated 823,000 female domestic workers in South Africa (Statistics South Africa, 2022), and the dominant profile of domestic workers in South Africa remains that of lower-class, Black African women, and increasingly migrant workers from rural areas of South Africa, neighbouring countries and elsewhere in the continent where there's socioeconomic strife (Tame, 2018; Gama and Willemse, 2015; Fish, 2006; Ally, 2009). Therefore, platform domestic work as a large-scale job creator in the domestic sector is bringing employment relief to many marginalised women in South Africa.

Platform domestic workers as users of digital platforms are classified as independently contracting domestic workers by their platform companies (see SweepSouth, 2020b). Rather than an employer of domestic workers, SweepSouth platform's CEO describes the company's digital platform as a marketplace where domestic workers and those purchasing their services are in a customer-vendor relationship with each other. The CEO's reasoning is as follows:

So, SweepSouth is a marketplace. We deal with domestic workers on the one hand, and clients on the other hand, and we are really passionate about offering value to both sides of the marketplace (CEO Aisha Pandor, YouTube Presentation 02 August 2017).

Independent domestic workers as sellers of a service are not new to the occupation of paid domestic work. 'Chars' or 'independents' have been documented across the literature to be self-employed domestic workers working for multiple households at a time and charging a service fee based on a work-by-task arrangement with each customer (Anderson and Hughes, 2010; Ally, 2009; Rio, 2005; Ehrenreich, 2003). Contrary to the platform-based independent domestic work offered by platform companies like SweepSouth, 'traditional' independent domestic work is often done by domestic workers working informally on their own (Rio, 2005). Digital platform domestic workers, however, are independent domestic workers in formal work with a formally registered company that is organising and supervising their labour even though they are not employees of the platform, nor are they employees of the customer requesting their short-term services on the platform (SweepSouth,

2020b). This is a critical problem and the South African Domestic Service and Allied Workers Union (SADSAWU) identifies it as the main disadvantage of platform domestic work. Gloria Kente, a SADSAWU organiser and union representative, outlines this problem as follows:

Yes, it is good because now workers can get a job for themselves, they can go on that 'app' and apply for a job. But our main problem is they are not going to get a UIF, they are not going to get the benefits when they are pregnant, do you understand? Because they don't have one employer, they work three hours here, and they must move, on the same day, to another employer, and another employer. So, who is going to be the employer of these four people? That is the main thing that we want to sit down and talk about it, that at least the domestic workers must benefit from the rights of domestic workers in South Africa. (Gloria Kente, Interview 08 June 2021).

This exclusion of platform domestic workers from legislated employment and social security protections due to their vague employment status on the platform is an issue that is of crucial concern (Sibiya and Du Toit, 2022; Hunt and Machingura, 2016). South Africa has one of the most extensive labour rights and protections for domestic workers, including independent domestic workers and those in part time work through Sectoral Determination 7 of the Basic Conditions of Employment Act (BCEA), but in this new triangular platform domestic work employment model, these are rendered mostly unattainable for platform domestic workers.

Despite this exposure to the harsh realities of self-employment, platform domestic workers in South Africa are utilizing the platform in record numbers according to SweepSouth. The findings regarding their approaches to platform domestic work raise the concern that these employment models may intensify informality in the domestic sector, which contrasts with platform domestic work companies' rhetoric about modernising informal domestic work arrangements using digital technologies. The platform domestic work company SweepSouth identifies its mission on its website and in public interviews given by its CEO, Aisha Pandor, to be to 'modernise'

domestic work through its platform technology and address informality and the maltreatment of domestic workers (Pandor, 2017). The excerpt below is taken from one such interview by the CEO regarding the platform company's mission in the informal domestic work market:

We also realised that the industry was very, very old school. It had not progressed probably since democracy. I mean some people didn't even have contracts and people were still being treated very badly. In short, we saw a big problem and thought to try and solve it through technology and by building an app and a platform that would help people get access to decent work at good rates (SweepSouth CEO Aisha Pandor Interview, cited in Mkele, 2020).

