Paid Domestic Work and Labour Rights in Fiji: A Case Study

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Abstract

This research explores the experiences of paid domestic workers and their expatriate employers in Fiji to enable further understanding of employment conditions in the informal work sector, a sector characterised by the absence of labour laws and employment regulation. The study investigates the perspectives of both domestic workers and employers on the employment relationship, conditions of work and the economic opportunity provided by this type of wage work.

Responses obtained from individual interviews with domestic workers and expatriate employers were analysed to develop themes relating to the employment of domestic workers. These themes centre on the working terms and conditions of paid domestic workers, the nature of the employment relationship, and perceptions of employment law and labour rights for domestic workers.

The results of the research show that employment laws that specify worker entitlements and employer obligations are not always necessary to ensure decent working conditions. This contrasts with conclusions reached in other studies on paid domestic work, which have found that the private, isolated nature of the employment arrangement and the absence of formal labour protection have contributed to a particularly exploitative employment environment.

Paid domestic workers were provided with better working conditions than they had experienced in the formal sector and generally enjoyed a positive relationship with their employer. The experience of expatriate employers of employment conditions in their home countries played a significant role in this outcome. However, it is clear that wage workers in the informal sector are reliant on employer goodwill and integrity in determining working conditions. This finding points to a need for some form of regulation of working conditions in the informal sector and further research to determine how regulation might be achieved without disrupting the viability of economic opportunities within the sector.

Acknowledgements

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Thank you to my family. Your love and support is always appreciated.

Finally, and most importantly, I would like to express my great appreciation to the women in Suva who gave generously of their time to talk to me about their experiences of being either a domestic worker or an expatriate employer. Without your participation, this research would not have been possible.

The Massey University human ethics committee approved this research.

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List of Abbreviations

BLV	Bose Levu Vakaturaga (Great Council of Chiefs)
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
DAWN	Development Alternatives with Women for a New Era
ILO	International Labour Organisation
FNPF	Fiji National Provident Fund
GDP	Gross Domestic Product
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
YWCA	Young Women's Christian Association

Chapter 1: Introduction

SITUATIONS VACANT

Housegirl

Must be honest, reliable and have a good command of the English language.

Preference will be given to applicants that have gained experience while working for an expatriate

(Advertisement in the Fiji Times, Thursday 22 May 2003, p 28)

Labour rights are often perceived as being an essential part of development theory and practice because these rights provide the basis for access to resources, a decent standard of living, gender equality, and social and economic well-being for all society. Paid domestic work is a feature of the employment market in both developed and developing countries, although the extent of protection for paid domestic workers[1] through labour rights varies from country to country. Some countries, generally those in the 'western' world, have employment legislation which covers all workers regardless of occupation. This is less true in many developing countries and for workers employed in the informal sector of society. Fiji therefore is not alone in its failure to provide labour rights for domestic workers.

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[1] I have chosen the term "domestic worker" to describe the workers who are employed to do the household work, including cooking, cleaning and childcare. While some commentators have described the term domestic worker as "stigmatised" (see for example Colen and Sanjek 1990:1). I chose this term because it describes the type of work that the worker does. "Domestic" aptly describes the environment in which the work takes place and the type of work associated with that environment. For me, the term 'household worker' is more associated with cleaning tasks within the household and as such does not cover some aspects of the role (e.g. childcare). The use of the term domestic worker in this paper does not imply any class, hierarchy or social status.

Paid domestic work forms part of the 'informal' employment sector. The informal sector is characterised by the absence of employment protection and regulation. It is also the sector where women are able to find work more easily, as it consists of low-skilled and low-paid jobs, and more casual jobs. The absence of employment protection and the difficulty in regulating any labour protection, if it did exist, means that employees in this sector are vulnerable to exploitation by their employers. For paid domestic workers this situation is exacerbated because often employment is based on a private arrangement between the employer and employee.

Given the absence of labour protection in the informal sector and for domestic workers specifically, several studies on domestic workers (see Rollins 1990, Sanjek and Colen 1990, Muttarak 2004) have concluded that it is the nature of the domestic work relationship that determines the working conditions for the worker. These studies stress that this is problematic for the worker as the relationship between the worker and the employer is inherently unequal, with the balance of power resting firmly with the employer.

The extent to which the absence of labour rights for domestic workers in Fiji has impacted on their working conditions, and in particular whether this had lead to unreasonable working demands by employers, is unknown. This research study is designed to address these questions and, in doing so, to contribute to the bigger picture of employment conditions and labour rights in the informal sector.

The key research questions were:

- What are the employment conditions of domestic workers?
- What are the similarities and differences in employment conditions between domestic workers?
- How do employers and domestic workers feel about the employment conditions of domestic workers?
- What characterises the relationship between employers and domestic workers?

