

**CHALLENGES EXPERIENCED BY WOMEN CASUAL DOMESTIC
WORKERS IN DAGORETTI SUB-COUNTY, NAIROBI CITY COUNTY**

By

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DECLARATION

This research project is my own original work and has not been submitted for award or examination in any other university.

GRACE WAMBUI MBUGUA
Signature **Date**

This work has been submitted for examination with my approval as university supervisor.

DR. SALOME BUKACHI
Signature **Date**

DEDICATION

This report is dedicated to the women casual domestic workers who work so hard to make a living and continue to support families in Kenya. I most of all dedicate this to the women casual domestic workers from Dagoretti who are willing to give time to share on their predicaments.

I further dedicate the research to Women's Empowerment Link who are committed to supporting women casual domestic workers

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ABBREVIATIONS

COVAW-	Coalition on Violence Against Women
FGD-	Focus Group Discussion
IDWN-	International Domestic Workers Network
IEBC-	Independent Electoral and Boundaries Commission
ILC –	International Labor Conference
ILO-	International Labor Organization
IUF-	International Union of Federations
Kshs.-	Kenya Shillings
KUDHEIHA-	Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals And Allied Workers
NGO-	Non- Governmental Organization
SEWA-	Self Employed Women’s Association
WEL –	Women’s Empowerment Link
WIEGO-	Women in Informal Employment Globalizing and Organizing

ABSTRACT

Casual domestic work is a common form of household engagement in Kenya and a much needed form of livelihood for many. Domestic casual workers are largely women who are in search of unskilled work that will provide them with a source of income. Women casual domestic workers are a part of employees of many families in Nairobi and in particular among the urban families; unfortunately they experience various challenges in their line of duty. They come in handy to support families in managing their overwhelming domestic chores which include cleaning, laundry, cooking, and gardening among others. Casual domestic work is currently recognized in the global frameworks as domestic work under ILO conventions.

The main objective of the study was to establish challenges experienced by women doing casual domestic worker in Dagoretti Sub-County of Nairobi County. The specific objectives were to describe the nature of the violations faced by women casual domestic workers; to determine the socio economic factors contributing to vulnerability of women casual domestic workers; and, to examine the socioeconomic challenges experienced by women domestic casual workers in their line of duty. This paper draws from a recent study which was aimed at establishing the challenges women casual domestic workers experience Dagoretti Sub-County Nairobi City County.

The study employed qualitative methods of data collection which included key informants interviews and focus group discussions. The study purposively selected a sample of 20 women casual domestic workers from Dhobi women group from Dagoretti Sub-County Nairobi County. From the study it is evident that although Kenya has ratified the International Labour

organizations Convention on Domestic workers, the women casual domestic workers experience a lot of challenges.

The study findings show that the main socio economic challenges and violations are unwritten contracts hence the terms of engagement keep changing for the benefit of the employer, low payments for the workload, delayed payments after the material day despite agreement that payment would be on daily basis, demands for sexual favours in exchange to their due payments and working late hence travelling at night back to their homes in the informal settlements. The study also shows that the socio-economic status of the women makes them more vulnerable to violations as domestic workers. The casual domestic workers reside in the informal settlements due to limited income to pay for better housing. Factors like high illiteracy levels made it difficult to negotiate for better terms with their employers, limited sources of income contributed to the women taking up the jobs without enquiring much on the terms of engagement as well as overwhelming financial demands due to their family needs.

The study recommends that the women casual domestic workers should organize themselves into groups or unions that can facilitate the establishment of policies and regulations of engagement with employers to reduce vulnerability to various forms of violations. The study also recommends extensive education of the women casual domestic workers on negotiation skills to be used with employers, the existing legal frameworks and provisions in the event of violations. The study further recommends that the women casual domestic workers should set the minimum pay per daily casual work that would be used in their engagement with their employers.

CHAPTER ONE

BACKGROUND TO THE STUDY

1.1 Introduction

Domestic work is among the oldest and most recognized as an important household responsibility for women worldwide. It is an industry that has roots in the global slave trade, colonialism and other forms of servitude. In today's globalized economy and feminized international migration, several factors make domestic work indispensable for the economy outside the household to function. More women are joining the labour force and working longer and more intense hours. Unfortunately, fewer governments have public policies that help workers reconcile work and family life as more and more child and family care services have been slashed, posing serious problems for rapidly ageing societies. All these factors have increased the demand for domestic workers who maintain vital household routines, thereby allowing millions of others to go out to work (Erika & Christine, 2012).

Domestic workers toil in the homes of others for pay by providing a range of domestic services: they sweep and clean, wash clothes and dishes; shop and cook; care for children, the elderly, and the disabled; or provide gardening, driving, and security services. Some live on the premises of their employers but many of them work on a part-time basis, often for multiple employers (Tokman, 2010 p.1). With the growing population, the demand for domestic workers has increased.

Domestic work is a large and growing sector of employment, especially for women. According to the latest International Labour Organization (ILO) estimates, domestic workers represent 4 to 10 per cent of the total workforce in developing countries and 1 to 2.5 per cent of the total workforce in developed countries (ILO, 2010). These statistics translate into the “tens of millions” of domestic workers around the world (ILO, 2007). In Latin America, there are an estimated 7.6 million domestic workers, who represent 5.5 per cent of the urban workforce (Tokman, 2010 p.1).

Domestic work is mostly, but not exclusively, performed by women, the vast majority of the poorer sections of society. This important occupation involves a significant proportion of the workforce worldwide Domestic workers provide essential services that enable others to work outside the home, thus facilitating the functioning of the labour market and the economy (ILO, 2007). The ILO report emphasizes what many families would agree with, that domestic workers are critical players in the wellbeing of families. However, their contribution and their welfare and human rights are not matters of discussion in board rooms.

According to Amnesty International (2013), despite the existence of International Domestic Workers’ Day the plight of the domestic workers has not been addressed adequately. Like in many countries globally they are ignored, abused and without resources, and often viewed as outcasts. Many civil society organizations have made efforts to undertake campaigns for the rights of domestic workers; however, the desired results are slow and not yet enjoyed by women in the local communities. No matter how essential the services of domestic workers are, the reality is that the profession is usually given minimal value (Amnesty International, 2013).

Domestic workers offer services and reside in the home or they are called upon on a casual or part-time basis.

Casual employment and piecework employment are common types of employment in Kenya and are defined under section 2 of the Employment Act (GoK, 2007). A “casual employee” is defined as “an individual the terms of whose engagement provide for his payment at the end of each day and who is not engaged for a longer period than twenty-four hours at a time,” on the other hand piece-rate “means any work the pay for which is estimated by the amount of work irrespective of the time occupied in its performance.” Basically these categories of workers enjoy to a large extent the same rights as other employees, but may be excluded from many benefits, such as leave, medical cover or housing (ILO, 2011).

The available data shows that casual employment as a proportion of total wage employment has been on the rise since around 1994, relative to regular or permanent employment, whose share declined from 87percent in the early 1990s to 79percent in 2004. Casual employment as a percentage of wage employment increased from an average of 13percent in the first half of the 1990s to 20percent in the period 2001-2004. The recent increase in female wage employment has largely been in casual employment. Casual female employees as a percentage of total casual employment increased to 34percent in 2004 from 32percent in the previous year (ILO, 2007). This is a reflection of the ongoing consideration of the minimal wage versus changes on costs of living.

Global reports (ILO, 2007; 2009) indicate that the challenges faced by domestic workers are universal and these positions are largely occupied by women and despite the existence of legislations in some of the developing countries, the groups still have to mitigate adverse challenges. Domestic workers have rights despite the fact that some may not be well aware of them. In South Africa casual women domestic workers' rights are well-protected by the law and due to extensive education to the populace, the women and men doing these jobs are well aware. The domestic workers sectoral department lays down conditions of employment for domestic workers such as hours of work, leave, termination of employment, and so on. It also prescribes the minimum wage rates that employers are required to pay (South Africa Labour Department, 1995).

In Kenya, which is one of the developing countries, the existing legislation on labour has faced a lot of challenges in implementation, especially among the casual workers who more often than not are engaged on oral agreements. This study is informed by the need to provide information on the challenges the women casual domestic workers in Nairobi City County face.

When one goes through the up-market suburbs of Nairobi where middle class and upper class families live, one cannot fail to notice the women who report very early in small pockets next to the gates of these estates hoping that they will be contracted for some casual domestic jobs for the day. Some get opportunities while others spend the entire day without any luck and this could happen for several days. In the event that these women are engaged, they do not have any form of protection in terms of written contract and so they are exposed to violations of different forms but which may not be reported due to the limited access to justice for the disadvantaged

groups. In some instances the women may not report because they cannot afford the time and resources required in the justice process.