The company, therefore, believes that through digital platform technology, domestic work employment relations can be formalised and decent work extended to domestic workers in South Africa. Such an important mission should be weighed against platform domestic workers' actual reported experiences on the platform. As already stated, the SweepSouth platform allows for the instant matching of domestic workers with customers in need of their services. It has therefore proven itself to be a large-scale job creator in the domestic sector because it is providing workers easy and instant access to a large pool of customers in need of domestic cleaning services (Sibiya and Du Toit, 2022). It is not surprising then that platform domestic workers interviewed cited unemployment and the easy access to a reliable supply of work opportunities on the platform to be the main reason for joining the SweepSouth platform:

I recommend it [SweepSouth] a hundred percent because it's reliable! if you want to do something you can go to SweepSouth! (Tatenda, Interview 26 May 2021).

Of the ten platform domestic workers interviewed, six had prior experience as informal domestic workers in private households before joining the platform while the rest were new entrants to the domestic sector through the platform. None of the platform domestic workers interviewed had experience in informal 'char' or informal independent domestic work.

Table 1: Participants' work histories prior to becoming platform domestic workers

Pseudonym	Type of job before working for SweepSouth
Lucia	Beauty therapist
Sarah	Retail employee
Patricia	Live-in domestic work
Nosipho	Live-out domestic work
Sindi	Live-out domestic work
Buhle	Live-out domestic work
Rose	Live-in domestic work
Linda	Receptionist
Tatenda	Informal trader
Angela	Live-out domestic worker

Platform domestic workers, therefore, reported experiencing difficulties and frustration with adjusting to the job of being an 'independent contractor' in the domestic sector. Difficulty adjusting to the service demands and personalities of different platform-provided customers each day and the exhaustion from extensive travelling to multiple customer locations was raised as a regular issue. The interview responses below capture these adjustment difficulties to independent domestic work that workers experience:

In a private family, they tell you the first day that they want you to do 1, 2, 3, 4, 5, 6, and then that's your daily routine. But with SweepSouth, you meet different people and every day you go to a different person, and they want different things to be done (Nosipho, Interview 16 May 2021).

I advise people to go there, but SweepSouth, wow it's too much! It's too much! It's never the same, today you'll be going to a two-bedroom house or two-bedroom flat, but then tomorrow, you'll be going to an eight-bedroom place. So sometimes you are so tired and you're late, and when you're late, they don't understand! (Sindi, Interview 18 May 2021).

Adjusting to the demands of 'self-employment' as independent domestic workers on the platform servicing multiple customers in differing locations and with differing service requests can be a difficult and costly adjustment for platform domestic workers doing independent domestic work for the first time in their careers. Connected to this adjustment difficulty was the finding that platform domestic workers are using the platform as a 'networking tool' to gain access to more regular customers to work offline, under informal and self-negotiated working conditions. The literature on platform work calls this practice 'platform leakage' and most platform domestic workers interviewed were found to be engaging in platform leakage alongside work provided by the platform (See Nhleko and Tame, 2023).

Table 2: Participants' reported participation in 'platform leakage'

Pseudonym	Currently a platform domestic worker	Sourcing private clients from the platform ('platform leakage')
Lucia	No	Yes
Sarah	Yes	No
Patricia	Yes	Yes
Nosipho	No	Yes
Sindi	Yes	Yes
Buhle	No	Yes
Rose	Yes	Yes
Linda	Yes	No
Tatenda	Yes	Yes
Angela	Yes	Yes

Platform leakage occurs when platform workers and customers on the platform opt to conduct their service exchange outside of the platform once matched (He et al., 2020). Platform leakage has been observed to be due to a variety of reasons such as the desire by platform customers and gig workers to avoid platform service fees, augment incomes for the worker, and the desire to secure regular service exchanges with

a trusted worker or customer from the platform (He et al., 2020; Madden, 2015). A similar reasoning and motivation for engaging in platform leakage were observed among SweepSouth's platform domestic workers. Platform domestic workers in this case study explained that platform leakage was always initiated by customers on the platform and that it made it possible for them to negotiate for better pay and working conditions, and to also avoid service fee deductions by the platform, all of which meant earning higher incomes than otherwise received from the platform. Angela, a platform domestic worker interviewed, explains the negotiation process under platform leakage as follows:

No, we negotiate. Like this other customer last time, I said no. The client was saying I must come privately, right? I said 'How much are you going to pay me, from 8 am to 4 pm?' And then they said, 'It's going to be R200'. I said no because it's the same; on the app, it's also R200. You want me to come privately and it's for R200? It's not going to work (Angela, Interview 06 April 2021).

