Case Study Overview

<table>
<thead>
<tr>
<th>Case Study Title</th>
<th>Decent Work for Domestic Workers in Zambia (Overview only)</th>
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<td>Implemented by</td>
<td>International Labour Organization</td>
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<tr>
<td>Funded by</td>
<td>International Labour Organization with support from the Swedish International Development Agency (SIDA)</td>
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<td>Location</td>
<td>Zambia</td>
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| Focus Areas      | 1. Care  
                     2. Women workers in the informal economy                 |
| Start Date       | January 2011                                              |
| End date         | Ongoing                                                   |

Abstract

Project context:

In 2011, the Government of Zambia enacted the Minimum Wages and Conditions of Employment (Domestic Workers) Order, 2011, published as Statutory Instrument No. 3 of 2011 on 7 January 2011. The Order set a minimum wage, standards for working time, sick leave, maternity leave and severance pay, and minimum age at 15 years old for admission to domestic work. This was the first time that Zambia passed legislation specifically regulating the working conditions of domestic workers. In 2012, the Government of Zambia revised the order under Statutory Instrument No. 45, which increased the minimum wage by 67%.

Despite these protections, the Ministry of Labour and Social Security (MLSS) saw that well-entrenched informal employment relationships and poor quality of working conditions in the domestic work sector called for concerted and sustained actions on multiple fronts to increase compliance. To effectively improve working conditions, the MLSS, along with the Zambia Federation of Employers, the domestic workers’ unions and maid employment agencies developed a code of conduct for employers of domestic workers. This was accompanied by an extensive information awareness raising campaign to promote compliance, and an in-depth analysis of the domestic work sector and extent of legal protections in Zambia. Building off of these initial efforts, the ILO provided support to the constituents to:

- Extend sound and effective labour legislation;
- Build government capacity to enforce and promote compliance;
- Improve perceptions and attitudes among employers of domestic workers and workers themselves; and
- Build organizational capacity of domestic workers and employers to represent and protect their interests.
Achieving the goal of improved compliance was made possible through partnership among tripartite partners and other stakeholders. The MTSS, with support from the social partners, formed a Tripartite-plus Technical Working Group (TPTWG) on Domestic Work in 2015. The TPTWG plays a key role in facilitating policy dialogue as well as technical discussions. It is a mechanism for enhancing the design, planning, implementation and monitoring of interventions in the domestic work sector in Zambia. Most of all, it represents and reinforces national ownership of change. Together, the members of the TPTWG worked to effectively promote and coordinate actions that improve labour protections of domestic workers.

**Extension of effective labour protections:**

To extend and ensure compliance with labour protections, the TPTWG, with ILO support, developed and adopted a National Plan of Action for Domestic Workers. The ILO conducted a legal gap analysis, comparing the rights provided in Zambian legislation to the provisions of ILO Convention 189 on decent work for domestic workers. This report was discussed in a national workshop, and then factored into labour law reform discussions to be held in 2016. In parallel, a standard contract for domestic work was developed, endorsed by tripartite constituents, and which the Zambia Federation of Employers (ZFE) recommended for inclusion in the domestic work statute. As a result of these efforts, the possibility of ratification of C189 was tabled during the first sitting of the Tripartite Consultative Labour Council in 2016.

**Changing social norms and perceptions:**

The TPTWG identified social norms and low awareness of labour rights as key barriers to compliance. In an effort to change social norms, the TPTWG developed and implemented an extensive communications strategy to raise awareness on rights and responsibilities of domestic workers and employers. 13 radio programmes aired over a 13 week period from July to October 2015. TPTWG members participated in all the radio programmes as panelists, focusing on domestic work and the provisions of Statutory Instrument No. 3 and No. 45 on Minimum Wages and Conditions of Employment (Domestic Workers) Order of 2011 and 2012 (Amendment), respectively.

To raise awareness among employers, the ZFE also developed a compendium of national laws relevant to the domestic work sector to facilitate information dissemination on legal provisions for domestic workers and enhance compliance. The code of conduct and standard contract were also disseminated through the maid employment agencies. The association of employment agencies, the Labour Consultants and Employment Agencies Association of Zambia (LEAAZ), also disseminated information on rights and responsibilities for domestic workers and

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1Chaired by the Assistant Labour Commissioner for Employment, it consists of 23 strategic players, including representatives of government departments, UN agencies, international and local civil society organizations, other partners and stakeholders with labour, employment or domestic work related mandates and expertise. It has four sub-committees namely planning, legal reforms, communication, and capacity building.
employers through radio programmes.

**Strengthening voice and representation:**

Improving the working conditions of domestic workers requires strong national partners to effectively design and implement laws and policies, and engage in social dialogue. The TPTWG itself has made its work on domestic work more relevant and more sustainable, Unions must also be able to effectively organize and advocate for domestic workers; employers need a voice within the policy arena; and government institutions must have the capacity to implement and monitor policies once they are adopted.

Over the years, continuous efforts were made to build the capacity of unions to organize domestic workers. The ILO conducted a series of trainings on leadership, negotiation and organizing to build the institutional capacity of the union. The outcome of the training was the development and implementation of a sustainability plan and the recruitment of 851 new members, doubling the target number of new recruits.

Through policy dialogue and awareness raising exercises, the seeds were also planted for the creation of an association of employers of domestic workers, supported by the LEAAZ.

*Disclaimer: The case studies are written by implementing organizations. They do not necessarily reflect the views of the Panel members.*