- How do employers and domestic workers view their relationship with each other?
- What are some of the means of addressing any inequalities in employment conditions between domestic workers?
- Is domestic work a source of economic opportunity for workers?

1.1 BACKGROUND TO THE INVESTIGATION

Conversations with expatriates on my previous visits to Fiji suggested that the employment of domestic workers was a source of both frustration and confusion. People had different views on the employment of domestic workers and different experiences of employing people to undertake these essentially 'personal' tasks. The conversations were often centred around whether an expatriate should employ a domestic worker, particularly for people who did not have children living with them, and if a domestic worker was employed, what wage should they receive, what tasks they should be asked to do and what was reasonable for the expatriates to provide to the domestic workers other than money for doing the job. None of the conversations provided a clear answer to these questions.

The idea for this case study came from these conversations. As the employment of domestic workers is a large topic, I decided to concentrate on the terms and conditions under which domestic workers were employed by expatriates living in Fiji[2], rather than address the reason why expatriates made the decision to employ or not to employ domestic workers. While I expected that there would be no standard terms and conditions that governed the employment of domestic workers, I suspected that there would be some common elements of their employment due to the existence of informal networks in expatriate communities. These networks would enable guidance to be given to new arrivals on employment 'norms'.

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[2] Due to the race relations history of Fiji, it was determined that investigating working conditions of domestic workers engaged by Fijian and Indo-Fijian employers might cause harm in an already sensitive environment. Such a study would also be better managed through one of the local advocacy organisations in Fiji working in the area of women's rights or labour rights.

Preliminary investigation of the topic showed that there was very little information available in Fiji about the employment of domestic workers. Some information was available on labour rights for domestic workers because this was an area of concern for the Fiji Women's Rights Movement[3]. However, there did not appear to be much discussion around what form of protection might be beneficial for domestic workers and their employers, apart from including domestic workers in the government's proposed new employment legislation. There was also no consideration of what the new law might mean for employer compliance.

1.2 TERMS AND DEFINITIONS

The term "domestic worker" can apply to a number of trades-people involved with looking after the household including nannies, cleaners, cooks, gardeners and caretakers. For the purposes of this research the term "domestic worker" is used to refer to someone who is employed to do the housework and may also be employed to look after children, or vice-versa[4]. People employed to attend to the gardens, cars or home maintenance, or employed solely as nannies are therefore excluded.

An expatriate is defined as "one working abroad for a period" (Chambers English Dictionary 1990:502). For this research, an expatriate is someone who is not normally domiciled in Fiji, but who is currently working in Fiji for any length of time, including those on a fixed contract system[5]. An expatriate employer is someone who has employed a domestic worker to perform housework and may also provide childcare in the expatriate's home. The expatriate employer is the person who arranges the terms of employment with the domestic worker and is responsible for paying their wages.

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[3] The Fiji Women's Rights Movement is a non-governmental organisation involved in improving the status of women in Fiji by lobbying government and advocating for legislative change in the laws that are discriminating to women.

[4] Childcare is included in the study because it was considered likely that expatriates who employed a domestic worker to undertake housework would also expect the domestic worker to perform childcare duties if the expatriate family included pre-school or school-age children.

[5] That is, their terms of residence in Fiji are determined by a work visa fixed to their employment or their partner's employment.

The purpose of labour rights is the protection of the right to work and to organise collectively for the common good (Condé 1999:79). Labour rights include the right to bargain collectively, to strike, to receive equal pay for equal work, to have rest and leisure time, and safe working conditions. This includes reasonable hours of work[6], fair wages and entitlements such as overtime, holiday pay, sick leave and parental leave (International Labour Organisation 2005, New Zealand Council of Trade Unions 2005). Labour rights therefore are a type of human right.

1.3 PURPOSE OF THE STUDY

The research was designed to investigate the working conditions of domestic workers and to examine whether the absence of labour rights for domestic workers in Fiji has had an impact on these conditions. It was expected that there would be some similarities in the employment conditions for domestic workers employed by expatriates, but there would also be differences because there is no regulation or framework to guide their employment. The study also explored the perspectives of expatriate employers of domestic workers and of Fiji Island domestic workers on employment issues.

The research was also designed to explore the nature of the relationship that existed between the workers and the employers. The general assumption, supported by previous research on paid domestic work, is that domestic workers are vulnerable to the whim of employers in an unprotected and insecure employment environment, such as exists in Fiji[7]. As there has been little research on the employment of domestic workers in Fiji, this was an exploratory study designed to provide some preliminary information on the relationship between domestic workers and their employers as a basis for further work.

The research focused on the working conditions of female Fijian Islander domestic workers and therefore straddles a number of social and developmental issues, including

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[6] International Labour Organisation conventions on hours of work state that, as general rule, normal working hours should not exceed eight hours in a day and 48 hours in a week. These limitations on normal working hours should be viewed as strict maximum limits, which are not liable to variation or waiver at the free will of the parties (International Labour Organisation, 2005).