Most crucially to note is the finding that platform leakage-provided work occurs under an informal agreement between the platform domestic worker and the platform customer. The employment relationship here is therefore unmediated by the platform and is more akin to informal live-out or part-time domestic work. As Table 2 indicates, platform leakage occurs alongside formal platform-provided work. So far from being a formalising agent in the highly informal domestic sector of South Africa, digital platforms are being used by domestic workers as a reliable matching agent to secure both formal and informal employment opportunities in the domestic sector. Given these findings regarding the employment relationship between platform domestic work and workers' adjustment and approaches to platform domestic work, it is important to consider the implications of these trends for the sector.

The impact of 'platformisation' on domestic work employment

The platform economy is reorganising markets and social exchanges (Kenney and Zysman, 2016; Vallas and Schor, 2020). More specifically, the reorganisation and appropriation of informal markets seem to

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be a key target for platform companies because many platform companies thrive in sectors of the economy that are characterised by high levels of informality, especially in the Global South (Athique and Parthasarathi, 2020). In South Africa, this can mostly be seen in the transport sector – with key players such as Uber, Bolt, DiDi, and InDriver – and in the domestic sector, where platform companies such as SweepSouth and getTOD are gaining a stronghold. As has been shown so far, the platform domestic work company SweepSouth firmly identifies its mission as formalising domestic work employment and thus extending decent work to domestic workers through platform technology.

Platform domestic work as a new work model in the sector is indeed an effective provider of work opportunities for many domestic workers and is attempting to offer above-minimum wage payment rates on its platform (Sibiya and Du Toit, 2022; The Fairwork Project South Africa, 2022). However, it is the quality of work that is an issue on the platform. As a form of gig work, the platform domestic work model provides short-term, insecure work, that is without access to employment protections, and that has no evidence of collective representation on the platform as workers (The Fairwork Report South Africa, 2022; Hunt and Samman, 2020; Sibiya and Du Toit, 2022). As pointed out in the emerging scholarship on platform domestic work in South Africa and my own research findings, it is becoming evident that the current

platform domestic work model being pursued by private platform companies is undermining key decent work pillars such as access to social protection, workers' rights, and social dialogue and tripartism. Further, the widespread practice of platform leakage by platform domestic workers may deepen or reinforce informality in domestic work employment in the long-term (ILO, 2010; Ghai, 2003). Using the concept of informalisation by scholars Theron (2010) and Slavnic (2010), I further argue that the platform domestic work model is instituting 'informalisation from above' that is instigating and allowing workers to respond with an 'informalisation from below' strategy through platform leakage to better cope with their precarious condition as self-employed gig workers on the platform.

Informalisation as a concept is defined by Theron (2010: 91) as 'a process whereby economic activity takes place outside the scope of formal regulation'. Informalisation from above is a concept that denotes the practices of work casualisation and externalisation in formal enterprises that leave workers in these enterprises without full coverage under formal labour protections and standards (Slavnic, 2010: 4; Theron, 2010: 90). Workers hence find themselves in formal employment but without access to full employment rights and protections as prescribed by state labour legislations. Platform domestic workers are in a similar condition with their platform company: they are in formal, 'registered' employment with a formal enterprise but are without access to full labour protections. This is due to there being a triangular employment relationship between them, their customers on the platform, and their platform company that only recognises itself to be a 'marketplace' for domestic cleaning services. This model of a vague and disguised employment approach is very typical of many other forms of gig work in the gig economy and has prompted the critique that platform companies are disguising and reclassifying existing service work employment as entrepreneurship (Prassl, 2018). This undermines historic gains made in attaining workers' rights and the decommodification of labour under capitalism (Wood et al., 2019; De Stefano, 2016; Aloisi, 2016).

