# Work and living conditions of women domestic workers: a case study of Dehradun

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## Abstract

**Background/Objectives:** Domestic Work has emerged as a major source of wage employment for women. According to the ILO (International Labour Organisation) there are 67 million domestic workers across the globe with 80% constituting women. Apart from this one in every 25 women workers worldwide is a domestic worker. The objective of the study is to evaluate the minimum wages of workers and comparatively find its position with respect to the minimum wages provided to other unorganized sector workers under scheduled employments by the centre and the state governments. The aims of the work include: To access the composition of workers in terms of their domicile; To analyse the living standards of women domestic workers on the basis of their access to basic minimum needs and To inquire about the environment at workplace.

**Methods/Findings:** Simultaneously in India, according to the National Sample Survey Organisation (NSSO) 68<sup>th</sup> round of Employment and Unemployment Survey estimates, there are 3.9 million people employed as domestic workers by private households, of which 2.6 million are women. These statistics both at the international and national level reflect the feminization of domestic work. An absence of concrete legal framework and their subsequent fallout from protective Labour Laws renders them more vulnerable to exploitation. There is no record keeping of them at the Centre neither do they find a place within the definition of unorganized workers under the Uttarakhand State Labour records.

**Application:** This creates a natural deficit of comprehensive data on these workers which results in them becoming completely invisible in the labour market. In the same light, the paper aims to analyze the working and living conditions of women domestic workers with special emphasis on their minimum wages in Dehradun, the capital of Uttarakhand.

Keywords: Minimum wages, women domestic workers, labour.

## 1. Introduction

Domestic work has no strict guidelines of employment and there are no barriers to entry on the grounds of minimum qualification. The patriarchal notion that household and care work are the areas of operation of women alone has attached a certain amount of femininity to domestic work. This also becomes evident from official data which reflects majority of Domestic Workers being women. The reproductive nature of work with no new production of any tradable commodity of value has been a crucial factor for looking down upon it as a profession or not considering it one at all. It is more of an extension of the household chores beyond one's own dwelling with no prerequisite of skills or literacy. This generalization neglects the effort of domestic workers both in terms of labour service and time, and eventually reduces their bargaining power. Changing economic pressure compel women to take up various survival strategies for themselves and also for their household. Domestic work has thus become a convenient haven that absorbs illiterate, unskilled and ignorant women who are otherwise incompetent for skill based jobs and face restrictive choices [1-2]. Helplessness, poverty, unawareness, lack of skills is a hindrance to the vertical mobility of women in the job front and thus, they experience forceful and perpetual stagnation in a meager remunerative job. However, in the same scenario a slight change in perspective would also reflect a larger picture underneath to which we are conveniently oblivious. Domestic workers also support the functioning of economies by allowing members of employing households, especially women to shift their energies and time to more formal employment outside the household sphere of unpaid care work. Hence in a way they are at the bottom of a larger labour force supporting and assisting them day in and day out.