[7] This vulnerability arises because of the absence of a labour rights framework (through legislation, convention, protocol or otherwise) and because domestic workers are not a cohesive, organised group.

gender equality, poverty elimination and human rights. The research is gender specific and is intended to contribute to the information available to support the work being done in Fiji to eliminate forms of discrimination against women. It aimed to raise issues that could be considered as part of any work being done to strengthen the labour rights of women, particularly for those women who have little formal education and are therefore particularly vulnerable in an unprotected and insecure employment environment. Another aim of the research was to find out what domestic workers and their employers thought generally about the employment conditions of domestic workers and whether they considered that any change was needed to provide adequate protection for domestic workers. Paid domestic work is not covered by minimum wage legislation and workers are not entitled under current employment law to annual leave, sick leave or parental leave. Domestic workers are particularly vulnerable to changing circumstances as there is no law or constitution or convention that protects their employment terms and conditions. Domestic workers face additional instability because their jobs are dependent on the financial security of individual employers and on the length on time the expatriates remain in Fiji.

1.4 CONTEXT / SIGNIFICANCE OF STUDY

The Fiji Women's Right Movement considers that the rights of domestic workers in Fiji are an area of concern. Domestic workers appear to be excluded from the Employment Act (cap 92, ed 1978), although their status and recognition is unclear (Fiji Women's Right Movement, The Fiji Times: Saturday 8 January 2000)[8]. A newly drafted Employment Relations Bill, which appears to strengthen the labour rights of domestic workers, is currently before Parliament and is expected to pass by June 2006 (Zinck: 17 November 2005). The lack of formalised labour rights for domestic workers appears to be an anomaly in Fijian society. Colonial rule by the British from 1889 to 1970 provided the foundation for unionisation and a high rate of union participation was a major legacy of this period (Leckie 1995: 191). The history of organised labour in Fiji has included the minimum wage for selected industries and state legislation that provides labour protection for workers in specific industrial sectors (Leckie 1995:187).

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[8] The official view of the Ministry of Labour is that domestic workers have no legal standing under the Employment Act (Emberson-Bain 1994:20).

In the context of Fiji's strong union history it would seem that extension of these rights to domestic workers would be straightforward.

Domestic workers however tend to be women and generally come from the lower socio-economic social classes. Emberson-Bain (1994:8) points out that there are many anomalies in Fiji's employment legislation which reflect the persisting views of a patriarchal society whereby labour roles are predominantly determined by gender, with women's labour having a subordinate status. Women in Fiji generally have limited access to employment, are restricted in the type and range of jobs open to them, and receive lower incomes and poorer conditions of work (Emberson-Bain 1994:9). While there are other factors that influence women's experiences in the division of labour, including ethnicity, culture, social class as well as the broader political and economic environment, it appears that gender is a crucial determinant of the inferior and disempowered status of women in the Fijian labour market (Emberson-Bain 1994:9). Improving employment conditions and labour rights for women will not address all factors that determine the social status of women in Fiji. However, this can be one means of highlighting the barriers and disadvantages that women face and can support the work that is happening in Fiji to achieve social change and eliminate forms of discrimination against women.

1.5 SETTING OF THE STUDY

Fiji was chosen as the setting of the study because my previous visits had identified the employment of domestic workers as an area where very little information existed. The research was conducted over a five week period in May/June 2003 in Suva, the capital of Fiji[9].Fiji was also chosen as the place of research because domestic workers are engaged by the expatriate community and are not immigrants who have been permitted to settle in the country specifically for the purpose of undertaking domestic work. This contrasts with previous research on domestic workers, which has concentrated on the

[9] The thesis has been delayed due to personal circumstances. The experiences of the participants involved remain valid and the research findings continue to be relevant because the working environment of domestic workers in Fiji has not changed significantly over the last two to three years.

abuse of immigrant workers or has looked at the employment of local domestic workers by local people[10].

The focus of the research is domestic workers employed by expatriate employers. Due to the sensitivity that exists in Fiji around race relations[11], I considered that it would be too dangerous for participants, and may have unintended negative consequences, if the study included employer-employee relationships between indigenous Fijians and Indo-Fijians[12]. In the context of Fiji's social and political climate, it would be 'safer' for participants if this type of study was undertaken in conjunction with a local women's or labour rights advocacy group. I felt that the requirements of a Masters thesis would not allow me the time or the scope to undertake comprehensive research in this area.

The population of this study, therefore, is expatriates living in Fiji who employ domestic workers in a private capacity for their household work and childcare, and domestic workers who are employed by expatriates to undertake these tasks. The research was undertaken in Suva because the majority of expatriates working in Fiji live in Suva due to the number of embassies, international businesses, universities, international and regional inter-governmental agencies and non-governmental organisations that are based there.