The study gathered information from the Dagoretti constituency which has seven villages. The study was conducted in Kawangware which is a home to most of the women casual domestic workers servicing the upmarket in Nairobi County. The women who were the subject of the study came from Dagoretti and congregate around gates of affluent families' homes to wait for their luck in getting opportunity for casual jobs. Their employment terms are often not very clear and severally the type of work they are given are not usually in their initial agreement. These women are often also under paid, overworked and leave for their homes very late which exposes them to crime as they have to walk. The overwhelming financial demands by the families on the women compel them to continue working under the current hardships. As much as they face several challenges in the course of their duties, these challenges have not been adequately documented. Hence the purpose of this study was to extend the body of knowledge and shed light on the challenges faced by casual domestic workers which if not addressed, will ultimately delay development efforts targeting poor families which continue to expand the population of slum dwellers in Nairobi

1.2 Statement of the problem

Women casual Domestic workers are largely in unregulated informal employment which exposes them to violations in regards to their labour rights with no reference to the governing legal framework on employment in the Employment Act. The women undertake the employment on daily engagement without any form of written agreements and as such, the terms of

engagement are limited to individual commitment to the tasks and payments. The women domestic workers are mainly from underprivileged backgrounds with high poverty levels and mainly living in the informal settlements. Most of the women have not managed to pursue their education beyond basic levels, which exposes them to exploitation especially due to minimal exposure in regards to pursuing their payments in the event the employer does not meet his/her obligations. The number of women and in some instances girls seeking domestic work remains high.

According to a study by Oxfam (2009), between a third and half of Kenya's urban population live in poverty, and given the pace of urbanization, urban poverty will represent almost half of the total poverty in the country by 2020. Poverty in the city is worst amongst those with low levels of education, and especially among those living in informal settlements. Gender inequalities also remain severe in those settlements, with female slum-dwellers being five times more likely to be unemployed than their male counterparts. (Oxfam, 2009) Given this scenario, many women in the informal settlements turn to casual labour, no matter the nature, to try make a living and improve their socio economic status. Despite the fact that Kenya has ratified the Domestic Workers Convention adopted in June 2011, which gives the domestic workers access to full enjoyment of their rights which include minimum wages, access to health coverage, paid leave and other social security benefits, casual domestic workers continue to face several challenges including underpayments among others.

Some studies on the circumstances of domestic workers in Africa suggest that they hardly get receive the stipulated minimum wage and work under difficult conditions and rarely benefit from set minimum terms and conditions of employment such as annual wage increases, written

contracts, overtime, medical allowances, social security and leave entitlements. Such exclusions deny them benefits enjoyed by other workers and contravene Article 3 of the ILO Convention for Domestic Workers' and Article 3 of Global Plan of Action on Workers' Health for 2008–2017; which promotes the reporting and early detection of occupational accidents and diseases.

It further contravenes casual domestic workers' right to equal protection and benefit of the law as stipulated in the country's constitution. While women casual Domestic Workers constitute a sizeable portion of the informal women workforce, approaches and strategies aiming at improving their employment and working conditions have the potential to reduce poverty and risk factors associated with domestic worker sector.

A rapid rise, globally, in the number of people working in the informal sectors has resulted in concerns for the rights of these workers, among who are women casual Domestic workers. While casual domestic workers constitute a vulnerable group of workers from the informal sector, little is documented about their violations especially in Kenya. As such there is a need to investigate the challenges faced by this category of employees in Kenya. There is a scarcity of published data on the employment conditions of Women Casual Domestic Workers, and as a result there is relative invisibility of these workers' challenges and burdens. It is for this reason that this study explored the challenges experienced by women casual domestic workers in Nairobi County.

1.3 Study objectives

1.3.1 Overall objective

To establish challenges women casual domestic workers experience in Dagoretti Sub-County, Nairobi City County.

1.3.2 Specific Objectives

- i. To describe the nature of the violations faced by women casual domestic workers
- ii. To determine the socio economic factors contributing to vulnerability of women casual domestic workers
- iii. To establish the socioeconomic challenges experienced by women domestic casual workers in their line of duty.

1.4 Research questions

This study sought to answer the following research questions:

- i. What forms of violations do the women casual domestic workers experience?
- ii. What are the prevailing socio economic factors contributing to vulnerability of women casual domestic workers?
- iii. What are the socioeconomic challenges experienced by women domestic casual workers in their employment?

1.5 Assumptions of the study

This study was based on the assumptions that:

- i. Women casual domestic workers experience different forms of violations
- ii. The prevailing socio-economic factors of women casual domestic workers contribute to their vulnerability
- iii. Women casual domestic workers experience socio-economic challenges in their employment

1.6 Justification of the study

The findings from this study can be a resource to inform non-governmental advocacy work on domestic workers rights to protection from all forms of violence and abuse. The findings may be useful to policymakers to help develop relevant policies and programmes which positively promote the rights of women casual workers.

The institutions of learning can use the findings of this study as a resource for those conducting studies on domestic workers. The labour organizations and unions can use the study findings to gather information on the challenges currently faced by women casual domestic workers.

This study is also important because it adds to the body of knowledge on women casual domestic workers in Nairobi which is a growing field of employment.

1.7 Scope and limitations of the study

1.7.1 Scope of the study

This study was undertaken in Dagoretti Constituency, Kawangware Village of Nairobi City County and limited its focus to the challenges women domestic casual workers experience with emphasis on the violations they are exposed to; explored the contributing factors to the challenges; documentation of their experiences; and level of knowledge on legislation that regulates the field.

1.7.2 Limitations of the study

The main limitations that were encountered during this study included the length of time taken to access the informants and interviewees; getting the women into focus group discussions away from their possible opportunity of employment. The study used a small sample size which might limit the generalization of the findings depicting the challenges of women domestic casual workers in Kenya

1.8 Definitions of key terms

Woman casual domestic worker in this study refers to a woman who works within the employer's household on a part- time basis and performs a variety of household services for an individual or a family, from providing care for children and elderly dependants to cleaning and household maintenance, known as housekeeping. Responsibilities may also include cooking, doing laundry and ironing, food shopping and other household errands.

Socio economic factors are used to mean aspects such as education, wealth and employment used to compare social life and economic activity.

Socio-economic challenges refer to experiences of women casual domestic workers while on duty which include lack of payments, inadequate information on expected duties at the point of engagement, provision of basic amenities like toilet, food and water while on duty

A violation describes a breach of a law, a rule to an individual or the infringement of the rights of that person.

Unskilled labour in this study refers to a segment of the workforce associated with a low skill level or a limited economic value for the work performed. Unskilled labour is generally characterized by low education levels and small wages. Work that requires no specific education or experience is often available to workers who fall into the unskilled labour force.

Vulnerabilities for the purpose of this study refer to a woman's susceptibility to harm, hence one is in need of special care, support, or protection because of age, gender, disability, or risk of abuse or neglect.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter has reviewed the literature relevant to the research problem. The review is done using the following subtopics: history of domestic work; prevailing socio economic status of women; violations the women have been exposed to; and the women casual domestic workers experience socioeconomic challenges in their employment.

2.2 History of Domestic Work

Although economists have dealt with issues of male and female participation in the labour force since the early 1900s, gender was not itself used as a category of analysis. The early treatment of female labour force, participation, male/female wage differentials and wage discrimination rested on the dynamics of the market operating on men and women, rather than on the role played by gender in the way that markets function fundamentally (ILO, 2007). However, over the years there has been global campaign to have gender segregated data in all categories of documentation.

While considering the heterogeneity and distinctive features of domestic workers, it is also important to consider the heterogeneity and distinctive features of those who employ domestic workers. Consider, first, the private clients or households who employ domestic workers. They may be from any class, the poor, middle, or rich, and from any of the social partner groups in the

ILO tripartite system of worker, employer, or government. This reality confounds the standard understanding of the class dynamics of the employer-capitalist and employee-proletariat relationship. Second, although there are some associations of domestic worker employers in Europe, most private employers of domestic workers are not organized. In fact, it is likely that a greater share of domestic workers, than of their employers, are organized or getting organized. And yet private clients and households exercise considerable power over their employees. This reality confounds the standard understanding of the relationship between being organized and having bargaining power (ILO, 2011)

Most domestic workers work for a known employer or set of employers: private clients or households. Some are formally employed with written contracts, labour protections, and social protection, but most are not. They may work full-time for one employer or part-time for one or more employers. Some perform only a single task or service for their employers, while others perform multiple tasks or services. In many cases, the employment relationship is informal – that is, unregulated and unprotected due to the preference of the employer, the domestic worker, or both (Carré, 2010).

Unlike other informal wage workers who work for a firm, a contractor, or no fixed employer, most domestic workers have a very personal relationship with their employer. Although personal, this employer-employee relationship remains unequal – often further exacerbated by differences in race, class, and citizenship resulting in a range of conditions for domestic workers from paternalistic to exploitative (Carré, 2010).

Casual domestic workers relationships are dynamic and vary according to the mode of engagement. Some domestic workers are hired through a “third party” agency or contractor,

which could be a public, private for-profit, or private non-profit agency. In most such cases, the agency or contractor recruits the domestic worker and negotiates the contract with the employer. As a result, the employer-employee relationship becomes tripartite, more formal, and less personal. In a few such cases, the agency or contractor provides support services to the domestic worker. In some countries, “in-home” health and personal care for the sick or elderly is increasingly provided through “home care” agencies (Smith, 2012).

However, there are a lot of agencies that operate in a way that leads to domestic workers being subjected to exploitation. This is particularly true for those agencies which recruit domestic workers to go overseas. Often, en route to foreign countries, domestic workers are forced to sign contracts, which include slavery conditions. Their passports are often taken away and they have to hand over their initial earnings to pay for the travel expenses and recruitment and transport fees. Still other domestic workers are effectively self-employed, working for multiple clients and, in some cases, providing their own equipment. A few are members of cooperatives of domestic workers who jointly negotiate contracts to provide domestic services to various private clients or households (, Manuela, 2011).