#### 1.1. International labour organisation and convention 189

Domestic workers for long have yearned for the recognition for the work they do. The much awaited acknowledgement of their work became a reality in 2011 by adoption of 'Decent Work for Domestic Workers' Convention by 185 member nations of ILO [3]. The ILO statistics also emphasize on domestic work as a growing economic sector, accounting for 7.5% of women employees worldwide. Convention 189 is duly supported with recommendations number 201. Where on one hand the principles and measures of Convention 189 become binding under International Law for any country that ratifies it, the Recommendation No 201 on the other hand is only a set of structured guidelines not binding on the members. Recommendation is a set of suggestions that a country may adopt in applying the Convention. It also focuses on certain key areas which otherwise have not been addressed by the convention due to the diverse political and institutional frameworks of its member nations. The Convention can be ratified by its member states and comes into force once the second ratification is complete. The member states are also obliged to send reports on the measures undertaken by them for the successful implementation of the Convention. Reports of performance and update are due twelve months from the ratification. It is the task of ILO committee on the experts on the application of Conventions and Recommendations to analyse the reports sent in by the government of member nations. The Convention has been ratified by 29 member states, the earliest of all being Uruguay, Philippines and Mauritius. India is yet to ratify the Convention. The Convention defines domestic work as 'work performed in or for a household or households', and domestic worker as 'any person engaged in domestic work within an employment relationship'. It is useful here to highlight the distinction between domestic work and home work. Often confused for the same, both differ substantially on the grounds of people engaged and the area of work. There is a separate Convention for 'home work' which is covered by the Home Work Convention, 1996 and defines it as work carried by workers in their own home rather than the workplace of an employer. In addition, Convention, 189 does not recognize self-employed persons and independent contractors as 'domestic workers'. On the application front of the Convention it can be put into force by extending or adapting existing laws. In case of complete incompatibility of existing laws of the member nations with the guidelines of the Convention, new and specific measures for domestic workers can be developed. The fundamental foundation of the Convention rests on ensuring Human Rights to domestic workers and in this regard the ILO has set standards in the name of 'Convention 189' to which the member nations are obliged. All domestic workers are entitled to the protection of their fundamental rights at work. These may range from freedom of association and right to collective bargaining, to elimination of forced labour. It is also essential to provide domestic workers with decent working and living conditions by ensuring fair terms of employment. Although to achieving this end the Convention leaves it to national laws to decide upon the legal working hours and work leaves by taking into consideration the unique nature of domestic work and treating them at par with workers in general. Further, in order to reap maximum benefits out of the Convention guidelines, it is also imperative to take measures to ensure their implementation at the ground level. Also, enforcement would be a success provided the national laws and regulations could be availed by domestic workers as favourably as other workers in general. It is also essential to develop an effective complaint mechanism which is well knit with the national judicial system and provides easy access to domestic workers in case of denial of their Human Rights at work place.

## 1.2. Minimum wages and domestic workers in India

Remuneration is a very crucial aspect of the Convention 189 of ILO and most relevant to the present study. Article 11 of the Convention mandates national laws to incorporate domestic workers within the prevailing legislations of minimum wages in respective member nations. The modalities of the payment of the remuneration have also been enlisted in the Convention, precisely to be direct and in the form of cash. Until August, 2019 minimum wages in India were protected by the Minimum Wages Act (1948). It was a labour welfare legislation in order to ensure a minimum wage to the workers of Unorganised sector and prevent their exploitation by paying unduly low wages. The Act empowered the appropriate government to fix and revise the statutory rates of minimum wages for scheduled employments at regular intervals. Domestic workers were not included in the central list of scheduled employment under the act. However, India being a Federal, with labour in the concurrent list, the state governments could frame labour laws and could extend provisions of the same to categories of employment which were not included at the central level. This mechanism changed considerably when the government floated the idea of four labour codes in August 2017 in the LokSabha to amalgamate 44 labour laws previously existent.

Code on Wages, Code on Social Security, Code on industrial relations and Code of Occupational Safety, Health and Working Conditions are the four proposed codes. Code on Wages bill after being passed by the parliament and receiving the assent of the President became enforceable on August, 2019. It has thus expanded the purview of minimum wages beyond the scheduled employments to all organized and unorganized sector workers except government employees and MGNREGA workers. It also subsumes The Minimum Wages Act (1948), The Payment of Wages Act (1936), The Payment OF Bonus Act (1965), Equal Remuneration Act (1976), none of which included domestic workers. The centre would fix a floor wage on the recommendations of a Central Advisory Board. The states can fix minimum wages on the basis of either skills or geographical area or both, doing away with the prior occupational category as a factor in determining minimum wages. But at the same time states cannot lower the minimum wages if the central floor wage is lower than the one determined by the state. The extension of the new law to domestic workers is still ambiguous, given the fact that none of the definitions of either 'employee', 'employer' or 'establishment' in the gazette notification accommodates these workers. Also since the employer-employee relationship is not protected by a legal contract and neither is there any official documentation of potential employers and employees, it remains doubtful as to how would these employers and employees be identified who interact in personal spaces. This keeps alive the vulnerability of domestic workers with no vivid picture as to how this act will unfold for them.