1.6 LIMITATIONS AND DELIMITATIONS OF THE STUDY

Mauch & Birch (1998:104-105) define a limitation as "a factor that may or will affect the study but is not under the control of the researcher. A delimitation differs principally in that it is controlled by the researcher". In terms of this study there are a number of limitations and delimitations that have influenced the study and its results. The more significant limitations and delimitations are described below.

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[10] For example see Romero (1988), Rollins (1990), Hondagneu-Sotelo (1994), Miles (1999), Anderson (2000), Bell (2001), Constable (2003), Dickey (2003) and Muttarak (2004).

[11] Race relations between Fijians and Indo-Fijians still hold of degree of tension, particularly in Viti Levu. This is evidenced by the political uprising in 2000, policies of the current government and personal conversations had with local people during my research trip to Fiji in May / June 2003.

[12] I have used the term "indigenous Fijian" to refer to the indigenous people of Fiji and "Indo-Fijian" to refer to the descendants of the indentured labourers and settlers who originated from India.

As the study could have been considered sensitive in the political and social climate of Fiji, only people who volunteered to be interviewed were included in the research. This limited the total population and meant that research participants were not selected randomly. Participants also had to feel comfortable with talking to a stranger about personal details of their employment. The topic restricted the population size as potential participants who were reluctant to speak about the issues and to have their experiences recorded in public research were not included in this study.

I used interviews to gather information and therefore the participants had to have a reasonable level of English to be able to participate. That is, they had to be able to understand the questions and provide answers that I could understand. As English is an official language in Fiji and is widely spoken, this delimitation should not have restricted the potential population pool, if at all[13].

The research was restricted to domestic workers that were employed by expatriates. The employment conditions of these workers were expected to be more comprehensive and better in terms of salary than the employment conditions of domestic workers employed by local people. This is because, in general, expatriates earn higher wages than Fiji Islanders do and the experience of expatriates with their own employment conditions (particularly in their home countries) means that they are likely to have higher expectations of appropriate employment conditions. Given that this research covers a restricted range of employment relationships it can not be extrapolated and used as a general guide on employment conditions of domestic workers in Fiji.

The ethnic and cultural differences between me as the researcher and most of the participants would have had an impact on the information gathered, the analysis and interpretation of the data, and the conclusions reached. This effect may have been exaggerated, given the colonial history of Fiji where westerners had political and colonial authority, because I am from a 'western' background (New Zealander) and the domestic workers were indigenous Fijians. This could raise questions about the legitimacy of the research and the information obtained in terms of the power relations

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[13] As the interviews were semi-structured, it was not possible to use a research assistant to conduct the interviews in another language.

that may have existed between the domestic worker participants and me (Carswell 2000: 34). It also raises the issue of researcher bias and misunderstanding in analysis of responses.

While my ethnicity and culture would have had an impact on the data collection and analysis, it is only one factor out of many that will have also impacted on the results, including age, gender, social class, etc (Carswell 2000:35). In addition, this research is designed to provide preliminary information on the employment conditions of domestic workers as a basis for further work and is not intended to be conclusive.

While the study was not specifically designed to gather information for any one ethnic or cultural population of domestic worker, all the domestic worker participants interviewed were of indigenous Fijian ethnicity. This may reflect the high proportion of domestic workers who are indigenous Fijians[14] or the limitation of using the "snowballing" technique to identify people who might agree to take part in the research, particularly as there does not appear to be much social interaction between indigenous Fijians and Indo-Fijians. As a consequence of interviewing solely indigenous Fijian workers, the research findings may have been limited.

The small sample of informants[15] could mean that the results were susceptible to selection bias (Mikkelsen 1995:105). Although the interviews were designed to explore the issues experienced in employment conditions, the overall size of the research may mean that the information gathered is not reflective of the range of experiences and opinions that exist. The purpose of an exploratory study is generally to obtain representative information from a number of different people on the same topic and so a limited sample may not provide a full range of experiences (Mikkelsen 1995:104).

1.7 RESEARCH APPROACH

A case study approach was chosen because it allows a small number of cases to be examined in detail in their own environment to develop as full an understanding of the

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[14] There are no official statistics available on the ethnicity of domestic workers, but first hand experience suggests that the large majority of domestic workers employed by expatriates are Fijian.

[15] A total of 13 interviews were completed with domestic workers and expatriate employers.

cases as possible (Punch 2005:144). This approach enabled an in-depth understanding of the subject to be developed where previously little information and knowledge existed. While the case study approach has been criticised because it does not allow the information gathered to be generalised from the sample to a wider population, a case study can provide a comprehensive picture of the subject area and identify areas where further research is necessary or desirable. In this way it provides a direction for further research (Punch 2005:148).