Conceptualizing and institutionalizing employment contracts and collective bargaining agreements between domestic workers and their employers is complicated by this reality. In some states in the United States, public sector institutions have been set up to broker the tripartite-relationship between home care clients, home care providers, and the public sector that funds – or partially funds – home care (Smith, 2007). Embedded in the price of the ticket are contributions to all mandatory taxes and insurances. The price charged depends on the income level of the employer. But there is a public subsidy to those who are from low-income

households so that the salary and social protection offered to domestic workers remains the same despite income differences between employer households. The government negotiates contracts with the providers of domestic services, especially those who work on a casual or part-time basis (Smith, 2012).

2.2.1 The historical Campaign for a Domestic Workers' Convention

For decades, domestic workers and their allies, especially trade unions, had called for an international instrument that would recognize these workers and their rights. In November 2006, the Federation of Dutch Labour and the NGO IRENE, together with an international steering group consisting of Women in Informal Employment Globalizing and Organizing (WIEGO), among others, co-organized an international conference, “Respect and Rights: Protection for Domestic/Household Workers” in Amsterdam (WIEGO, 2006).

The participants in that conference recommended that a working group should explore the formation of an international network. In 2007, it was decided that the global union federation IUF should play a lead role in establishing a network to promote domestic workers’ rights and to lead a campaign for an ILO Convention on domestic work. The International Domestic Workers Network (IDWN) was subsequently established through a collaborative partnership between IUF and WIEGO (WIEGO, 2006).

History was made on 16th June 2011 when governments, employers and workers from around the world adopted the Convention (C189) and accompanying Recommendation on Decent Work for Domestic Workers at the 100th International Labour Conference (ILC) in Geneva, Switzerland. This was a leap forward for an estimated 50–100 million people worldwide who work in the homes of their employers. The Convention recognizes the “significant contribution of domestic

workers to the global economy” and says this work is “undervalued and invisible, and is mainly carried out by women and girls, many of whom are migrants or members of disadvantaged communities.” Support at the ILC was overwhelming, with more than 83 per cent of votes cast in favour of adoption (ILO, 2009)

The momentous event was the result of years-long, coordinated effort by domestic worker organizations, regional, national and international and their allies. Domestic workers are now continuing their organizing efforts at the national level to advocate for ratification of the Convention and its implementation in each country (ILO, 2009). There is a lot of effort at the global level on addressing challenges by domestic workers. However, the women may not be well informed of these milestones and take advantage of the legislations.

2.3 Socio-economic challenges

According to Amnesty International (2013), Kenya is a labour surplus economy with a fragmented labour market, where the formal sector coexists with the informal. Workers in the formal sector tend to have higher levels of education than those in the informal sector, most likely due to technologies requiring higher skills, and hence they are likely to be more skilled. This has led to an increase in the casual employees including most women living in the informal settlements in the urban Centres. Among those in casual engagements are domestic workers who assist in most of the middle and high class families. These women have minimal knowledge of existing legislation that governs their employment terms.

Kenya passed the Domestic Workers’ Law in June 2011 following the decision of the Ministry of Labour to adopt the International Labour Organization’s Convention on Domestic workers, who include cleaners, cooks, gardeners, nannies and housekeepers. Article 189 of the ILO

Convention 189... declares that domestic workers are entitled to the same basic labour rights as other workers. In this spirit Kenya passed the law supposedly to improve the wages and working conditions for Kenya's domestic workforce, thereby affording domestic workers greater job security and wages to support their families (ILO, 2010).

Kenya government has also shown its commitment to the realization of gender equality and women empowerment through the Kenya Constitution, 2010, which advocates for recognition of equal rights for women and men. This is especially in the Bill of Rights and in clauses on citizenship, equal rights to own property including land and right to inheritance. The Bill of Rights guarantees social, economic and cultural rights while recognition of the cultural practices that are harmful to women as being unlawful is big gain for women.

However, this may not be achieved for as long as a knowledge gap continues to exist among the casual women domestic workers in Kenya. In the run up to the referendum there was a lot of misinformation and hence women did not benefit on what they stood to gain under a new constitutional dispensation. Domestic workers are also covered by the Labour Institutions Act on 2007, the Labour Relations Act of 2007, the Work Injury Benefits Act of 2007 and the Occupational Safety and Health Act 2007. Domestic workers in Kenya are cared for by the Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers (KUDHEIHA), although the majority of workers in this sector are not members of the union due to fears of victimization from their respective employers. Although on paper workers in this sector are covered by law in terms of their rights at the workplace, in reality this is not the case. Domestic workers, most of whom are not well educated, are not familiar with their rights and

due to the scarcity of employment opportunities most tend to endure harsh working conditions in order to get a meal and be able to provide for their families (Global Network, 2009).

2.4 Prevailing socio economic factors

A baseline study by Oxfam (2013) on domestic workers found that on average these workers were paid low wages. Only one household reported a monthly income of more than KSHS. 8,000 that falls below the official minimum wage of KSHS. 8,580 for domestic workers in the city of Nairobi. The study shows that 65 out of 90 or 72 per cent of the households earned less than 50 per cent (KSHS. 4,000) of the monthly minimum wage for domestic workers. This implies that women domestic workers are poorly remunerated in Nairobi and that the employers have very little regard for the law. This is compounded by weak enforcement by the relevant government departments and the fact that women are vulnerable and lack organization to take any meaningful action (Oxfam, 2013).

This scenario in Kenya is replicated in other countries globally. In the case of India, there are about 400 million workers who constitute the working poor of India. They are mostly engaged in the informal economy, and do not have work and income security. They have no fixed employer/employee relations, and many are self-employed. They work long hours for very low wages or earn very low income. They work in difficult and often hazardous conditions.

Over 94percent of the Indian workforce constitutes the informal economy. Women are a significant proportion of these workers. They work from dawn to dusk. Apart from little or no work security, they hardly have any social security. This means that they have no sick leave, no

health or accident insurance, no maternity benefits nor child care. And in their old age, they have neither pension nor provident fund (Shah, 2013). Rough estimates suggest that we have around 5 million domestic workers inside the country today. With a growth rate of 681 per cent since the 2001 Indian census was counted some organizations say the number has reached 6.4 million. Paid domestic work remained a male dominated occupation in pre-independence India, but today women constitute 71 percent of the sector making it the largest female occupations in urban areas (Shah, 2013 p.2).

In 1972 the founder of Self Employed Women's Association, Ela Bhatt felt the need to organize women workers from the informal economy in form of a union. The Self Employed Women's Association (SEWA) is a labour union of almost 1.8 million women workers engaged in the informal economy, based in Ahmedabad, Gujarat. SEWA members have no fixed employer-employee relationship nor are they covered by protective labour legislation as they are from the informal economy. SEWA's membership can be categorized into four main occupation groups: manual labourers and service providers, for example, agricultural labourers, construction workers and cleaners; street vendors; home-based workers, for example, incense stick rollers and embroiderers; and small-scale producers, for example, gum collectors and craft workers. These women work long, hard hours, and because of the nature of their employment, they do not obtain even basic social protection such health insurance, maternity benefits and sick leave (Shah, 2013).

In the 1960s, Becker and other human capital theorists developed the New Household Economics, which for the first time applied market concepts and models to household production and time allocation analysis. These new tools were used to explain the sexual division of labour,

market behaviour of household members, and male-female differences. In the 1970s and 1980s, these concepts were applied to further analysis of labour market discrimination and to bargaining models of the household which allowed for dimensions of power and conflict in decision making. Meanwhile, the 1960s debate on the remuneration of domestic labour and the United Nations conferences during the Decade for Women (1976-1985) popularized the concept of social reproduction. All of these factors contributed to recognition of the pivotal role of women's work in the reproductive sector (Menon-Sen *et al.*, 2010)

2.5 Forms of violations that women casual domestic workers experience

According to a baseline report by Oxfam stated (2013) in Mukuru informal settlement on women domestic workers , the women stated that they face a lot of challenges in efforts to resolve disputes, violations and abuses that arise in the workplace. The women complained that the employers tend to use their economic status and social influence to intimidate employees that complain or make claims against them. The employers often corrupted officials such as the local administration especially chiefs and the police, and in cases when women went to report the police would ask for bribes so that they can act on their cases which they were unable to pay, hence the cases remain unresolved.

A forced code of silence surrounds women casual domestic workers which are achieved by employers through tactics that include threatening the women who complained that the employers will use violence and denying work opportunities (Oxfam, 2013). Not only does a lack of regulation of this sector devalue the economic and social contribution of domestic work to development, it exacerbates abuse and exploitation of workers. This includes: contract

substitution, poor wages, non-payment or delayed payment of wages, very long hours of work, no break periods or rest days, restrictions on freedom of movement and association, no access to collective bargaining, inadequate food and accommodation, including lack of privacy, sexual and gender-based violence (Surabhi, 2010).

Women casual domestic workers could be assigned demeaning or abusive tasks such as washing their employers' underwear or massaging the bodies of male employers, and they must come up with coping. The women are often given excessive workload failure to complete tasks may result in being dismissed or withholding of wages.