However it must also be put to view that there have been individual and organizational attempts for the protection and status uplift of these workers with various draft bills over the years, such as Domestic Workers( Registration, Social Security and Welfare) Bill 2008, which was prepared by National Commission for Women(NCW) India, Domestic Workers (Regulation of employment, Condition of work, Social Security and Welfare) Bill 2008 by National Campaign Committee for Unorganised sector workers and The Domestic Workers Employment Rights Protection Bill 2004 (SEWA-Kerala Bill)[4]. The main emphasis or the core issues incorporated in all of these draft bills focus on the condition of the work i.e., leaves, holidays, hours of work etc, and also on the social security of the workers. But the failure of materialization of bill to an Act has been disappointing. One such initiative in this regard of providing welfare, protection and security to domestic workers was that of, Dr. Sashi Tharoor, Member of Parliament, who introduced 'The Domestic Workers Welfare' Bill 2016 in LokSabha on 5 July, 2016. The proposed bill addresses the needs of the workers and suitable terms of agreement, and thus guarantees certain rights to the domestic workers in accordance with International Convention on Labour such as the right to; earn and earn livelihood free from forced and compulsory labour, to earn minimum wages, to decent working and living conditions, to address grievances in an appropriate manner, to organize and bargain collectively and the right to equal employment opportunities and remuneration. The most recent effort to the cause has come from the Ministry of Labour and Employment in the form of a Draft National Policy on Domestic Workers which is still in its initial stages and remains to be passed by the parliament.

## 2. Objectives

- 1. To evaluate the minimum wages of workers and comparatively find its position with respect to the minimum wages provided to other unorganized sector workers under scheduled employments by the centre and the state governments.
- 2. To access the composition of workers in terms of their domicile.
- 3. To analyse the living standards of women domestic workers on the basis of their access to basic minimum needs.
- 4. To inquire about the environment at workplace.

## 3. Data collection and Sampling technique

The study is analytical in nature and engages in evaluating both qualitative and quantitative aspects of the sample. Barring NSSO there is no data collection on Women Domestic Workers either at the centre or at the state level thus creating a natural deficit of comprehensive data. Also since these workers are not officially registered with the government it becomes difficult to trace specific information about their status at work and living conditions at home. Hence, in order to accomplish the desired objective it becomes important to use a mix of both secondary and primary data.

Secondary data comprises of data on minimum wages earned by unorganized sector workers both at the state and central level acquired from the Labour and Employment Department of Uttarakhand and the Labour and Employment Ministry, Government of India website respectively. Since our study is specific to Dehradun, a Questionnaire has been formulated to carry out primary survey in distinct areas of the city precisely on the premise of settlements which are specific to domestic workers. A questionnaire containing thirty questions was designed to enquire about the basic demographic features of the sample. This has been done in order to grasp the burden on domestic worker to earn a living and support the survival of dependants. Questions relating to their nature of work, mode of payment, leaves, wage deduction, mode of commute etc have been incorporated in the questionnaire. Also questions such as asset possession and financial inclusion have been given equal importance. An attempt has been made to briefly examine their standard of living by putting up questions of house rental, electricity and water connection.

The primary survey was carried out by personal interaction with the workers in order to ensure the authenticity of data. Purposive random sampling has been used in order to collect data. Five different localities of Dehradun have been selected namely, Shashtri Nagar Khala, Niranjanpur Chakkitola, Vijay Colony, Salawal and Nathanpur. The rationale behind selecting these five specific areas is that they have the potential or the carrying capacity to extend employment opportunities. Affordability is a crucial factor behind employing a domestic worker. Non-government employers mostly businessmen possess the ability to employ a domestic worker on a monthly basis whereas Government employees who move out of the domestic sphere for fixed hours of the day require a helping hand to fill the void and complete the daily chores of the household hence resort to hiring a domestic worker. We therefore observe mushrooming of settlements specific to domestic workers at the periphery of high income group localities. A sample size of 100 respondents was drawn from five localities on the basis of availability of respondents.

## 4. Analysis

#### 1. Wage comparison

The minimum wage of women domestic worker was found to be ₹ 165.48 per day and ₹ 5033.44 per month from the survey conducted. The above outcome can be compared with two gazette notifications on minimum wages in the unorganized sector by both the centre and the state. In case of central minimum wages for Area B to which Dehra Dun belongs the daily minimum wages for all the scheduled employments is over and above ₹165. The most similar scheduled employment of sweeping and cleaning(excludes domestic workers) has a minimum daily wage of ₹437, which is 164% higher than what women domestic workers are earning on a daily basis under study. As per the notification number 370 of the Labour and Employment Department of the state Government of Uttarakhand dated 6 March, 2013, there are 57 employments in all but none of these address domestic work. Also the minimum wages for unskilled workers is ₹5055 per month. Apart from these wages fixed by both the central and state governments, an additional VDA is also provided to the workers. Although the criteria of fixation of VDA may vary, the idea behind VDA is to account for the changes in Consumer price index (CPI) due to inflation. Therefore the total minimum wages of unorganized sector workers availing minimum wages becomes a total of minimum wages and an additional VDA, which further increases their difference from the minimum wages of women domestic workers.