Informalisation from below refers to the variety of informal, survivalist economic activities performed by marginal groups, in response to their precarious living conditions (Theron, 2010: 91; Slavnic, 2010). In the platform domestic work model, the occurrence

of platform leakage is a survivalist strategy and an act of informalisation from below by platform domestic workers. Platform leakage is platform domestic workers' attempt to cope with the costs of self-employment on the platform by combining formal, short-term work provided by the platform with informal, self-negotiated work with platform-provided customers offline. This allows domestic workers to augment their incomes and to seek out better, self-negotiated, and managed work opportunities. While platform leakage is not permitted by platform companies including SweepSouth, it will most likely continue to be an inherent feature of platform domestic work as workers try to cope with the insecure working conditions on the platform due to the informalisation from above instituted by the platform itself (SweepSouth, 2020b; Madden, 2015; He et al., 2020). As argued by Kumar (2020: 275), initiatives aimed at formalising the informal economy through 'platformisation' cannot be successful nor completed without the provision of formal labour protections and fair employment practices for platform workers. This includes the domestic work sector that remains largely informal in South Africa, and as the finding of platform leakage indicates, formalisation of the sector through digital platformisation risks perpetuating this feature even further by not extending full employment rights and fair practices.

Lastly, the informalisation from above and from below that is occurring as a feature of platform domestic work also challenges the idea that the commercialisation and industrialisation of domestic work are sufficient to address informality, exploitation, and lack of decent work in domestic work. This supports the many studies done by care work scholars over the years that show commercialisation in the domestic sector is not sufficient to bring about decent work to domestic workers because growth and profits are the primary objective of capitalist domestic work agencies and are dependent upon the commodification of domestic workers' labour and identities as care workers (Mendez, 1998; Maher, 2004; Meagher, 1997; Ehrenreich, 2003).

Concluding remarks

Like other forms of commercial domestic work, platform domestic work is providing more work opportunities for domestic workers. However, the quality of employment is an issue of concern. Evidence suggests that the platform domestic work

model is deepening informalisation in the domestic sector. There is an informalisation from above being instituted by the platform because workers on the platform are designated as independent contractors without access to sufficient employment protections and benefits on the platform. As a coping response to the risks of self-employment on the platform, platform domestic workers are engaging in informalisation from below tactics, mainly through the act of platform leakage to secure better incomes and self-negotiated work opportunities with platform customers outside of the platform. Digital platforms in the domestic sector are a great tool for the instant and secure matching of domestic workers with customers but they do not guarantee full decent work for domestic workers. Digital platformisation in the domestic work sector must be accompanied by fair employment practices and labour protection coverage for platform domestic workers if it is to achieve the desired effect of modernising domestic work.

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In Conversation with Professor Jacklyn Cock,
Author of *Maids and Madams*

maids & madams



Domestic Workers under Apartheid

Revised and updated by the author

Jacklyn Cock



David du Toit: *Your book, *Maids and Madams*, is one of the seminal texts in domestic work literature in South Africa. What inspired you to write about domestic work during the apartheid era?*

Jacklyn Cock: As a feminist, I was very interested in this particular space where there's more interaction between white and black women than in any other space I could see. And it was a highly exploitative relationship. It still is. Obviously, things have improved, especially a trend away from full-time employment. But there are still many domestic workers who suffer from low wages, long working hours, demeaning treatment, insecurity, and all the problems. It's very much a colonial institution, and I was angry about it. Both as a feminist and as a socialist. I mean, domestic work was a mirror of the obscene inequality in our society, and it still is. So, I wanted to expose that. That was my intention.

David du Toit: *What was the reaction to the book at the time?*

Jacklyn Cock: The book was published in 1980, and the reaction to the book was strange. I remember one evening I was sitting at the dinner table having supper with friends when there was a crash of broken glass as three sticks of dynamite were thrown through a window from the street. The room filled with smoke, and we called the fire brigade who evacuated the whole street. They told us that the dynamite was meant to explode, but the fuse had caught in heavy-lined curtains.

