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Researcher: Monicah Gachuki

Research Title: Formalization of Domestic work in Kenya: A focus on Protection of Human Rights.

Sub-theme: Labour Regulation

ABSTRACT

Introduction

Informal employment is present where there is high unemployment, gender inequality, poverty and precarious work. It attracts a large group of the working poor due to its ease of entry since it requires little skills, education, capital and technology. Domestic work is one of the most vulnerable form of employment in the informal sector. It is unique in that its employment relationship takes place in a private sphere, can be blurred or disguised by social norms & highly personalized context and in many countries it falls outside the regulatory framework. The very nature of domestic work makes it informal because it is hard for the public to see decent work deficit as it is invisible.

Problem to be addressed

Domestic work is highly invisible, has low status, poor wages, associated with low skills and low education levels. It encompasses aspects of discrimination in terms of race, tribe among others which reduces their confidence to realize their rights with a majority being women. Therefore, this attributes of domestic work have led to vulnerability in terms of exploitation and abuse. Violation of workers' rights in an industrial sector is often addressed through unionization that help them agitate for better terms and conditions of work. This model however is not favourable to domestic work due to the nature of work. Withdrawal of labour through strikes is simply not a solution as an employer can easily hire another worker who will readily accept the bare minimum due the levels of poverty. According to ILO, out of the 67 million domestic workers worldwide 50 are in informal employment. Kenya is not an exception as domestic work is mostly informal characterized by decent work deficits.

Therefore this research aims to find out how we can formalize domestic work in Kenya by answering the following questions.

- i. What are the ways that can be used to formalize domestic work?
- ii. What are the national and international legal instruments protecting the human rights of domestic workers?
- iii. What are the factors that promote informality in domestic work?

Methodology

With a human rights approach based on the UN Universal Declaration of Human Rights, this study will use secondary data and statistics, published scientific research, journal articles, reports, conference papers and standard textbooks. The study will also use a theoretical and empirical framework to better understand the informality of domestic workers and how it can be formalized.