## 2. Composition

Majority of 53% women domestic workers under the study are local inhabitants whereas the remaining 47% are migrant workers. Migrant workers residing in the city are from states of Bihar, Uttar Pradesh, Punjab, and the neighbouring country of Nepal. Bihar accounts for the highest number of migrant domestic workers in the city, being found in four of the five areas under consideration. In two of these areas (Shashtri Nagar Khala and Niranjanpur Chakki Tola) they constitute more than 50% of the women domestic workers. In these areas there was also common displeasure against migrant workers who disrupt the prevailing wage rates by readily agreeing to work at nominal wages. The local inhabitants who have been in the profession for long admit that the gradual advent of migrant workers and eventual flooding of the market with increased supply of cheap labour services has adversely affected the bargaining power of all domestic workers in general. The aspect of migrant workers that draws substantial attention is the fact that migration was at its peak during 2000-2010. This influx can be associated with an optimism that spurred after the formation of a separate state of Uttarakhand.

People moved into the new state in search of better employment opportunities. It is noteworthy here to mention that local inhabitants do not comprise of the native Garhwali and Kumaoni ethnicity of Uttarakhand, but of all those people who migrated a generation back to Dehradun and now acknowledge themselves as localities. They may have also established themselves here prior to the formation of Uttarakhand from the neighbouring state of Uttar Pradesh [5-6].

## 3. Living standard

The areas with a stronger migrant work force of domestic workers are deprived of ownership of a house and more than 50% of women domestic workers in these areas (Shashtri Nagar Khala and Nathanpur) live in rented accommodation, whereas the highest number of workers residing in their own houses are in the areas (Vijay Colony, Salawala and Niranjanpur Chakki Tola) where the majority of domestic workers are locals. For the purpose of analysis of the living standards of women domestic workers we focus on four more aspects essential on a daily basis which are toilet facility, lighting facility, source of drinking water and cooking fuel. All the households have water sealed toilets and none are resorting to open defecation. It thus highlights a sense of awareness amongst the domestic workers and their families about maintaining good hygiene. However while interaction with the workers it was found that in areas clustered with migrant workers (Shashtri Nagar Khala) there are cases in which people are sharing single toilets and bathrooms. Surprisingly, Salawala, the area of maximum house owners is deprived of water sealed toilet facility but at the same time it achieves personal water connection for all the households. An additional observation was that despite having water connection there is a serious shortage of water supply and people resort to government stand posts or water tankers which ply to their area once or twice a day. Domestic workers shared their distress regarding the poor water supply in the area; however, this problem alone in the study was only area specific.

One of the most encouraging finding of the study is that none of the houses in the entire sample is deprived of electricity connection. In case of fuel for cooking 79% of the total households under consideration use single cylinders for cooking, whereas remaining 21% households use different modes of fuel for cooking like wood/cowdung chulha(14%), cooking gas in addition with chulha(5%),cooking gas with kerosene stove(1%). There is one household which has owned cooking gas with double cylinder. Salawala is the only area where every household has got cooking gas connection. Chulha is most prominently used in the area of Shashtri Nagar Khala, which is dominated by migrant workers from Bihar mostly residing in rented accommodation. Niranjanpur is the only area which is equipped with 100% water sealed toilets, 100% electricity, and 100 % personal water connection.

#### 4. Conditions at work

In context of working conditions, the wages are not fixed according to individual tasks in any of the five areas under study rather the same task is done in different households for different wages by the same individual, primarily depending on the size of the household of the employer. A common phenomenon in all the regions is higher payment for cooking in comparison with other tasks. It was thus realized that women have started resorting to cooking in addition to the usual tasks of cleaning, mopping and washing utensils to earn additional income. With mushrooming of student hostels in residential areas cooking has emerged as a new opportunity to engage in and enhance income prospects for domestic workers.89% of all the domestic workers under survey do not experience any wage cuts for the leaves they take during a month. However, during personal interaction with workers it was also learned that the workers may receive deducted wages if and only if they record an absence of a fortnight or more from work. In totality the picture seems favourable for the domestic workers, with only 11% receiving reduced wages.

