DOMESTIC WORKERS: Winning Recognition and Protection
DOMINICAN REPUBLIC: A Political and Economic Snapshot

The Dominican Republic, which shares the Caribbean island of Hispaniola with Haiti, has come through a turbulent recent history—with long periods of dictatorship and authoritarian rule, including civil strife and foreign occupation—to emerge, in the late 1970s, on the road to representative democracy. The Dominican Liberation Party (PLD) was elected to a third consecutive term in 2012 in elections that have been assessed as generally free and fair.

Long dependent upon sugar, the Dominican Republic diversified its economy during the 1970s and 1980s to include mining, assembly manufacturing and tourism. By the 1980s, mining exports jumped from 11 percent to more than 33 percent, and the number of people employed in assembly manufacturing rose from 16,000 to nearly 100,000. Tourism revenues surpassed sugar earnings for the first time in 1984.

An estimated 1 million Haitians—or roughly one-tenth of the population—live in the Dominican Republic. They work in low-wage industries such as agriculture and construction, or as domestic workers. In 2012, the U.S. State Department reported severe human rights problems in the country, citing discrimination against Haitian migrants as among the most serious.

Unemployment is more than 14 percent, and 50.5 percent of the population lives below the poverty line. The latest report by the United Nations Development Program (UNDP) ranks the Dominican Republic among the four Latin American countries with the worst inequalities. Women often are the least paid. Although women make up the majority of university students (65 percent), they receive less pay than men for equal work—in 2009, for every 100 Dominican pesos paid to men, women received only 79 pesos.

Workers seeking to improve their economic conditions took to the streets throughout 2011 in hundreds of protests and general strikes, and police suppressed their efforts with batons and tear gas. Although freedom of association is guaranteed in the constitution, basic trade union rights are restricted. In 2012 and early 2013, workers at several plants lost their jobs after they tried to form a union, including 112 Haitian migrant workers at a coconut-processing farm.

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Recognizing Domestic Workers as Workers

Around the world, between 50 million and 100 million people—the vast majority of them women—labor as domestic workers. Many of them are vulnerable to exploitation including forced labor and human trafficking, by labor recruiters, government officials and private employers. Most are not recognized by national labor law and, therefore, cannot count on many of the legal protections and benefits afforded to other workers.

The statistics on domestic workers in the Dominican Republic tell a similar tale: 90 percent of the nation’s 300,000 domestic workers are women, and female immigrants, primarily from Haiti, comprise between 10 percent and 33 percent of domestic workers. Their immigration status may prevent them from seeking more favorable working conditions or other employers, leaving them vulnerable to abuse.

Domestic workers in the Dominican Republic often toil between 14 hours and 18 hours a day, cooking, cleaning and caring for the children or elderly family members of their employers. They are typically underpaid, or sometimes paid only with room and board. Many live in their employers’ homes and may be subjected to physical or sexual abuse.

However, the Dominican Republic’s domestic workers have made gains over the last two decades in terms of recognition, protection and improvements in working conditions.

The Asociaciόn de Trabajadores (Domestic Workers Association, ATH), a non-governmental organization, launched an effort to improve working conditions for domestic workers. Formed in 1989, the ATH immediately sought to modify the nation’s employment law, known as the Trujillo Code of Labor, to include domestic workers. Elena Andrea Pérez García, organizational secretary for ATH, which now represents more than 3,500 members, says “it was an arduous struggle” to convince members of Congress “that domestic workers were a fundamental part of society.” In 2010, ATH affiliated with the Confederaciόn Nacional de Unidad Sindical (National Confederation of Labor Union Unity, CNUS).

ATH reached out to numerous women’s rights group for support and found ready participants for the campaign, including the Centro de Investigación para la Acción Feminina (Women’s Action Research Center, CIPAF); TU-MUJER (You Women); CE-MUJER (CE-Woman); Centro Dominicano de Estudios de la Educación (Dominican Center for Educational Studies, CEDEE); Centro de Servicios Legales para la Mujer (Legal Services Center for Women, CENSEL); and Mujeres en Desarrollo Dominicana (Developing Dominican Women, MUDE). Early on, the organization’s leaders also recognized the importance of building international coalitions, and they took the initiative to co-found the Confederación Latinoamericana y del Caribe de Trabajadoras del Hogar (Domestic Workers Confederation of Latin America and the Caribbean, Conlactraho).