The key research questions were:

- What are the employment conditions of domestic workers?
- What are the similarities and differences in employment conditions between domestic workers?
- How do employers and domestic workers feel about the employment conditions of domestic workers?
- What characterises the relationship between employers and domestic workers?
- How do employers and domestic workers view their relationship with each other?
- What are some of the means of addressing any inequalities in employment conditions between domestic workers?
- Is domestic work a source of economic opportunity for workers?

The primary source of information was individual interviews, but secondary sources such as previous research, advocacy information and official statistics and reports on Fiji were also accessed. While previous research has looked at the rights or the lack of rights of domestic workers in Fiji, there is little information available about the terms and conditions under which domestic workers are employed and their, and their employer's, experience of the employment process. Given the lack of information, this research was designed to be exploratory in nature to gain information on the issues around the employment of domestic workers and to provide a basis for further research.

To find out how the employers and workers interpreted their employment reality, I interviewed seven women expatriate employers and six women working as domestic workers. The aim was to examine their employment experiences and to investigate what they thought might be useful to improve the labour rights of domestic workers. I also talked to people in Fiji working in the field of labour relations, women's rights and social advocacy to gain an understanding of the labour and gender context in which domestic workers are employed, and to discuss the ideas that people working in these fields may have about the position of domestic workers.

1.7.1 Ethical Issues

As the research involved human participants there were many ethical issues to consider in conducting the research, including access to and recruitment of participants, informed consent, anonymity and confidentiality, potential harm to participants and potential harm to the researcher. These issues were the subject of an application to Massey University for human ethics approval to undertake the research. The university granted approval for the research to be conducted.

Suva is a relatively small community and so the identification of potential participants was carefully considered. The research was not 'advertised' in public fora (such as the media) but rather local contacts and informal approaches to established organisations were used to identify potential participants. The interviews were held in a place identified by the participant as being the most convenient and comfortable for them. This included their place of work, a café or their own home. None of the interviews were recorded[16]. There was an intention not to include domestic workers and employers from the same employment relationship, however one domestic worker and their employer were included because both indicated that they were comfortable for this to occur.

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[16] For the first few interviews, I asked participants if I could tape-record the interview. As none agreed I decided that I would record information by hand for all participants and did not ask any other participants if I could tape-record the interview.

Participants were given information about the purpose of the research and an indication of the sorts of questions that would be asked[17]. They were asked if they consented to taking part in the research and informed that they could decline to answer any question without having to give a reason, and request that the information they provide not be included in the final research report. It was also made clear to participants that this research was an exploratory study designed to gather information rather than to provide a means of achieving any desired policy change. All participants consented to the content of their interview and the information that they provided being included in the final report[18].

Participants were informed that the thesis would protect their identity by not referring to their name or any personal characteristics that would allow them to be identified[19]. Participants were told that the data collected would be summarised, but that individual experiences might be cited to demonstrate particular points. Given that contacts were made through the snowballing technique, it was explained that other people involved in the research might be able to identify the participant, although all care would be taken to ensure confidentiality. It was stressed to participants that neither their employer (if they were a domestic worker) or their employee (if participant was an employer) would be told by the researcher that they had taken part in the research[20]. There was a risk that this research could impact on the relationships between the employers and employees by raising issues that participants might not have previously contemplated. However, as the research is primarily exploratory this risk was considered minimal.

Participants were asked if they wished to receive the research findings in summary form once the thesis had been completed. Participants were also informed that the final thesis may be available in Fiji through the University of the South Pacific and the Fiji Women's Rights Movement, and in New Zealand through the Massey University Library and the Development Resource Centre Library.

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[17] Participants were provided with an information sheet on the research prior to the interview taking place. These information sheets are included as Appendix 3 and Appendix 4.

[18] Participants were also provided with the name and contact details of my supervisor at Massey University, in case they had any further questions about the research.

[19] Pseudonyms have been used in place of participant's real name throughout this thesis.

[20] Some domestic workers asked their employers first if they could participate in this research, while others did not.

1.7.2 Interviews

I chose semi-structured, face-to-face, individual interviews to elicit the employment experiences of domestic workers and expatriate employers. I chose this interview technique because it allowed participants to speak in their own words, which is important when examining personal perspectives and experiences. Where possible, the best way to find out a person's experiences or views on a particular topic is to ask them. Interviews allow people to describe their own social reality without it being constructed for them by the researchers.

Interviews can be considered a "kind of conversation [...] with a purpose" (Robson 1993:228). This provides a good method to gather thoughts, feelings, opinions and explanations of participants, which they may not be able to provide through a more structured quantitative approach. Semi-structured interviews have been described as a "shopping list of topics" for which the interviewer wants responses, but there is freedom in the order that questions are asked, how they are asked, and the time and attention given to different topics (Robson 1993:237).