What puzzled me at the time was why the book had angered people so much that they were prepared to do something so drastic. I think it was seen as an invasion of the privacy of the household, what Marx calls the hidden abode of reproduction. I think it was seen somehow as dangerous because of this violation of privacy. And to me, it was well, very frightening at the time. I think the book was exposing the private household as a site of violence, as well as intimacy and particularly the abuse of women. But of course, there are many kinds of violence and a lot of the violence that domestic workers are exposed to on a daily basis is existential as well as material.

David du Toit: *The book was clearly necessary and obviously a very brave thing to do. Now I would like to*

ask about the fieldwork experience of doing research about domestic work in the era of apartheid. Can you talk me through the fieldwork experience, and the methodology of doing research for this book? Is there anything you would do differently now?

Jacklyn Cock: Right. I now think that the methodology was somewhat crude. I would've liked to have given more acknowledgment to my fieldworker, who was Mary Korta. In retrospect, I would've liked *Maids and Madams* to have been co-authored with Mary. Also, the methodology relied on individual interviews, which is a form of extractive research because it is simply extracting information without empowering the participants in any way. And I now believe very strongly that we need to shift our research methods and make sure that the research process in itself, is empowering. And I think it can be if you believe in the co-production of knowledge and emphasise dialogic learning, lived experience, and reciprocity. And so, when I started doing research on mining-affected communities with two colleagues, we developed what we called exchange workshops, and our aim was to empower community members with the information, and confidence to organise, formulate demands and participate in the wider struggle for social and environmental justice. We divided the community members into small groups and posed two questions: what is it like living in a mining-affected community and what would you most like to change? We learned a great deal from the participants. These exchange workshops involved exchanging two kinds of knowledge. The first was direct experiential knowledge expressed by community members. And then, the second part, was us researchers answering questions about ourselves and sharing information about other environmental justice struggles, policy developments, and the different understandings of a just transition. I think domestic workers could benefit from the same kind of research approach. It is empowering in the sense of provoking collective reflection on people's experiences in their everyday lives and the realisation that what is often experienced as individual problems are really social in their causes and consequences. There are lots of things I would do differently now. The research would be both theoretically and methodologically more sophisticated. I would try to aim for an empowering process rather than simply an extractive approach.

David du Toit: *Well, thank you. That is certainly something to think about. In the book, you speak about the ultra-exploitation of domestic workers, which became sort of a concept used by other scholars in domestic work too. Do you think that domestic workers are still ultra-exploited by their employers and by society as a whole? What do you think can be done to change this?*

Jacklyn Cock: I think that there is much more collective organising now than there was in 1980, and there's been some very good research, especially by Shireen Ally. Domestic workers could play a political role. They reflect the obscene inequality in South Africa. We live in a very fragmented society. The rich and the poor live in different worlds that are totally disconnected. But domestic workers move between these two worlds daily. There's no other occupational category that does that. I think that gives them a special insight and power; that linkage, that movement between these two worlds, that could be a significant political force for transformative change. I think that we do have to make our research process empowering. And I do think that we have to all get help to promote solidarity among people who are oppressed. I mean, I think, you know, wages have improved, but there is still a lot of exploitation. And I believe that it's a sort of travesty of feminism because I know that many successful so-called professional