ATH and its coalition partners understood that public support was essential for success, and engaged in widespread media outreach—through posters, leaflets, seminars, workshops and press coverage. The campaign enlisted the backing of...
popular television personalities such as Freddy Veras Goíco on “El Gordo de la Semana” (“Fat Guy of the Week”) and Maximo Veras Goíco on “El Siquiatra en Su Hogar” (“The Psychiatrist at Home”). They and others served as well-known proponents appreciated by Dominican decision-makers and the populace.

Coalition members achieved their first success in 1992, when Congress passed an employment law amendment prohibiting discrimination on the basis of gender, age, race, color, national origin, social origin, political views, trade union activity or religion. The amendment also offered women maternity benefits and created protections against child labor. Although domestic workers were not included in the legislation, the groundwork had been laid for a more inclusive labor law.

Equally important, the women who leafleted, held meetings and reached out to the public became empowered. Isolated behind the closed doors of private households, domestic workers were difficult to locate and gather in networks where they could learn their rights as working people, share experiences and gain confidence in their ability to improve workplace conditions. Outreach to this overlooked workforce by ATH and its partners changed all that.

The first campaign “was a great success because women began to take ownership of their rights and demand that their rights be respected,” says Tamara Normil, a domestic worker and ATH worker educator. Normil became a rights activist because, she says, when she was a domestic worker, her first employer took advantage of her.

Over the years, the ATH persevered, continuing outreach efforts to raise awareness about the plight of domestic workers and the need to include them in the nation’s labor laws. Pèrez García remained committed to the campaign. As a child, she had seen how hard her mother, grandmother and aunts labored as domestic workers and often accompanied them to work, where she witnessed the extent to which they were exploited. “At the end of the day, all they had was exhaustion,” Pèrez García said. The commitment paid off: In 1999, the Dominican Congress passed an employment law amendment that provided domestic workers with an annual two weeks of paid leave and 36 hours of uninterrupted rest, as well as a Christmas bonus.

For the “first time in Dominican history, legislation in favor of the workers from this sector was passed,” says Bienvenido Cuevas, a long-time labor union leader, who became involved with the campaign for domestic workers in 1995. The multiyear effort succeeded, Pèrez García says, because of the strength domestic workers found in the labor movement and also due to “perseverance—refusing to let up.”

At 18, Rosalva became a domestic worker for a family with three small children, including twin 3-month-old boys. She was required to live with the family, but she and another nanny had to share a room with the children. As a result, her only “time off” between Monday and Saturday morning—her official work schedule—were the few hours when the children were asleep. But most nights, she woke up to care for the crying infants.

“We never rested enough to feel refreshed, we didn’t have a schedule,” says Rosalva. Her employer “didn’t accept that we had rights even when we talked to her about our need to rest a few consecutive hours, visit the doctor, or when we spoke to her about vacation or Christmas pay.” After the employer refused to give her Christmas pay or a two-week paid vacation, both of which are required under Dominican Republic law, Rosalva showed her a pamphlet that listed domestic workers’ legal rights. The employer then let her take the vacation, but didn’t pay her for it. When Rosalva returned, she was fired.

Rosalva has since become an advocate for domestic workers, in part because of her experience. But mostly, she says, she’s championing the rights of this vulnerable workforce because of her mother, a lifelong domestic worker whose struggles she learned as a child and whose rights “were never respected even when she did all the work required of her hardly without any rest at all.”

Rosalva’s goal is ensure domestic workers know their rights so “they don’t let their employers walk all over them, even when there’s a risk that they’ll get fired. One has to consistently claim one’s rights in any job, especially as a domestic worker.”
Real Benefits for Real Work

One of the main roadblocks for domestic workers in the Dominican Republic, as elsewhere around the world, is overcoming the perception that because their labor takes place within a home, it is not “real” work.

“In remunerated domestic work, which is performed mainly by women, social subordination and machista cultural stereotypes play a major role, as does the social devaluation of domestic work,” says Max Puig, who served as Minister of Labor from 2008 to 2011.

Current efforts by Dominican domestic workers to improve the precarious nature of their working conditions are focusing on two legislative efforts: amending the nation’s broad social security program to include domestic workers and ratifying the ILO’s Decent Work for Domestic Workers Convention (No. 189).

When the nation’s social security program was passed in 1947 and amended in the 2000s, “at no point in time was the exclusion of any particular sector contemplated,” says Cuevas. “It was, in fact, quite the opposite, with the principle of universality, which establishes that the Dominican Social Security System must protect all Dominicans and residents of the country, without discrimination as to their health, gender, or social, political or economic condition.” Yet domestic workers, having not been explicitly included, have been de facto excluded from the social security system. They cannot receive worker compensation, pensions, sick pay, survivor’s benefits or permanent disability pay.