A very pertinent aspect of work environment lies on the fact whether the employees receive timely wages. It further becomes more important for workers such as the domestic workers who toil entire month to make ends meet. Any delay in payment may further restrict their existing constrained sources of income and hamper necessary expenditures to be made for the household.83% of the total domestic workers surveyed receive timely wages. Also it was discovered that timely wages do not refer to receiving wages on the first day of the month rather somewhere within the first week. A delay of three to four days is a common practice amongst the employers. It is for 17% of the respondents that the delay in receiving wages is prolonged and repetitive over the months. The time period in this case may vary from more than a week to a fortnight. It can be observed that none of the five areas under study ensure an overall timely wages to domestic workers [7-8].

Domestic workers were not covered under Minimum Wages Act (1948) which extended to other unorganized workers of the state. It has been previously observed through the state government notification that along with the minimum wages the unorganized sector workers were also entitled to Variable Dearness Allowance (VDA) each month. However, the domestic workers do not have any such protection either of minimum wages or of any dearness allowance. It was thus thought necessary to enquire whether these workers receive any overhead assistance in the form of cash or kind. Only36% of all the domestic workers receives meals and tea at workplace and an equal percentage of employees receive clothes in addition to meals and tea. 15% of the workers receive meals and tea, clothes and utensils as well. It is to be noted here that clothes and utensils are received during festivals or special occasions only. 12% of all the domestic workers do not receive anything in kind except for the monthly wages.

## 5. Conclusions

The study reveals that the domestic workers under examination representing domestic workers in Dehradun earn minimum monthly wages far less than that of the minimum wages of the counterparts engaged in their employments in the same unorganized sector. Domestic workers although unskilled and uneducated succeed in locating their own employment opportunities. It is without any support from the government authorities they are able to fetch employment and earn monthly wages. Hence, it can be said that they constantly build their own market and sell their labour services in return for remuneration. Since these workers are beyond the purview of the government they fail to avail any welfare assistance. In the primary data collection it was found that apart from the insurance guaranteed under the Jan Dhan Yojana majority of the workers were unaware of all other social security schemes like the Rashtriya Swasthya Bima Yojana. This also highlights the unawareness due to illiteracy which prevents them from making maximum benefits out of the existing schemes dedicated to them. It therefore calls for a proactive effort on the part of the government to ensure maximum outreach of the policies formulated to the grassroots level. The workers as the study reveals are able to maintain minimum basic standards of living. 58% of the workers under study live in their own houses, 100% have water sealed toilet facility, 85% have personal water connection, 79% use cooking gas, and 100% electricity connection being the most encouraging outcome of the study. Even on living below the minimum wage standards of the unorganized sector workers, the domestic workers have shown capabilities to make the best out of the limited source of income and eke out a living well balanced with all the basic necessities of sustenance. This brings to light that the domestic workers who are neglected in context of labour laws and social security have the potential to raise their standards of living once supported by the government. If uplifted and brought at par with other unorganized sector workers in terms of wages it is possible to see they grow at a faster pace than without any legal support.

Presently, they work at the mercy of their employer under hire and fire conditions without any mechanism in place for grievance redressal. Throughout the day these women run from house to house completing the daily chores of various households and attend their own homes in the end. Sometimes they walk large distances every day lured by higher wages in far off localities in turn taking a toll on their own health. With no minimum fixed wages and no legal support they naturally lose on their bargaining power and also there is a constant sense of insecurity about the future of their job. The need of the hour is to attempt formalization of the sector. To this end the first step has to be recognition of domestic workers as 'workers' endowed with rights. The government must also take note of the fact that domestic workers work under multiple employers and may work part-time or full time. Hence there is no single unique employer-employee relationship, instead there is one employee working for a variety of employers. At the same time the question arises as to how will the government define private spaces as working establishments for domestic workers and how will the conditions of work be monitored within the four walls of a private household. Apart from metropolitan cities a three party interaction is rare in other cities where work is found by word of mouth therefore the success rate of a mechanism created for registration of domestic workers with a third party contractor who supplies workers to private households, is questionable. A well thought mechanism has to be established to study the conditions at the grassroots level and then can we aspire to have a law which is holistic in approach and caters to the needs of the millions of women domestic workers working tirelessly and supporting millions of households each day.