Due to the personal nature of the subject matter I considered that it was safer to conduct individual interviews with the participants. This meant that the information they provided would remain confidential[21] and minimised the risk that employers or employees of the participants would discover what had been said about the nature of their employment. Individual interviews still allowed the participant to discuss the issues, while also protecting their identity and safety. Although there may have been some advantages to holding group interviews, or focus groups, such as allowing participants to engage with each other on the issues, I believed that privacy and confidentiality concerns outweighed these advantages.

It was important for the type of information that I was gathering to conduct face-to-face interviews because they enabled me to develop a personal rapport with the participants.

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[21] Babbie (1986:443) defines confidentiality for research purposes as when "a researcher is able to identify a given person's responses but essentially promises not to do so publicly". This contrasts with the concept of anonymity "when a researcher cannot identify a given response with a given respondent. Therefore interview survey respondents can never be anonymous".

I was seeking to build trust and respect with participants given that I am from a different culture to most participants and was asking personal questions that within my own culture are not often revealed to others outside the family and close friends (for example, salary details). Face-to-face interviews have the advantage of allowing non-verbal communication to be observed, which can provide an insight into views and feelings of participants. Face-to-face interviews, particularly with domestic workers, enabled both the participant and me to ask for clarification of questions or answers when it became difficult to understand what the other person was saying.

Although a semi-structured interview does not permit the participant as much freedom as much as an unstructured interview, the participant can still focus on their experiences, opinions and interpretation of events. I adopted the semi-structured interview approach as this allowed me to ask participants the same type of questions, but also provided me with flexibility to explore issues raised by the participants further. In addition, the semi-structured interview approach established a structure for comparing the experiences of participants, while not inhibiting the freedom to discuss matters of greatest importance to each interviewee.

Qualitative research methods, such as interviewing, can be time-consuming and therefore the number of participants involved is usually less than would be expected in a quantitative study. Interviews, however, enable the researcher to gather more in-depth information from participants by using questions such as "why?" and "what do you think?" rather than "how many?". For this study, it was important to find out not only the terms and conditions of employment, but also details around the process of employment and participants' views of these conditions and processes. It was therefore important to allow participants to describe their employment conditions, and their experience and thoughts on the employment process in their own words as much as possible.

While there can be some doubt about the 'truth' of the information provided in interviews, particularly because the interviewer and interviewee construct their own world (see for example Silverman 1993:90), it is important to recognise that there is a form of 'truth' in a person's perception of a situation. In this way, participants in less structured interviews are able to describe their own experiences, which provide an insight into how they see and construct their world (Silverman 1993:91). Using this

approach means it is less likely that the interviewer has already determined what is important to the participant.

1.7.3 Data Collection

The primary data was collected over a five week period between 11 May and 14 June 2003 in Suva. This timeframe allowed me to establish contact with participants, arrange interview times and conduct the interviews. In total, I conducted 13 interviews with domestic workers and expatriate employers. The interview questions were trialled on the first two participants. However as only minor changes were made to the interview, these participants were included in the research.

Expatriate employers

Identification of expatriates who employed domestic workers and who were prepared to be interviewed for this research was achieved through using contacts in Fiji and by using the 'snowballing' technique. That is, people I had contacted would tell other people about the research and give them my contact details. It was then up to individuals who were interested to contact me. The people who had passed my name on would not necessarily know who had participated, thereby protecting the confidentiality of participants.

People in Fiji who my supervisor or I already knew were the initial sources for starting the snowballing technique. Neither the people that my supervisor or I already knew were interviewed as part of the research, but they were asked to tell their friends and colleagues about my research. If the friends and work colleagues were interested in participating, they contacted me.

The other source of participants was through the coordinator of an expatriate women's group in Fiji. An expatriate group advertises in the local coffee shops and the name and contact details of the coordinator was provided. I contacted the coordinator, explained what I was researching and asked if she could pass this information on to the group's members. She agreed to do so and, as a consequence, people from this group were interviewed.

I interviewed seven expatriate employers as part of this research. Most interviews took between one and two hours.

Domestic workers

As I did not personally know any domestic workers in Fiji who worked for expatriate employers, it was more difficult to identify people who met the research criteria and to approach them to take part. I contacted the Fiji Women's Rights Movement and playgroups for children where domestic workers were likely to be present. I also asked local people I knew (who were not expatriates or employers of domestic workers) if they knew domestic workers who might be interested in taking part[22]. The Fiji Women's Rights Movement approached domestic workers on my behalf and asked them if they were interested in being interviewed for the research. If they were, the Fiji Women's Rights Movement provided me with their names and addresses so that I could make contact with them directly.

There are a number of children's playgroups in Suva for children, organised through the local neighbourhoods where there is a predominance of expatriate households or through businesses. These playgroups are often advertised in the local area so it is easy to find out when and where they meet. Introduction to neighbourhood playgroups was also made through domestic worker contacts who attended the playgroups.