Ensuring fundamental workplace protections does not just help domestic workers and their families, says Eulogia Familia, vice president of the 500,000-member Confederación Nacional de Unidad Sindical (National Confederation of Labor Union Unity, CNUS). “Healthcare, maternity leave, retirement pensions and childcare for small children while they are at work are all essential in order for them to better their development as people but also so that their employers can offer an acceptable work environment.”

CNUS is one of the leading organizations pushing for inclusion of domestic workers in the nation’s social security law. Familia, who also heads up the confederation’s National Department of Gender Equality Policies, first began championing workplace rights for domestic workers in partnership with the ATH in 1997, when she was president of the Confederación de Trabajadores Unitarios (United Workers Confederation, CTU), which later merged into CNUS. In 2011, CNUS, together with other unions
and organizations, helped move a bill to Congress that would provide domestic workers with social security coverage.

Getting the bill introduced in Congress, where it is being considered in a Senate committee, involved “one-on-one interviews with key legislators to raise awareness” and meetings with government agencies responsible for shaping the legislation, says Familia. The participation of domestic workers was fundamental to these meetings, enabling legislators and policy-makers to learn firsthand about the often daunting working conditions the women face. Further, says Familia, domestic workers could convince legislators “that they and their families are an important social group and that their vote will help elect them. Following this outreach, the National Social Security Council issued a resolution to conduct studies on the best way to incorporate domestic workers into the social security system.

Sen. Adriano Sánchez Roa, who introduced the bill in the Senate in 2011, says the legislation would increase education and training for domestic workers, “with the goal of turning domestic work from a marginal occupation into a job that is recognized with dignity and can be chosen as a true career.” As part of Sánchez Roa’s push for the legislation, he has created opportunities for domestic workers to be heard in the legislative process and sought to convince employers of the need for legal protection for this vulnerable workforce.

Still, the effort to broaden the social security system to include domestic workers has been “slow and tortuous,” says Cuevas, in part because of strong employer opposition. According to Sánchez Roa, “although the bill is politically and socially accepted, there are business sectors and influential people who oppose it. COPARDOM (Confederación Patronal de la República Dominicana, the Dominican Employers’ Confederation) already expressed this much. Everyone is afraid to pay better salaries and grant social rights that would support domestic workers.”

Convention 189 provisions include a minimum wage; written employment contracts; protection from harassment, abuse and violence; regulation of work hours; freedom of association; occupational safety and health measures; and social security and maternity leave in accordance with national laws. Energized by the ILO victory, Dominican domestic workers and their advocates achieved Senate passage of the social security bill in 2012. But because the bill was not passed by the House and with a new Congress now in session, the process will have to begin again.

Familia says finding support in the House will be difficult. “There, the middle class voices their concerns quite a bit because they are the most affected group—their salaries are lower. Middle-class employers consider having to pay social security and fair wages, as well as provide equal treatment to all their workers, as an economic cost.”

CNUS and its coalition partners continue to work with legislators to bolster their support, “letting them know what it would mean politically for them and the country to keep these workers on the fringes;” says Familia. In a July 2012 meeting with labor leaders and domestic workers, Dr. Reinaldo Pared Pérez, president of the Dominican Senate and secretary general of the governing Dominican Liberation Party (PLD), said the Senate will support the ratification of Convention 189. Labor Minister Francisco Domínguez also is pushing for its ratification. Domínguez said it is essential that his country promote decent work by including domestic workers in the social security system.“It will not be easy, but new tools such as the 189 ILO Convention will increase the adoption of adequate measures so domestic workers have proper social security protection and other labor rights.” Later that month, the Senate passed the bill.

In the face of widespread poverty, isolated and grueling working conditions, and strong employer opposition, Dominican domestic workers and their union and civil-society partners have taken ownership of improving workplace conditions and moved closer to the time when the doors to economic and social benefits will be open to them. Achieving legal recognition, says Familia, means “no longer will they be women behind closed doors or household servants or maids. They will be productive workers in the economy, legitimized by the law and respected by society. They will feel more secure and their children will receive better care while they care for those of others. There will be a new kind of union leadership with the markings of working women. They are weaving their story of freedom.”