The majority of the women casual domestic workers do nothing about their predicament while they just share the information with friends and family who often advise them on what to do which often does not include seeking for legal redress or reporting to authorities (Oxfam, 2013)

2.6 Summary

From the above review of various documents, the main challenges women casual domestic workers relate to intimidation from employers threatening the women who complained that the employers will use violence and denying work opportunities, social influence to intimidate employees that complain or make claims against them. The women have no fixed employer-employee relationship nor are they covered by protective labour legislation as they are from the informal economy and there is compounded weak enforcement by the relevant government departments and the fact that women are vulnerable and lack organization to take any meaningful action on the issues affecting women domestic workers.

2.7 Theoretical Framework

The purpose of theoretical approach is to describe and predict relationship variables affecting a given phenomenon. This study has been guided by the Carol Moser framework

2.7.1 Carol Moser framework

The Moser framework is one of the most popularly used gender analysis frameworks. It is based on her concepts of gender roles and gender needs, and policy approaches to gender and development planning. The theory expounds on the concepts of gender roles and gender needs with emphasis on tripartite roles, that is reproductive, productive and community. This tool involves mapping the gender division of labour by asking 'who does what?' Caroline Moser identifies a 'triple role' for low-income women in most societies, which she uses in this framework and other components (Moser 1993).

Reproductive work: As defined by Moser, this involves the care and maintenance of the household and its members, including bearing and caring for children, preparing food, collecting water and fuel, shopping, housekeeping, and family health-care. In poor communities, reproductive work is, for the most part, labor-intensive and time-consuming. It is almost always the responsibility of women and girls.

Productive work: This involves the production of goods and services for consumption and trade (in employment and self-employment). Both women and men can be involved in productive

activities, but their functions and responsibilities often differ. Women's productive work is often less visible and less valued than men's.

Community work: These activities include the collective organization of social events and services - ceremonies and celebrations, activities to improve the community, participation in groups and organizations, local political activities, and so on. This type of work is seldom considered in economic analyses, yet it involves considerable volunteer time and is important for the spiritual and cultural development of communities. It is also a vehicle for community organization and self-determination. Both women and men engage in community activities, although a gender division of labour also prevails here (March *et al.* 2005)

The second component identifies and assesses gender needs, distinguishing between practical needs (to address inadequate living conditions) and strategic needs (for power and control to achieve gender equality).

The third component, or tool, disaggregates information about access to and control over resources within the household by sex: who makes decisions about the use of different assets.

The fourth component identifies how women manage their various roles, and seeks to clarify how planned interventions will affect each one.

2.7.2 Relevance of Moser framework to this study

As the Moser framework recognizes that women perform reproductive and community-management activities alongside productive work, it makes visible work that tends to be invisible (March *et al.* 2005). Domestic work is often seen as an invisible reproductive role that is largely done by women. However, when any form of reproductive work is commercialized and becomes

productive work, it is often recognized if occupied by men and also well numerated, for example chefs.

This framework is relevant to this study as it provides a perspective as to why women casual domestic workers face numerous challenges when they attempt to commercialize the roles described by Carole Moser like preparing food, collecting water and fuel, shopping, housekeeping, and family health-care. Women reproductive roles largely relate to domestic work and are, for the most part, labor-intensive and time-consuming and the payments are not commensurate to the work done

The theory helps to bring out the challenges experienced by domestic workers placing work in the reproductive level in the productive work still faces different levels and the workers face and this study helps to analyze the changes they face. The work women casual domestic workers undertake challenges the norm by placing the reproductive work which was not expected to be paid for has changed to be productive work.

CHAPTER THREE

METHODOLOGY

3.1 Introduction

This chapter details the research design used to achieve the overall objectives of the study which were to establish challenges women casual domestic workers experiences in Dagoretti Sub-County, Nairobi City County; It describes the research site, research design, the study population and unit of analysis, population size and sampling procedure, data source and data collection methods, and data analysis techniques.

3.2 Research site

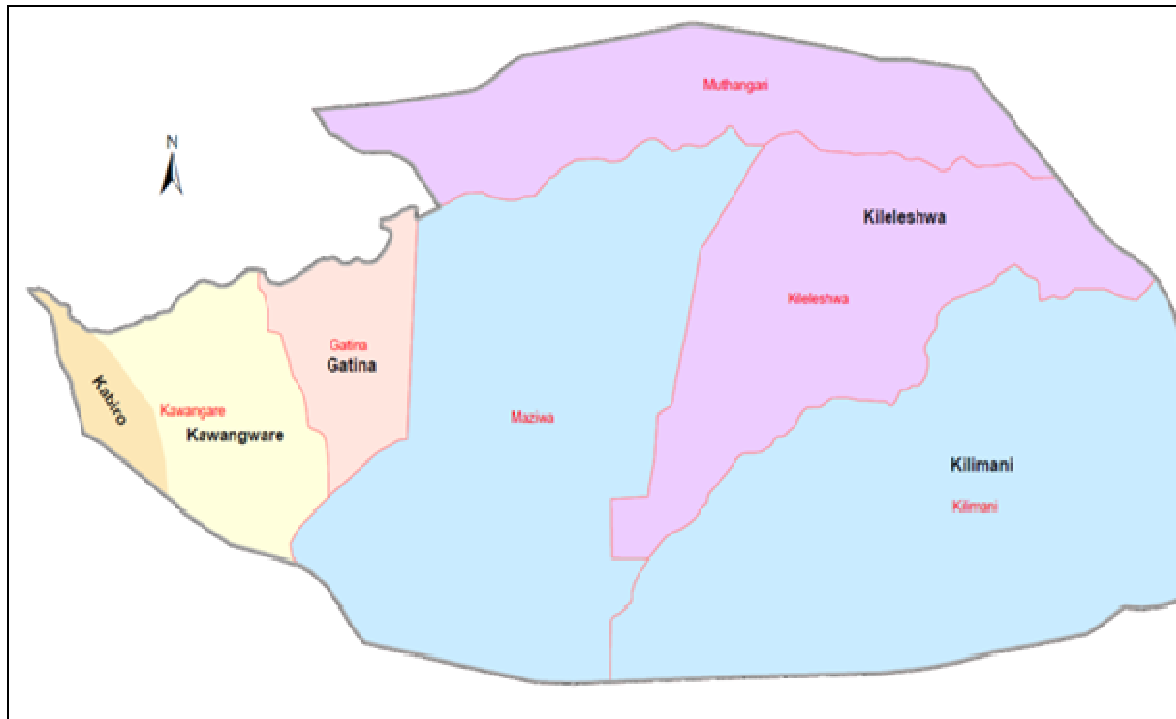
The study targeted women casual domestic workers from Dagoretti constituency which is within Nairobi City County (Map 3.1). Dagoretti lies in the extreme Western Division approximately 20 km from Nairobi City Centre. It consists of several unplanned settlement villages. It is estimated that 30percent of the total population comprises of long-term residents, while 70percent have moved into the community from other areas (Nairobi Inventory, 2011).

Dagoretti was established in the early sixties by the residents who missed out on land allocated during the land demarcation process. Their failure to benefit was occasioned by the fact that they either worked far from Dagoretti or had been imprisoned by the colonial government for offences related to the struggle for independence. Prior to their occupation of Dagoretti Centre, the first residents were tenants on land that others had been allocated. In time they were unable to continue paying rent and requested the area Chief for assistance. They then were allowed to settle on public land and formed the settlement that is now popularly known as Dagoretti Centre (Nairobi Inventory, 2011).

The main forms of income are industrial labour, construction, household chores, and small scale trading in groceries, and careers in carpentry, masonry and tailoring. Most are self-employed as

small-scale business persons or work as casual labourers with a large number who are unemployed. There are organized groups that help them in their engagements in raising livelihoods for example the Dhobi Women Group. Dhobi Women Group is an umbrella body of women casual domestic workers in different parts of Nairobi. They have a network that covers Nairobi City County with a membership of about 500 women. The group meets in their constituencies and agrees on priorities that they need capacity building on and invite experts to facilitate the sessions (Maingi, 2013).

The area's demographics are characterized, amongst others, by a very rapid population growth above the norm for Kenya, which has exerted increasing pressure upon the basic resources of land, housing, water and electricity supply. This, in turn, has contributed to under-nutrition, poor sanitation and low levels of environmental health. (Nairobi, 2011).



Map 3.1 Map of Dagoretti Constituency (IEBC, 2011)

3.3 Study design

This study was descriptive and based on qualitative research methods in exploring the factors contributing to vulnerabilities among women casual domestic workers.

3.4 Study population and unit of analysis

The study population was women casual domestic workers from Dagoretti Constituency in Nairobi County. The unit of analysis was the individual women who have been casual domestic workers under the Dhobi Women group.

3.5 Sampling procedure

Purposive sampling method was used to select the sample population from Dhobi Women group and they were selected according to their experiences and drawn from those offering domestic casual services. The sample size was from five villages in Kawangware; namely, Kandutu, Kamwanya, Kaburi, Githarani, and Gachui in Dagoretti Constituency.