women are only able to achieve that success because they employ domestic workers who do all the work of social reproduction, and the importance of domestic workers' identity is still insufficiently appreciated, and there's no controversy about their place in society. Is it demeaning to have someone else cook your food and wash your clothes? Although there's an increase in feminism, which could implant solidarity among women in the case of the Maids-Madams relationship, we've got an exploitative relationship, which is a challenge to any simplistic feminist notion of solidarity. I want to make the point that in moving between the two worlds of the rich and the poor, domestic workers are at the front line of inequality, which I do see as our key problem. They constitute a linkage between these very separate worlds of wealth and poverty in that they are exposed at a daily level. I mean, look at the obscene consumption and waste of wealthy households. And I think that makes domestic workers quite a special category and a category that could be a transformative change. Also, there is a new wave of feminism, which is great. But to my understanding, it's not always sufficiently grounded in material conditions. In other words, it's not always sufficiently attentive to class relations. And I think that in the book where I describe domestic service as the largest institution that combines oppression by gender, race, and class I still would emphasise class. Otherwise, there's a dangerous flattening of all forms of oppression. I know it's a very popular notion, the notion of intersectionality, but I think it's very dangerous. But that's not to say that intersectionality doesn't have value. It does, especially in recognising the diversity and showing how social institutions and social identities are multiple and how oppression overlaps. And it also forces white feminism to acknowledge race and class privileges. And the benefits derived from living in white supremacist, hetero-patriarchal capitalism, but intersectional analysis asserts that all forms of oppression are equivalent. Whereas Marxist feminism gives special relevance to class in a capitalist society, but not in a reductionist way. It's just saying class has special relevance. And, of course, it's a relational concept, and it involves very different material conditions of life. So domestic workers, I think, are again in a very powerful position in asserting the importance of material conditions and perhaps questioning the sort of current conspicuous consumption and affluence. I think that, from my perspective, women's oppression

“ I’m saying they need to use a methodology that is empowering or not extractive. And that’s quite a big shift because people, especially in sociology, do tend to think that research involves individual interviews. And I’m saying that those do not benefit domestic workers. They do not empower the people they interview.

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has to challenge capitalism and, without doing so, will fail. And so, I think in this linkage role, moving between the worlds of wealth and poverty, domestic workers could have a powerful voice but they're not a powerful voice at present. And I think there needs to be a process of deeper organising and also an emphasis on new political imaginaries, not just improved social conditions within a capitalist order. But arguing for something completely different, what I would call an ecofeminist socialist society. That would imply transformative feminism, which demands not just equality with men within the existing order or ending gender-based violence, but a kind of solidarity among women to replace the current exploitation of women. By exploiting other women, and a new kind of society based on meeting human needs rather than profits, based on everyone living well, rather than some living better. So, I think the point I really want to make is that inequality is the root of the current social crisis in South Africa. And I think the African women employed as domestic workers are not only a dramatic illustration of that inequality but in a unique position to challenge it.

David du Toit: *Do you think we can change as a society, change the view and the value of domestic work? Or do you think it is, um, maybe something that is going to take a very long time, sort of a pipe dream?*

Jacklyn Cock: Well, you know, David, I mean, you know, apartheid changed much more quickly than a lot of us thought it would. And I mean, domestic service is such a, it's a deep colonial institution, and the decolonisation movement is really, really growing. I do see change as inevitable. Climate change is forcing us to rethink how we live and how we produce, and how we consume. We must reduce carbon emissions globally...otherwise, the future is catastrophic for everybody. That's how I see it. So, I think that slowly, slowly, people are accepting that change is necessary. But I think that there are many ways in which the wealthy can sort of buyout of the inconvenience of change. I mean, if you look at the energy crisis, rich people are buying generators and inverters. And the poor people are protesting about the lack of energy. It's not just load-shedding, the same applies to water and a whole lot of other services. So, I think it's this unevenness or fragmentation in our society where I'm positioning domestic workers as having a special

potential, a much stronger voice, through their insights and their understandings from their daily experiences.

David du Toit: *Yeah. There are a lot of scholars, young scholars, and students who are, you know, doing research on domestic work. And that is great to see. Do you have any advice for them in terms of researching this vulnerable sector?*

Jacklyn Cock: Well, yes. I'm saying they need to use a methodology that is empowering or not extractive. And that's quite a big shift because people, especially in sociology, do tend to think that research involves individual interviews. And I'm saying that those do not benefit domestic workers. They do not empower the people they interview. There has to be something that's more collaborative that is empowering and that's why I think the exchange workshops have a lot of potential. But the trouble is they're expensive. They need to be organised by, you know, the affected group and there needs to be reciprocity. I think my advice to researchers is to ask themselves: Whose interests am I serving? That's the question they need to ask themselves. And often it is their own interests in terms of their own academic careers. And I think the academic world is changing and is becoming much more individualist and less cooperative and collaborative than in the past, or that's my impression. There's a lot of pressure on young people now to publish. And that can often detract from a commitment to teaching, and research becomes a means to individual advancement rather than a social contribution to society. I think that, um, the question is how we teach and do research. Well, I believe in field trips a lot. I mean, you know, not big expensive ones, but certainly local trips because of these two separate worlds of the wealthy and the poor. Not just trips to the townships, but maybe trips to Hyde Park and some of the very wealthy areas and, I could think of all kinds of research projects, with some of the fancy restaurants and what people spend in an evening, is easily the cost of a worker's average salary in a month. I think our teaching and research should address this fragmentation and inequality at the centre. So that one tries to install a social consciousness, a political commitment, and an understanding of how people are living and how they're struggling. Research should be empowering through exchange workshops because it's exchanging information and I think, it is teaching