#### Appendix

#### Calculation and Comparison of minimum wages of domestic workers descriptive statistics

	N	Mean	Std. Deviation
Minimum_Wage_FRom_Single_Household	100	1304.00	467.298
No_of_Households	100	3.86	2.015
Valid N (listwise)	100		

## MEAN MWSH=1304.00 MEAN NH =3.86 TOTAL MW = MEAN MWSN \* MEAN MW =5033.44

#### =5033.44

The above outcome is on a monthly basis, in order to evaluate the daily minimum wages of a domestic worker we first calculate the annual total wages by using TOTAL MW.

## TOTAL AW= TOTAL MW\*12 =5033.44\*12 =60401.28

Having derived the annual minimum wages of a single domestic worker, minimum daily wage can be obtained as follows:

## TOTAL DW= TOTAL QW/365 =60401.28/365

## =165.48

The above outcome of Minimum daily wages of domestic workers can be compared with two gazette notifications on Minimum Wages in the unorganized sector by both the centre and the state. As per the Notification No. 173, Part 2-Section3-Sub section 2, of the Labour and Employment Ministry, Government of India, dated 19 January, 2017, the Minimum wages after revisions and amendments to the Minimum Wages Act (1948) have been given in the table.

	CATEGORY OF EMPLOYEE	AREA A	AREA B	AREA C
AGRICULTURE	UNSKILLED	333	303	300
NON-AGRICULTURE				
(for example)				
MINES	UNSKILLED			
	ABOVE GROUND	350	350	350
	BELOW GROUND	437	437	437
CONSTRUCTION OF	UNSKILLED			
ROADS,RAILWAYS AND		523	437	350
BUILDING OPERATIONS				
	UNSKILLED	523	437	50
SWEEPINGAND CLEANING				

The three areas are the divisions made by the Central government. Dehradun, however falls into the category of Area B. Types of employment have been divided under two main categories of Agriculture and Non-agriculture. Non-agriculture activities are further divided into various sub-categories, however keeping in account the limitations of the study which focuses on Dehradun as the study area, only those employments have been enumerated that spread their outreach to Dehradun. So the focus here remains on the highlighted figures. It is noteworthy to mention that these subdivisions under Non-Agriculture are an overall representation of connected employments and each of them further contains various forms of employees specific to each category. A comparison of the calculated minimum wages from primary data i.e., 165.48 per day and the highlighted wages under the column 'AREA B', clearly shows that women domestic workers earn way less than other unorganized sector workers who are protected by the Minimum Wages Act (1948).The minimum wages of scheduled employments are 1.8 to 2.5 times higher than the minimum wages of domestic workers.

As per the notification number 370 of the Labour and Employment Department of the State Government of Uttarakhand dated 6 March, 2013, the Minimum Wages have been represented in the table below. The notification enlists 57 employments in all but none of these addresses domestic work. The Minimum Wages of domestic workers in Dehradun have already been obtained at the rate of 5033.44 per month. However a comparison with the above table shows that the domestic workers earn less than the other unorganized sector workers. Apart from these wages fixed by both Centre and State, an additional VDA is also provided to the workers. Although the criteria of fixation of VDA may vary. The idea behind VDA is to account for the changes in CPI due to inflation. In case of Uttrakhand the base year for calculation is 2001, with 203 points. For any increase in CPI over and above 203 would account for a total of rupees 20 per point. Accordingly from July 2016 to December 2016 for a CPI of 278, the VDA from April 2017 to September 2017 would be 1500. Therefore the total minimum wages of the enlisted workers under the notification becomes a total of minimum wages and the VDA.

S. no	Category of employees	Minimum wages per month
1	UNSKILLED	5055
2	SEMI-SKILLED	5115

MW of domestic workers=Rs 5033.44 MW of other unorganized workers in the state= 5055+VDA =5055+1500 = 6500 Where; MW: MININUM WAGES DW: DAILY WAGES AW: ANNUAL WAGES AW: ANNUAL WAGES MWSH: MINIMUM WAGES FROM SINGLE HOUSEHOLD NH: NUMBER OF HOUSEHOLDS

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