3.6 Sample size

A sample size of total five (5) women per village was selected making a total of 20 casual women domestic workers as the respondents for in-depth interviews and they further provided general experiences in focus group discussion. The sample size was adequate given the qualitative nature of the research and provided sufficient in-depth data to effectively respond to the research questions and objectives of the study

3.7 Data Collection Methods

3.7.1 Secondary data

Secondary data was collected from books, journals, videos and documentaries, articles, features and reports.

3.7.2 In-depth Interviews

An in-depth interview is a qualitative method of analysis, which proceeds as a confidential and secure conversation between an interviewer and an interviewee. By means of an in-depth interview guide (Appendix II), which was discussed with the interviewee, the interviewer ensured that the conversation encompassed the topics that were crucial in the study. This method was selected to gain an insight into women casual domestic workers challenges in relation to their work. The method was desirable as it produced an exhaustive and varied knowledge about individual determined experiences, and opinion. Twenty 20 women who have gone through different forms of violence were recruited to provide the core data for this study on socioeconomic challenges of women casual domestic workers; forms of violations do the women causal domestic workers experience and the prevailing socio economic factors contributing to vulnerability of women causal domestic workers

3.7.3 Key informant interviews

Key informant interviews are qualitative in-depth interviews with knowledgeable people who know what is going on in the community on the subject of study. The purpose of key informant interviews is to collect information from a wide range of knowledgeable people including community leaders, professionals, or residents who have first-hand knowledge about the community. This method was selected to provide more information on the challenges of women casual domestic workers experience in reference to the service providers and key stakeholders. The 5 key informants were interviewed using the key informants guide (Appendix IV) drawn from Kenya Union of Domestic, Hotels, Educational Institutions, Hospitals and Allied Workers

(KUDHEIHA), Coalition On Violence Against Women (COVAW), Women's Empowerment Link (WEL), Local chief, Ministry of Labour Field Office and police gender desk.

3.7.4. Focus group discussions

A focus group is a small group of six to 12 people led through an open discussion by a skilled moderator. The group needs to be large enough to generate rich discussion but not so large that some participants are left out. A focus group discussion (FGD) is a good way to gather together people from similar backgrounds or experiences to discuss a specific topic of interest. The group of participants is guided by a moderator (or group facilitator) using a focus group discussion guide (Appendix III) and get consensus on community perspective on the key issues of concern. The focus group was used to nurture disclosure in an open and spontaneous format. The focus group discussions were selected to generate a maximum number of different ideas and opinions from as many women casual domestic workers in the time allotted. Two focus group discussions were undertaken to provide data on experiences by women casual domestic workers;

3.8 Data processing and analysis

Data processing and analysis includes data record matching, drawing conclusions and answering the research questions. A descriptive approach was involved where direct quotations and selected comments from participants and interviewees were used in the report to emphasis on the findings. Qualitative data obtained from in-depth interviews, narratives and key informants was transcribed, coded and analyzed thematically. For each of these data, separate code sheets were created in an attempt to establish and interpret patterns. All tape recorded work was transcribed

and translated into English. Terms mentioned during interviews conducted were directly picked and used as they are.

3.9 Ethical considerations

Ethical considerations are the moral principles guiding research from interpretation through completion and publication of results and beyond. As an ethical consideration in research, the researcher asked for the consent of the interviewees and participant. They were briefed on the research and informed of the expected study objectives and accepted to participate in the study by signing an informed consent form (Appendix 1).

The respondents were informed of their right to withdraw at any time during the study and or share what they are comfortable with. Confidentiality and privacy was upheld throughout the data collection, during analysis and report development as well as dissemination. This has been done by using pseudonyms, codes in place of real names.

CHAPTER FOUR

CHALLENGES EXPERIENCED BY WOMEN CASUAL DOMESTIC WORKERS IN DAGORETTI SUB-COUNTY, NAIROBI CITY COUNTY

4.1 Introduction

This chapter discusses the findings of the study based on the analysis and interpretation of qualitative data. The findings of the study are presented on themes based on research objectives which include to describe the nature of the violations faced by women casual domestic workers; determine the socio economic factors contributing to vulnerability of women causal domestic workers; and to examine the socioeconomic challenges experienced by women domestic casual workers in their line of duty in Dagoretti Sub-County, Nairobi County.

4.1.1 Characteristics of study population

The population that informed this study constituted of twenty (20) women casual domestic workers aged between 20 years and 49 years. The women were all members of the Dhobi Women's group and drawn from Dagoretti Sub-County in Nairobi County. The women were selected because they have been working as domestic workers and exposed to different experiences in their line of duty. The women had been working as domestic worker for periods between 6 months and 25 years

Table 1 Characteristics of the study population

Category	Status	Number
Age	19 - 35 years	12
	36 years and above	8
Marital status	Married	2
	Divorced	7
	Separated	4
	Widowed	1
	Single	3
Level of education	Secondary school	3
	Standard 8 and below	14
	No education	3
Years in domestic work	1 years and below	3
	3 - 10 years	14
	10 years and above	4

4.2 Socio-economic challenges experienced by women casual domestic workers in their line of duty

In this subsection, findings on women casual domestic workers' experiences and socio-economic challenges in their employment are presented. Excerpts from the In-depth interviews are presented as case studies to help illustrate the findings.

4.2.1 Engaging in the casual domestic work

The women gave various reasons as to why they opted to engage in the casual domestic work. Ninety percent 90% were housewives but later abandoned by their spouses with children and had to fend for themselves, 3% were live-in domestic workers but opted for casual work when they got married as they wanted to live with their families and 2% of the women had lost either one or both parents and dropped out of school (case study 1), hence had to move to Nairobi and fend for

themselves. 5 percent had started business which failed and wanted to rebuild their savings to attempt different businesses (case study 2)

Case study 1

Melissa(not real name) is 19 years old was born in a family of five and brought up in Nyanza region. At the age of 16 years, her father who was the sole breadwinner died in a horrific road accident. Her mother was a housewife and attempted to retain Melissa and her siblings in school but she was overwhelmed and Melissa dropped out of school. She attempted to farm but this did not work out as such she joined her cousin in Kawangware Nairobi County, Dagoretti Sub-County. Her cousin introduced her into casual domestic work at the age of 17 which she has been doing for the last 2 years.*

Case study 2

Pascaline (not real name) aged 24 years dropped out of schools and joined her auntie in hawking business in downtown Nairobi. After one years' experience she started her own hawking business of small household items. Unfortunately the terrain was not favorable as such she had to stop and engage in casual domestic work with her neighbor.*

According to key informants the women got into casual domestic work due to the pressures of life, some have worked as both live-in and casual domestic workers for many years and have been able to support themselves and their families, however this category of women have not been targeted effectively by non-governmental organizations, government and the religious groups. The informant indicated that there were small projects by the Family Health International and Kenyatta University which benefited about 100 women domestic workers and another one by Kituo cha Sheria which aimed at educating the women about their rights. Unfortunately because the projects are donor funded they are short lived and accessed by a small number of

women hence the impact is minimal and may benefit a few women and not necessarily have adequate sustainability plans.

This demonstrates that most women are largely employed as casual domestic workers due to their desperate situation that demands that they fend for their children or for basic survival and not as an option of livelihood. The engagements are on verbal contracts and they hardly know the names of their employers. Most people know them by nicknames associated with their children for example “Mama Njeri”.

4.2.2 Socio-economic engagement challenges with employers

The women cited that the employers often abuse them especially through poor pay for the kind of duties they are given in the engagements. The women highlighted frequent incidences when they were given work and agreed on half day terms and specific roles but on arrival in the homes, the workload was overwhelming thus forcing them to spend the entire day and unfortunately they could not renegotiate the agreed fees.

Case study 3

Jane (not real name) is 49 years old and has been a domestic worker for most of her life in different parts of Nairobi County. She has worked as a casual domestic worker for 22 years. Jane indicated that times have changed and initially the employers were friendly and treated her humanely and often engaged them for reasonable amount of work and the payments helped her to support her children. However, in her last engagement for five years the payments have dwindled and she felt her employers were not reasonable especially due to late payments and respect by the employer’s children. Jane noted that the children of her current employer gave her instructions similarly which made her feel undervalued especially because culturally that is not condoned.*

Case study 4

Anastacia(not real name) is 38 years reached standard 8 in her education. She has been undertaking different casual work including construction, hotel and domestic work. She however has worked 10 years as a domestic worker and remembers ones of her worst experience as being sacked for demanding wage increments, which she asked from the husband of her employer. She was accused of having an interest in her employer's husband and wanting money from him. Jane however, defended herself being that it was easier to request for the salary increment from her employer's husband who wouldn't abuse her*

4.2.3 Knowledge of interventions for redress

The women often do not seek for redress whenever their rights are violated. They indicated that they did not know where to seek for the assistance and had limited information of the existing laws that would be used while seeking for justice as illustrated by the following case studies:

Case study 5

Mary(not real name) who was not paid for the work done was bitter with her employer. She and her two children had slept hungry as she had put her trust in the income of the day to have a meal. Mary went to her former employer's home several times and was not paid despite leaving messages with the family members she found at the residence. Mary however, never sought for action against the employer especially because she felt they had better connections with the authorities and also because she did not have the money to give any officials she may seek help from who she feared may demand for it before helping her. Mary indicated that she had no faith in the system and so gave up.*

Case study 6

Like Mary, Jacinta(not real name) never took action after she was sacked when the water in the house ran out. She felt this was unfair as she was dismissed without a*

hearing, yet there were many other workers in the compound who were using the water. Jacinta reported that she was informed that her due pay would instead be used to purchase some more water.