humility and teaching commitment and trying to break with the terrible materialism and careerism, which is what we are struggling with in the current context. My advice is maybe to follow a domestic worker for a day, or to visit them in their homes, to get an emotional understanding, as well as an intellectual commitment. I think that could be helpful because this could promote new political imaginaries, new ways of organising society, alternative social

arrangements for social reproduction, and learning to empathise with domestic workers.

David du Toit: *Well, thank you. It was a great honour talking to you. Thank you for your reflections and insight and you gave us lots to think about.*

Jacklyn Cock: Thanks, David. Good talking to you too.

‘If I Can, We Can’:

Honouring Myrtle Witbooi and the History of Domestic Worker Organising

By Jennifer N. Fish

Myrtle Witbooi, a pioneering leader of the domestic worker movement, died on January 16 in Cape Town at age 75. Under South Africa’s apartheid rule, she began to organise women in the garage of her employer and went on to become president of the first global union led by women. For 52 years she advocated for the rights of domestic workers, upholding her presidency in both South Africa’s national union of domestic workers and the International Domestic Workers Federation, throughout her struggle with a rare form of bone cancer.

Ms. Witbooi’s experience as a domestic worker under apartheid guided her life on the front lines of both a national and global movement to recognise and protect women once considered ‘servants’ without rights. She fought for domestic workers’ first legal protections in South Africa’s democracy, which set basic conditions of employment and allowed over 100,000 women to receive maternity and unemployment insurance over the past twenty years. In 2008, her leadership expanded to the global organisation of domestic workers, where she guided



a campaign for the first international standards of protection for household workers through the International Labour Organization. Her voice appealed to world leaders, as she asked for policy recognition for ‘those left in the backyards’ and the ‘women who iron your shirts.’ In 2011, the United Nations adopted the first international convention for domestic worker rights—a victory that left Ms. Witbooi proclaiming: ‘Today we’ve got our dignity and respect. Slaves no more, but workers just like all of us.’

When asked about her achievements as a global human rights leader, she would most often share her surprise about the course of her life, given her origins under the apartheid system. Born August 31, 1947, in the Moravian mission town of Genadendal, Ms. Witbooi left for work in the city of Cape Town at age 17. She became a live-in domestic worker—one of the most important forms of labour to reinforce apartheid’s interconnected race and gender oppressions. As she cooked, cleaned, and cared for other people’s children and elders, she began to ask why those considered ‘one in the family’ are least paid and universally unprotected. She recounted: ‘In South Africa, the law said, “If the master speaks, you listen.” But I went up to the woman I was working for and I said, “Look at me, I am a woman, just like you.”’ In 1971, she spoke publicly about the need for protections such as minimum wages and vacation time by writing to the Cape Town Regional Clarion newspaper, which quickly made her a leading voice for domestic worker rights. She asked: ‘Why are we different, why are there no laws, why are we not seen as people?’ The apartheid state deemed her efforts to organise workers illegal. Yet, she gathered women together in discreet locations, building support, writing letters for better working conditions, and encouraging a collective movement of those isolated in ‘the maid’s quarters’ throughout South Africa.