Local people that I knew also asked domestic workers they knew if they were interested in participating in the research. If they were, my name and address were supplied so that I could be contacted directly by potential participants.

Once this contact was made and potential participants identified, I relied on the 'snowballing' technique to identify other people who fitted the criteria and who might like to take part. Domestic workers contacted me directly or through people that they trusted.

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[22] Due to time constraints, I decided not to make contact through places where there was likely to be a high number of people (e.g. local churches or markets), as it would be difficult to quickly identify people who met the criteria (i.e. employees of expatriates).

I interviewed six domestic workers for this research. Most of the interviews took one to two hours.

Other Sources

I also talked with people in Fiji who are interested in paid domestic work or working in the fields of labour relations, women's rights and social advocacy. I wanted to find out what sort of employment and gender issues these people were dealing with and what views they held about the employment of domestic workers. I spoke with representatives of organisations including the Fiji Women's Rights Movement, Pacific Foundation for the Advancement for Women, Women's Crisis Centre, United Nations Development Fund for Women (UNIFEM), Ecumenical Centre for Research Education and Advocacy, Australian High Commission and the Fiji Trade Unions Congress.

Not all of these organisations had a position on the employment of domestic workers. Of those that did, I spent time talking with them about the position of domestic workers in Fiji, current employment laws and any ideas that they might have for change. These discussions were informal, unstructured interviews, as I had not prepared an interview schedule in advance. The primary purpose of these interviews was to understand more about the situation of domestic workers in Fiji and to discuss some options for strengthening their labour rights.

1.7.4 Data Analysis

Information provided by the research participants was coded into categories and sub-categories. These categories were then examined to find any relationship between them. This enabled the data to be grouped around major subject themes. These subject themes were developed after considering previous research on domestic workers and the responses received from my research participants. The key themes identified in the research centred on information about the demographics and background of domestic workers, the relationship between the domestic workers and their employers, working conditions and the expectations of employers. Specifically the key themes were:

- Outline of the participants;

- Working terms and conditions;
- Employment relationship; and
- Employment law and labour rights for domestic workers.

These themes addressed the key research questions. The subject theme of working conditions addresses the research question in relation to the employment conditions of domestic workers and similarities and differences in these conditions. The relationship theme attempts to answer the question about the relationship between employers and domestic workers and how they feel about the relationship. The perspectives of participants about employment law and labour rights as they relate to domestic workers contributes to the research question concerned with how employers and domestic workers feel about the employment conditions of domestic workers and what are some of the means of addressing any inequalities in conditions between domestic workers.

The classification of data is not a neutral process and the researcher has a purpose in mind that determines the direction of the research (Blaikie 2000:240). Therefore, as much as possible, the participants' verbatim responses have been reproduced in this thesis to allow the reader to 'hear' their answers directly. In qualitative research it is desirable to allow the participants to describe their own experiences, as it is their responses (in their own words) that give insight into their world (Silverman 1993:91).

1.8 ORGANISATION OF THE THESIS

The thesis is organised in eight chapters. Chapter two provides a general background on development and labour rights. It also looks at previous studies undertaken on domestic workers and concludes that it is the nature of the domestic work relationship, which is based on a private arrangement between the domestic worker and their employer, that determines the working conditions for the worker.

Chapter three provides the Fijian context and describes the research setting including an overview of the Fiji Islands environment in relation to the informal sector, status of women, women in the labour market, labour rights and employment legislation. The

chapter concludes with a general description of domestic workers and expatriate employers in Fiji.

The following four chapters reveal and discuss the research findings. Chapter four provides an overview of the research participants and investigates why they employed or became a domestic worker. The chapter examines the importance of the job title for domestic workers and how the women themselves chose to describe the domestic worker role. The participants also discuss the advantages and disadvantages of being a domestic worker or an expatriate employer.

Chapter five covers the terms and conditions under which expatriate employers employ their domestic workers. It also looks at whether respondents believe there is a better way of establishing working terms and conditions.

Chapter six follows on from the previous chapter by exploring further the relationship between domestic workers and expatriate employers. The participants discuss their relationship, their communication, the quality of work that is expected and is done, and job satisfaction. This chapter provides a picture of the relationship that has developed between expatriate employers and the domestic workers they employ.

Following discussion of the working conditions and the relationship between worker and employer, chapter seven examines the participant's perceptions of labour rights and domestic work. It reveals their lack of knowledge on employment rights and gives the participants an opportunity to contribute their own ideas of how the employment of domestic workers could be improved.

Chapter eight is the final chapter and sets out the research conclusion. This chapter addresses the key questions that the research posed including the working conditions of domestic workers, the relationship between workers and their employers, the options to address inequalities in employment conditions and whether paid domestic work provides an opportunity for the economic development of the workers.