The key informants sited inadequate government machinery to implement legislation on decent work for domestic workers as well as education of domestic workers on their current legal frameworks and inherent rights protected by the law. The informants noted that despite having several women attempt to report violations by employers and seek for advice for action, they were not willing to pursue the same for justice which they attributed to limited knowledge and financial abilities. They highlighted that the government has not done enough to domesticate and cascade the international laws upholding the rights of women domestic workers despite ratifying the same.

The women felt that they needed education and training on where they should seek for help and how to access justice at minimal or no fee. The supporting systems may exist but the women need to seek for help and not necessarily operate on the assumption that they will not access justice.

4.3 Socio Economic Factors Contributing To Vulnerability of Women Casual Domestic Workers

This section consists of the results on the prevailing socio economic factors of women casual domestic workers that contribute to vulnerability

4.3.1 Socio-Economic Vulnerabilities

Women casual domestic worker' socio-economic status emerged as a predisposing factor to vulnerability especially the inability to negotiate due to the power dynamics between them and the employers as documented in the case studies below:-

Case study 7

According to Melissa(not real name) she is unable to negotiate with the employers whom she referred to as "Sonko" and her reasons being that she is rich and talks to her with contempt and Melissa attributes it to the fact that she comes from a poor background. Melisa like ten of the women interviewed indicated they avoid looking at the employer in the eyes as they felt intimidated by the confidence and boldness they talk to them. Sometimes she could not understand the instruction very clearly because it's done in English which she is not fully conversant with. Four of the interviewees had reached standard eight hence often English was difficult to understand.*

Seventeen women had an average of two to eight children living in one or two rooms in the slum houses of Dagoretti. They indicate that stress levels are often very high and financial demands are extremely overwhelming to ensure basic needs are addressed as illustrated with case study 7 below. The women take any jobs without adequately negotiating which they attributed to the desperate need to have at least a meal a day with their families, and one of the reasons they engage in and domestic casual work to enable them survive for the day.

Case study 8

Harriet (not real name) struggles to take care of her 7 children in her 2 rooms house in Kawangware slums where she has resided for the last 3 years. Harriet has 3 children from her previous two boyfriends who don't support her currently and 4 children from her late sister. To ensure the children have a basic meal per day, it costs her at lowest Kshs 250. According to her current employment, Harriet earns an average of 1500 to 2500 per week.*

The women complained that the payments they received are minimal ranging from between Kshs. 200 to 1000 hence the difficulty to pay school fees in the proper schooling system for their children as therefore such most have dropped out of school before attaining standard eight. The informants raised a concern that their families were poor and hence they could not go back to them to seek for financial support. The other struggle was that their rural relatives had expectations for support from them despite the challenges they are facing

The casual domestic work is seasonal and mostly at its highest when children are on holiday and during festive seasons as most families need an extra hand for the domestic chores. The fluid nature of the professions demands that the women should have savings to support the family during the low seasons which they did not manage to accumulate. The women employers indicated that they do not trust the women casual workers due to the frequent cases of theft they have either experienced or heard from their friends.

According to key informant from the communities, the women casual domestic workers are among those often reported by their landlords for the inability to pay house rents on the agreed

dates due to their poor pay. They often are pleading for mercy and attempt to explain on their predicaments especially when they can't raise enough money to cater for their basic obligations.

During the focus group discussions, the women shared of their daily struggles to make ends meet and especially the inability to improve their livelihoods. The women said they have been unable to get fully involved in *chamas* (informal groups) or table banking especially because they have removed monthly contribution and failure to honor means they will be charged penalties. The women lamented that their kind jobs have limited them from financial improvement.

However, according to the informants' experience, the domestic workers have extensive opportunities but haven't utilized them effectively. They underscored the fact that women have ability to work in a coordinated manner to enhance respect as a resource in the society. They also highlighted that Women casual domestic workers have been shunned due to frequent thefts associated petty stealing. Nevertheless, the women said that in a few occasions they have been accused of theft resulting from frustrations emanating from failure or delays to pay and hence collect items that can be sold first or food stuff.

Majority of the women felt embarrassed of the casual domestic work especially because they often have to sit on the roadside anticipating clients to hire them. They believe there are better opportunities but cannot access them currently due to the education requirements. The women indicated they are also mainly in this domestic work courtesy of referral by family and friends who often introduce them to the points where they wait for jobs.

Case study 9

Halima shared on several occasions she has attempted to join chamas to ensure she has some little savings for her to start a business but she often drops out due to the limited money to remit her contributions and in other times pay for penalties due to lateness. Although she is currently not in a savings group, Harriet indicates she would still try another one she still believes that chama/ table banking is very helpful for her to improve the living standards.*

During the focus group discussions, the women shared the discontentment with their work and felt the society treatment with disregard yet they feel they help a lot in the home setting. The women lamented that there minimal or no support systems for them which they attribute to the socialization of people that domestic work is for the disadvantaged, poor and slum dwellers.

Case study 10

Daisy(not real name) is 28 years and has been nurturing 4 children from a previous marriage without much support from her estranged husband. In the recent past her sister passed away and her 3 children were brought to her custody as her parents are elderly and this has made her financial burden unbearable. Daisy has had to seek for assistance from her church especially for food whenever she has not been able to get casual jobs.*

Daisy said she doesn't know how to share the money she earns to cater on the stretching needs of the family. To cope with the financial burden Daisy sends her 14 year old daughter to sell peanuts. Daisy has attempted to keep a charcoal business but it's difficult because of her inconsistency in opening the shop hence the customers have reduced. She prioritizes the two sources of income as from her experience the charcoal does not have much return as the domestic work on a good day she can make Kshs1000 while the charcoal business is demanding on time and average daily profits range between 100 and 500.

All the women emphasized that the money they made was not adequate to meet their needs and was extremely overwhelming for them to meet basic needs. Although the women felt they had not done much with their finances, Jane who has been in the profession for many years managed to join *chama*/ savings group and bought a plot which she is extremely proud of and plans to construct a house on it someday.

According to the focus group discussions, the women strongly felt that their background has contributed heavily on their predicaments as majority of them did not pursue education as such may not acquire formal employment. The women felt the overwhelming costs of living in Nairobi were a key reason they were abandoned by their partners and spouses living them with stressful responsibilities of raising children. The women felt culturally domestic work is considered as a menial job with no much value as such those who engage in this are likely to be treated with contempt.

4.4 Nature of violations faced by women casual domestic workers

This section aimed at to describe the nature of the violations faced by women casual domestic workers by gathering information on their experiences especially on the different forms of violations

4.4.1 Forms of violations

Violations were many and all the women had experiences they referred to as horrific and made them blame themselves like taking care of ailing patients with no adequate skills and necessary

protective outfits, sexual violations, and over working until late in the night in some instances and in others want to quit their profession as demonstrated in the following case studies:-

Case study 11

“I was forced to watch the gaping wounds of a patient by my employer without gloves as he watched. The woman was elderly and has severe wounds on her legs. He did not understand Kiswahili as such even giving her instructions on how to make it easier for me to clean her was impossible. I was scared and wished there was a way of escape. My greatest fear was to acquire the disease the woman was suffering from but I thank God nothing happened to me” Melissa said

Like Melisa the women narrated their experiences which were different under the various employers.

Case study 12

Wanja(not real name) worked for a foreigner for one week while they were settling down and on the last day she asked for her pay which was significant amount considering she had been working for seven days, unfortunately the son in the home demanded for sexual favour for her to get the payments. She refused and sought for assistance from the mother who told her to adhere to the demands as he was the one to pay. Wanja left for the day and frequented the home several times for months seeking for her pay until she gave up which was bruising to her spirit.*

Case study 13

Carol(not real name) was lucky to have a consistent employer for six month who was a young working man. He gave her spare keys to be coming for three days a week and make food and store in the fridge, cleaning, wash clothes and iron. She liked her stable job and the fact that it wasn't overwhelming, however this was not to last, the young man*

started coming home early and make sexual comments which were making Carol uncomfortable but she ignored. One evening he demanded for sexual activity and she declined which made him furious and sacked her. Carol begged for him to reconsider and accept that she wasn't ready. But he told her to maintain her job she had to adhere to him. Carol agreed to the demand for the day and got her pay for the week but the pain and bitterness made her unable to ever go back for her job and because of the embarrassment she has never sought for help. She reckons to have been lucky not to have contracted any form of infection or pregnancy. Since then she hasn't gotten another stable casual jobs which has make her frustrated.

Case study 14

Cate(not real name) narrated her ordeal in the midst of sobs; she was raped on her way home from domestic casual work at 8.30pm by a gang of 3 men. She has never recovered from the anger and hatred of her abusers. She blames her employer whom she had requested to leave early but delayed in releasing her to trek home which was a distance.*

Despite the fact that Kenya is a signatory to the Decent Work for Domestic Workers convention (189), women casual domestic workers continue to deal with violations that can be deterred. Abuses emerged as the leading violations experienced by the interviewed women, which they termed as demeaning and hurts their emotions making them feel unwanted, rejected and affects self-esteem.