Support at the International Level

Advocates for domestic workers in the Dominican Republic say the campaign gained new momentum with the 2011 adoption of the ILO convention on domestic workers. Dominican domestic workers joined their counterparts from around the world in pushing for this groundbreaking standard. Coordinated by the International Domestic Workers’ NetWork (IDWN), the global campaign is now working for ratification of the convention in ILO member nations.
5 THINGS THAT WORKED

Domestic workers in the Dominican Republic have made significant gains in terms of rights and recognition. They say their success has come through:

1. **Unions supporting domestic worker organizing.** When the Asociación de Trabajadoras del Hogar (Domestic Workers Association, ATH) set out to improve the working conditions of domestic workers, the organization immediately sought partners from the Dominican labor and women’s rights movements. Convincing these groups to partner with the ATH was easy, says Elena Andrea Pérez García, ATH organizational secretary, because “most of the people who do this kind of work are women and these organizations also fight for women’s rights.” The ATH—although still a non-governmental organization focused on worker rights—affiliated with the national union confederation (CNUS) and has been seeking to become a union itself.

2. **Connecting legislators with workers.** Meeting with lawmakers has far more impact when workers can speak directly about their experiences on the job and remind them they are a voting constituency.

3. **Engaging the public through popular media.** By winning the backing of well-known prime-time television actors, domestic workers reached and educated a vast audience. They enhanced these efforts with workshops, seminars and public leafleting, working to educate the public—and domestic workers themselves—about the value of their work. Says Pérez García: “The work that they do is of the utmost importance. It is the driving force of society and makes it possible for the world to go around.”

4. **Framing the issue within a larger social context.** When lawmakers and the public understand how domestic worker issues connect with the community’s well-being, they have more at stake in improving their conditions. When workers are mistreated and cannot exercise their rights on the job, there is “a negative effect on poverty and social strife in the country,” says Familia.

5. **ELECTING LAWMAKERS WITH LABOR BACKGROUNDS.** Getting Congress to consider legislation covering domestic workers required “the participation in the government of conscious, collaborative individuals from the labor union sector, like former Vice President Rafael Albuquerque,” says Dominican Republic Sen. Adriano Sánchez Roa. In addition, the Dominican labor movement has a long history of pushing the government to take care of workers. Union leaders had previously worked for ratification of ILO Convention 183 on maternity/paternity protection and on other workplace standards. These experiences seasoned labor activists and demonstrated to lawmakers and the public the union movement’s commitment to improving the conditions of all workers.
NEXT STEPS

Change the perception of domestic work. The Dominican Republic is among many nations with laws that do not recognize that those who labor in households are workers who have rights like other working people. Domestic workers will only be able to improve their working conditions when the public and lawmakers recognize all workers have these rights. Says Eulogia Familia, vice president of the union confederation, CNUS: “It is a universal right to exercise employment rights, which, incidentally, are also human rights.”

Increase involvement by civil society groups. “Feminist organizations and groups and organizations that defend human rights should take on this cause with greater determination as it is, by definition, one that is included amongst their fundamental missions,” says former Labor Secretary Max Puig.

Broaden union outreach and increase organizing. Domestic workers who have joined forces through unions have accomplished a lot. They say they could make a greater difference if their active numbers increased. For that, unions must ramp up efforts to contact, educate and organize more domestic workers.

Boost educational opportunities. A domestic workers’ college and other opportunities for formal education are in the works, says Sen. Adriano Sánchez Roa. Labor consultant and social security technician Bienvenido Cuevas says that along with political initiatives, “we must continue to strengthen the institution that brings domestic workers together by promoting the necessary training and organizational activities so that they become empowered by the process and are driven to further support their mission.”

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RESOURCES
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ABOUT THIS SERIES
Working people, regardless of country, want a government that is transparent, representative and accountable to its citizens—and which acts to better all citizens’ economic circumstances. Around the world, labor unions and worker organizations play an important role in advocating for fundamental human rights, ensuring the voices and aspirations of workers are part of the national dialogue, and advancing policies that better serve civil society and promote equitable economic growth and humane development. Catalysts for Change, an ongoing series produced by the Solidarity Center with the support of the National Endowment for Democracy, features the working people, their unions and activists who are advancing worker rights and greater equity in their societies, often under trying circumstances. Their experience and efforts provide real, transferable lessons for others seeking to effect positive change.

The Solidarity Center’s mission is to help build a global labor movement by strengthening the economic and political power of workers around the world through effective, independent and democratic unions.