Ms. Witbooi went on to co-found the South African Domestic Workers Union (SADWU) in 1986, the first national organisation for women workers in households. She joined the African National Congress resistance movement, working alongside struggle leaders Desmond and Leah Tutu and Allan Boesak. During the height of South Africa’s police state in the 1980s, her activism aligned with the Congress of South African Trade Unions (COSATU), bringing the representation of over 40,000 domestic workers into

the political struggle to end apartheid. For organising workers and speaking truth to power, she was sent to prison three times and nearly lost her life in a bomb attack in Cape Town’s Community House. As she fought for women’s and workers’ rights for 27 years under apartheid, she accepted the risks to her own life for the sake of the larger freedom movement. For her, democracy had to be made, struggle by struggle, not won in a single moment: ‘We wanted freedom, but it was not going to be given to us on a golden platter.’



A fierce grit and unwavering commitment to the freedom struggle anchored Ms. Witbooi’s entire activist life: ‘Because of my voice, I was determined, and I didn’t let anything stop me.’ She spoke out for equality, gender rights, and labour justice, carrying the banner ‘women won’t be free until domestic workers are free’ throughout the streets of South Africa, and later the world. Her children described a ‘certain softness’ and diplomatic ease that persistently balanced her intense determination. In her direct

“ She recounted: ‘In South Africa, the law said, “If the master speaks, you listen.” But I went up to the woman I was working for and I said, “Look at me, I am a woman, just like you.”’ In 1971, she spoke publicly about the need for protections such as minimum wages and vacation time by writing to the Cape Town Regional Clarion newspaper, which quickly made her a leading voice for domestic worker rights.”

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work with thousands of domestic workers, she modelled a practice of speaking from a place of pride and equality, as a means of confronting systems of injustice: ‘When a domestic worker says, but I am not educated? I said, don’t let education stop you from what you believe in.’ A steadfast model of humility, as she realised international recognition, Ms. Witbooi would often recollect ‘I got my degree in the kitchen.’

South Africa’s 1994 realisation of democracy and its ambitious 1996 Constitution made her even more determined to demand domestic worker protections. She recalled: ‘We were free in South Africa, but domestic workers were still last on the agenda.’ The first labour laws emerged with explicit exclusion of domestic workers—a contradiction Ms. Witbooi utilised to call the new leaders to task: ‘We challenged our government. We chained ourselves to the gates of Parliament. We locked our Minister up and we put away the key until they give in.’ With these strategies, during her leadership as the President of the South African Domestic Service and Allied Workers Union (SADSAWU), South Africa passed five major labour protections that included domestic workers for the first time. These victories ‘on paper’ gave Ms. Witbooi ground to demand better practices beyond South



Africa, claiming ‘beautiful laws are not enough because there’s a struggle in the world.’

For fifteen years, Ms. Witbooi served as president of both South Africa’s national union and the International Domestic Workers Federation. She became the international voice for domestic workers, traveling to 48 countries to advocate for the protections established in the ILO Convention 189 on Decent Work for Domestic Workers, while overseeing her national union’s daily operations and many requests for mediation. She saw 35 countries ratify this convention and assure national legal protections for workers ‘in the shadow economy’ worldwide. Known widely as a principle-centred, determined, and visionary leader, Ms. Witbooi’s calming force provided an assurance of ease in moments of conflict and was a symbol of the ideals at the heart of the wider human rights movement. She balanced spontaneity with

careful measure, and good humour with calling those in power to task. The ability to speak from her own experience reflected her most persuasive gifts. She considered the life stories of the domestic workers she met around the world to be her greatest source of inspiration.

Ms. Witbooi’s address to the ILO in 2010 captures her life stance as a champion for human rights and a consistent reminder of the long haul to realise justice:

‘If anyone would have told me 45 years ago today, that I would be here, I would not have believed them. But I will continue fighting for domestic workers’ rights every day of my life, as I remember those early days that led me to this particular struggle which has now made its place in world history.’

Ms. Witbooi is survived by three children, Jacqui Michels, Linda (Wayne) Johnson, and Peter Witbooi, along with three grandchildren. She leaves a legacy in both national and international organisations and tangible legislative victories from her lifetime of activism. In an interview conducted three years ago for her biography, Ms. Witbooi shared wishes for those inspired by her story: ‘I want you to remember me, unite, and organise. I want you to remember, if I can do it, you can do it, and together we can sing, *Amandla!*’.

Photos and writing by Jennifer Fish.