Four of the women indicated they had been pressured for sexual favors or sexually harassed while one had actually been sexually exploited. Fifteen of the women complained of excessive workload and delayed payments. Failure to be given anything to eat the entire day while working at the house was experienced by four women and one complained she was not allowed to use the bathroom the whole day and so had to sneak when the employer was not aware.

One woman was kept late working and the employer said she did not have the money to pay her then but would be pay the following day. She did not have transport money as such she insisted to be give at least some money to enable her to go home but that annoyed the employer who threw an iron box to her face that burned her. She slept in the watchman's house and walked the following day to a friend's house who accompanied her to the a medical center

4.4.2 Actions interventions to deal with violations

Majority of the women casual domestic workers, 17 of them, had not sought for legal interventions however they had visited the pastors, friends and parents for advice on which action to take. They were often given options to report at the nearest police station and chief's camp but the prominent advice was to leave the situation and forgive the violators and God will avenge for them and would bless them in their endeavors.

Case study 15

Rexis was never paid for two month of working for a couple and she became desperate due to her accumulated bills as such she sought for guidance from her pastor. The pastor told her the only place she can go for help is at the police stations and chiefs' camp and advised her to take time to pray as these are challenges of life. She forgave her employer and decided to move on especially because she feared time lose might be much before getting help from the local authorities including chiefs.*

Rexis like other women narrated that the circumstances surrounding the search for help from chiefs and police would be costly hence the loss would be heavier on them. Among the women, 19 of them were not aware of unions like KUDHEIHA and nongovernmental organizations that offer assistance to domestic workers. One of the women had visited the Ministry of Labour

offices but she never got the assistance she was looking for as she needed to take legal action which wasn't ready financially to engage in.

4.4.3 Coping mechanisms of the challenges

The women have learnt to share among themselves on their experiences and often console each other while walking home or while waiting for casual jobs. This was one of the common mechanisms the women enjoyed as their peers understood the situation best. The women shared their experiences and those of their friends in the same industry which is like informal support groups.

The employers interviewed also indicated that the behavior of the women casual domestic workers can sometimes mess up their relations as illustrated below:

Case study 16

Ann said that she employed Liz* as a casual domestic worker to assist her live-in house help who was getting overwhelmed with work especially because they had three small children. Liz was to be coming three days a week and paid at the end of the week. Unfortunately this relationship was soon to be terminated as Liz was caught having stolen and packed some foodstuff items in her lesso while going home. Ann confessed she shouted at her and slapped her twice for the action. Ann justified that it was better to slap her than take her to the police station which would have been a more oppressive process.*

Due to such kind of behavior some of the employers felt justified with their actions and blamed it on the women as the cause of their reactions. The reported that these reaction are usually not intentionally or preconceived actions to oppress the women casual domestic workers.

CHAPTER FIVE

DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This chapter includes discussions, conclusions and recommendations of the study. The main objectives of the study were: to describe the nature of the violations faced by women casual domestic workers; to determine the socio-economic factors contributing to vulnerability of women casual domestic workers; and to examine the socio-economic challenges experienced by women domestic casual workers in their line of duty in Dagoretti Sub-County Nairobi City County.

5.2 Discussions

Socio-economic challenges experienced by women domestic workers: In examining the socio-economic limitations women domestic workers experience, it was evident that their social status and their economic abilities had a bearing on their choice of domestic work as their source of income as noted by Shah (2013). The research found that the main reason that pushed the women into casual domestic work was largely financial constraints and overwhelming responsibilities especially to sustain basic needs in the urban Nairobi County. Similar observations were also made in a study by Oxfarm (2013).

The women further reside in the slums of Dagoretti which has financially friendly housing although the infrastructure is extremely worrying. The study concurs with the findings of the

research by OXFAM (2005).that women from the informal settlements are usually unemployed and hence opt for any form of casual labour including casual domestic work.

The research findings indicate that the issues of poor pay are a major drawback to the women's economic improvements as it is limited and makes it difficult to improve their current socio-economic status. This happens due to lack of adequate knowledge on existing legal provisions on employment. This is very common for the women providing domestic labour as observed by Amnesty International (2013). In addition, the finding is also in tandem with a report by ILO (2011) which highlights that the issues surrounding domestic work are multidimensional and cut across several aspects, including remuneration, working time and other aspects of working conditions.

The study further indicates that women casual domestic workers take up the jobs for purposes of survival and to help fend for their families. The casual domestic labour gives them income for the daily basic needs like food, water, and shelter not because they actually enjoy the same. This is also noted by Oxfarm (2005). The employers however, felt the women take the casual domestic work because it's an easier option and they could as well do small businesses like many other women. They indicated that the casual domestic women workers often look neat and may not necessarily tell their story or experiences for assistance by the employers who are friendly.

The women explained that mistrust by their employers is high as such in the event something happens in the household despite having several workers; it's often the domestic workers who are taken in as first suspects. The employers also affirmed that they don't trust the domestic workers as they often come from underprivileged backgrounds and if given an opportunity they

will steal especially amenities they will use in their homes for example tissue paper, food, money among others. This makes them provide harsh working conditions that threaten the domestic casual women workers as noted by the Global Network (2009).

According to the key informants, one of the challenges they face in handling casual domestic women workers is lack of trust between the workers and the employers. The women fail to trust their employers due to delayed wages, and failed promises as noted by Shah (2013). The employers on the other hand see their casual employees as potential thieves. When the employers fail to pay the domestic workers on time they steal valuables from the employers like gold and clothes and run away.

Another challenge is the lack of follow up by the domestic workers because they have limited knowledge of legal provisions for domestic workers, consider court process to be long and tedious for them and in most cases consider the legal procedures unaffordable and unpredictable. This has been acknowledged by Amnesty International (2013)

Socio-economic factors contributing to vulnerability of women casual domestic workers: The study determined that several factors emerged which make women casual domestic workers vulnerable including low self- esteem, poverty, limited support systems, and illiteracy other aspects that emerged.

The study discovered that women felt inadequate to engage with the employers and negotiate for packages that are acceptable. The women lacked standardized established rules of engagement that help them negotiate on remuneration and access to certain benefits while at their workplace like food, toilet and water. This is in line with a report by (ILO, 2011).

The study revealed that over the years certain beliefs have been perpetuated on domestic worker as a low level occupation, irrelevant and inconsequential. The view has resulted in the frequent violations and abuse experiences faced by women casual domestic workers, hence those who opt to engage in the work struggle with especially acceptance by society. Unfortunately, as noted in a report by ILO (2010), there is need for them to be accepted because they contribute immensely to the society's overall development. This is because the women casual domestic workers relieve the employers to engage into formal employment which otherwise would not have been possible if they had to undertake all the household chores.

According to the study, the women casual domestic workers were immigrants from rural communities in search of employment opportunities and better life. Unfortunately in the move to Nairobi exposes them to new dynamics on accessing basic needs like shelter, food and water. The women have to live in the informal settlements with deplorable environments that they can afford and expose them to health hazards, insecurity and other struggles to cope with. The cost of living is high with most services being provided at high costs hence overstressing the women's financial abilities as pointed out by Surabhi (2010).

The study further underscored the fact that domestic work has not been highly recognized despite the commitment by the government to the ILO Convention 189 on Decent Work for Domestic Workers. The practice as noted in a report by ILO (2010) has often been associated with unpaid care work despite the fact that it has been commercialized. The women experienced challenges in accessing legal advice in the event of grievances with their employers. Due to the limited access to a supporting system, the women have resigned to fate. They often do not report

or seek for redress. Unions and women organizations attempt to support the women but they lack the appropriate infrastructure that will reach out to the women from all the counties.

The study findings showed that in this occupation the violations of women's rights are a wide range as most employers are often not under any obligation to uphold their commitment. The women who are often desperate to make a living have learnt to cope with extensive abuse, exploitation and mistreatment. According to the women little has been done to employers who have violated the women and the fact that the search of justice is associated with a costly affair, few will attempt to take action. This could be due to lack of proper knowledge on legal procedures and provisions as noted by Amnesty International (2011).

The study identified that, where there were male employers, sexual violence emerged as one of the key violations and associated to their remunerations. The temptation to give in to the compulsive demands is overwhelming as the women desire to get their pay for the survival of their families. This is noted in a report by Global network (2009).

The study underscored that employers are often not subjected to the rule of law hence it is imperative that governments create infrastructure to punish abusive employers through the justice system, and to prevent violence by reforming informal employment labor policies that leave these workers at their employer's mercy. In addition, this research confirms that the violations against women casual domestic violence are similar globally and often remain unsolved as noted by Varia (2008). According to, Varia (2008) there are countless cases of employers threatening, humiliating, beating, raping, and sometimes killing domestic workers.

The study describes that discrimination in public life and employment is generally visible among domestic workers. Domestic workers remain behind closed doors, especially female domestic workers, who are often “invisible” and are therefore particularly vulnerable to abuse and exploitation. They are not aware of protection by labour laws and are subjected to conditions of involuntary servitude. Many are faced with uncertainties of being sacked without due notice hence inability to support their families. This is in tandem with Amnesty International 2013 report.

The study findings in relation to experiences shared from Dagoretti sub-county indicate that denial to have a break during the full day work and working beyond normal 8 hours to more than 12 hours with no additional overtime remuneration were frequent. Similarly, according to the analysis of Varia, (2008) on domestic workers violations, workplace, problems include long (or undefined) working hours, low wages and late payment of wages, poor and repressive working and living conditions.

According to the key informants, the cases they receive from women casual domestic workers vary from the exploitation and mistreatment of workers by the employers, sexual assault. In addition, live-in domestic workers reported being chased away at night without any money or their belongings and the most common one being lack of pay by the employers. According to one of the informants, they receive three to four cases daily; however the number increases mostly at the end of the month and the year.

5.3 Conclusions

The study established that there are socio-economic factors that predispose the women to vulnerabilities while working as casual domestic workers which include cultural beliefs and norms where their role is not respected or upheld; illiteracy non exposure and limited negotiation skills and the disempowering environment they reside in.

The study established that women casual domestic workers are experiencing violations that hinder them from effectively actualizing their socio-economic empowerment agenda. These violations can be categorized as denial of due remuneration, overworking, sexual violations and harassment, poor access to legal supporting systems, poor working conditions and environment physical and psychological abuse and exploitation.

The study concluded that women casual domestic workers experience socio economic challenges that include limited knowledge of their rights, labour laws provisions and inadequate linkages to civil society partners and other services providers who can facilitate access to justice. The women have designed coping strategies in dealing with their challenges hence limited engagement with leaders.

The research further established that due to the challenges the women casual domestic workers face, they have not invested in skills that can enable them to break away to other professions or businesses. The women confessed to have resigned to fate rather than redesign their lives.

The research also found that women casual domestic workers experience a range of socio-economic challenges that are reflected in the employee-employer relationship. Such relationships are marred with mistrust and symbolically superior and subservient relations, which makes it difficult to engage in the long term stable employment. However, it was established that the

women casual domestic workers lack the professional support that would enable them to perform in the bigger picture hence making them maintain the status as noted by ILO (2011).

The study concludes that to make the casual domestic workers there has to be comprehensive interventions that will make the government community and individuals undertake their duties and obligations for women casual domestic workers.

5.4 Recommendations

In the view of the above findings, it is apparent that women casual domestic work is a profession whose practitioners need to be protected and strengthened in terms of supporting systems in legal, social and professional ways to spur economic growth among them, their families and the nation at large. Domestic workers provide essential services that enable others to work outside the home, thus facilitating the functions of labour market and the economy. Efforts to address the socio-economic challenges that were identified in this study has to be done in the national, county, community and individual levels addressing attitudes and perceptions that surround the profession. Therefore, to create the ideal healthy working environment for the women casual workers and improve working relationships the following is recommended:

- To address the challenges that are influenced by structural limitations relating to access to legal support systems and support systems. The government needs to domesticate international laws like the Decent Work for Domestic Workers Convention 189 which Kenya is a party to through development of legislation and policies that will safe guard the rights of women casual domestic workers. This should also be followed up by clear implementation strategies. Hence the government needs to set aside resources to undertake massive national civic education on the rights of women casual domestic workers as per the Kenya Constitution (2010) which provides extensive Bill of rights in Art 43; according to the labour and employment laws of the land targeting the women and prospective employers respectively.

- Women domestic casual workers need strengthened support systems in the community, among friends and family to enable them know where to go for help and seek redress. In this regards the women should be supported to mitigate their challenges which can be realized through having fact sheets/brochures/fliers that elaborate numbers to call, where to go for help and rules and regulation on relationships among employers and employees in the domestic employment settings. These should be made available among local leaders and public offices like the chiefs' camp, nongovernmental and human rights centers and labour offices. The women casual domestic workers further need to register their associations like the Dhobi Women Group and further enroll to be members of unions like KUDHEIHA which is able to agitate for their rights.
- There is need for the establishment of extensive programmes and projects to train the women casual domestic workers on developing economic empowerment plans including business plans which would include training on group savings and loans commonly known as table banking, and knowledge on how to access financial institutions.

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APPENDICES

Appendix I: Consent Form

Greetings. My name is Grace Mbugua and currently a student of the University of Nairobi undertaking Master Degree in Gender and Development. I am undertaking research in Nairobi County, Dagoretti District on the challenges women casual domestic workers experience in line of their duties.

You have been conveniently selected to participate in this study as one of the respondents considering you have been engaged with casual domestic work. I wish to confirm to you that whatever information you will provide in this discussions will be confidential and shall be used for the report and your identity will be protected and all the documents that may share your name will be protected.

You have every right to withdraw from the interview at any time or skip any questions that you are not comfortable discussing. Some of the questions may be difficult to discuss but this provides an opportunity to share your experiences and it's our plan to share the report widely to increase awareness on the predicaments of casual women domestic workers.

The in-depth interview is voluntary and the information gathered will be of great value for the desired change in the domestic work field. The interview will take 45 minutes to complete.

If you agree to this interview sign here as surety of your consent

Sign..... Date

Appendix II: In-depth Interview schedule

Personal information: - Age bracket, level of education, period of employment as casual domestic worker and marital status

To examine the socioeconomic challenges experienced by women domestic casual workers in their line of duty

1. How do you get the casual domestic work? How do you decide whom to work for? What kind of agreement do you have with your employers?
2. What are challenges do you experience on your social and economic engagements with the employers
3. Which laws are you aware of that exist in regards to your work to protect you
4. Which trainings and sensitizations or education forums on labour laws have you attended
5. Tell me of the union or rights groups you have membership

To determine the socio economic factors contributing to vulnerability of women casual domestic workers

1. Tell me how you started to engage in casual domestic work including your achievements on your socio economic status
2. What are your experiences with family; friends and relatives about you engaging in this work
3. What are the limitations you are experiencing from the resources you get from casual domestic worker in meeting your current financial obligations
4. What are your sources of income besides the domestic work?

To describe the nature of the violations faced by women casual domestic workers

1. What forms of violations against women casual domestic workers you are aware of
2. What actions did they undertake and what type of help did the survivors deal with
3. What have been your greatest challenges when doing casual domestic workers?
 - 3.1 How did you deal with these challenges?
4. From your experiences and those of your colleagues, what are the causes of the violations women casual domestic workers experience

Appendix III: Focus Group discussion schedule domestic workers

Greetings! My name Grace Mbugua and currently a student of the University of Nairobi undertaking Master Degree in Gender and Development. I am undertaking research in Nairobi County, Dagoretti District on the challenges women casual domestic workers experience in line of their duties.

You have been conveniently selected to participate in this study as one of the respondents considering you have been engaged with casual domestic work. I wish to confirm to you that whatever information you will provide in this discussions will be confidential and shall be used for the report and your identity will be protected and all the documents that may share your name will be protected.

You have every right to withdraw from the interview at any time or skip any questions that you are not comfortable discussing. Some of the questions may be difficult to discuss but this provides an opportunity to share your experiences and it's our plan to share the report widely to increase awareness on the predicaments of casual women domestic workers.

This group discussion is voluntary and the information gathered will be of great value for the desired change in the domestic work field. The discussions will take 45 minutes to complete.

Thank you for your cooperation!

Kindly answer the following questions to the best of your knowledge. I am requesting that all of you participate in these discussions

Introductions: Personal information: - Age bracket, level of education, period of employment as casual domestic worker and marital status

1. Describe your work including the types of jobs you undertake; working hours in a day; where you get the casual work
2. Narrate your journeys of life that made you decide to undertake casual domestic work

3. What are the most difficult tasks given by your employer do you find most difficult and why and how you have coped this far.
4. What forms of violations have you experienced?
 - 4.1 What actions did you take to end the violations?
 - 4.2 If given a chance what would you want to see happen to protect women casual domestic workers from these violations
5. What reasons would you attribute to unkind treatment and or violations by your employers?
6. Whom do you seek for advice from in case of violations and why?

Appendix IV: Key informants interview schedule

Greetings! My name Grace Mbugua and currently a student of the University of Nairobi undertaking Master Degree in Gender and Development. I am undertaking research in Nairobi County, Dagoretti District on the challenges women casual domestic workers experience in line of their duties.

You have been conveniently selected to participate in this study as one of the respondents considering you have been engaged with offering services to women casual domestic workers. I wish to confirm to you that whatever information you will provide in this discussions will be confidential and shall be used for the report and your identity will be protected and all the documents that may share your name will be protected.

You have every right to withdraw from the interview at any time or skip any questions that you are not comfortable discussing. Some of the questions may be difficult to discuss but this provides an opportunity to share your experiences and it's our plan to share the report widely to increase awareness on the predicaments of casual women domestic workers.

This interview is voluntary and the information gathered will of great value for the desired change in the domestic work field. The interview will take 45 minutes to complete.

Thank you for your cooperation!

1. What is the work your organization/ institution undertake?
2. Who are you beneficiaries? And what age groups?
3. How long has our organization undertaken this work?
4. Describe the cases you receive from women casual domestic workers?
 - 4.1 How frequent are the cases?
 - 4.2 How many have you received in the last one year?
5. What actions do you take in these cases?
6. What are the limitations in offering services to women casual domestic workers

7. What are the factors you would attribute to the violations they experience from their employers?
8. What are the socio economic statuses of the casual women domestic workers you interact with?
9. Do the women casual domestic workers you interact with have basic understanding of labour laws?
10. What recommendations would you give in mitigating the challenges the casual women domestic workers experience