Chapter eight also includes discussion about whether the informal sector, particularly for women, should be subject to stronger regulation. The conclusion reached is that the existence of the informal sector is important for the functioning of society and that this

sector, and the people working within it, must be protected. This means finding a way or ways for the informal sector to maintain its informality, which is its major strength, while providing domestic workers with some form of employment protection to lessen the vulnerability of their current working situation.

Chapter 2: A Rights Based Approach to Development – Women, Informal Sector, and Paid Domestic Work

2.1 INTRODUCTION

The concept of development is intrinsically linked to human rights and labour rights because these rights are fundamental to addressing basic human needs. Human rights and labour rights are now a recognised part of development theory.

The chapter shows how the establishment of labour rights is critical for women, as economic security is fundamental to reducing women's poverty and promoting equality. Many women in developing countries, including domestic workers, are employed in the informal sector. This sector is difficult to regulate and is characterised by the absence of labour protection. Despite the difficulties in regulating the informal sector, there is an argument for the establishment of labour rights for informal sector workers as this provides a legitimate foundation for these workers to agitate for better working conditions.

Previous research undertaken on employment of domestic workers is outlined in this chapter and there is consideration of labour protection for domestic workers in other countries. The chapter concludes by showing that it is the private, isolated nature of the employment arrangement between the worker and their employer that determines the working conditions for the domestic worker, regardless of whether legislative provisions provide labour protection for these workers.

2.2 DEVELOPMENT, HUMAN RIGHTS AND LABOUR RIGHTS

The interrelationship between human rights (in terms of welfare outcomes) and development was recognised in the late 1960s when it links were made between increasing economic development and the rise in absolute and relative poverty (Elliott 2002:46). As a response, development theory moved away from an economic progress model, which was failing to deliver to those in need, to a basic needs approach, which was people-oriented. Addressing basic human needs has becoming part of development theory since this time. The current focus of development theory includes equitable

access to resources, a decent standard of living, gender equality, human freedoms and human rights (Elliott 2002:47). This human rights approach recognises the linkages between freedoms and rights, and human development.

Human rights development therefore is concerned with social change and achieving that change without social cost. It emphasises empowerment; that is enabling people to take control of their lives in order to escape from poverty (Longwe 1994:292). This may take place at an individual, community, national or global level and needs to be analysed in relation to the political, social and economic environment and society in which it occurs (Thomas 2000:10). In considering a rights-based approach to development, Sweetman (1995:2) cautions that there must be recognition that notions of rights are embedded in culture and are therefore dynamic in nature. Depending on the identity of individuals and their communities, human rights can have different meanings as development aspirations of people within society may vary.

The Fiji Human Rights Commission defines human rights as "basic standards without which people cannot live in dignity as human beings" and identifies three main categories of rights: civil and political, economic and social, and environmental, cultural and development[23] (Fiji Human Rights Commission, 2005). These basic rights include labour rights: a right to work, the right to a reasonable standard of living and rights to political and economic development.

Labour rights, according to Condé (1999:79) are "a type of human rights that has as its purpose the protection of the right to work and to organise collectively for the common good. It would include the right to collective bargaining and to strike, equal pay for equal work, rest and leisure, and safe working conditions". This includes reasonable

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[23] Civil and political rights (also called 'first generation' rights) are 'liberty-orientated' and include the rights to life, liberty and security of the individual, freedom from torture and slavery, political participation, freedom of opinion, expression, thought, conscience and religion, freedom of association and assembly.
Economic and social rights (also called second generation rights) are 'security-orientated' rights, for example the rights to work, education, a reasonable standard of living, food, shelter and health care.
Environmental, cultural and developmental rights (also called third generation rights) include the rights to live in an environment that is clean and protected from destruction, and rights to cultural, political and economic development (Fiji Human Rights Commission 2005).

hours of work[24], fair wages, entitlements such as overtime, holiday pay, sick leave and parental leave, and a safe and healthy workplace (International Labour Organisation, 2005, New Zealand Council of Trade Unions, 2005). Levine (1997:413-414) has developed four categories of labour rights:

1. Basic rights: standards where global consensus seems to have been attained and which are thus amenable to international monitoring. This includes rights against the use of child labour, involuntary servitude and physical coercion.

2. Survival rights: guarantees of a living wage, accident compensation and a limited work week.

3. Security rights: protection against arbitrary dismissal, right to survivor's compensation and programmes of retirement compensation.

4. Civic rights: rights to freedom of association, collective representation and free expression of grievance.

While development is a process or set of processes, poverty has been defined as a condition (O'Connor 2002:37). Poverty is not simply about shortage of income but also deprivation in social areas such as health, education, political freedom and spiritual freedom (White 2002:33). Poverty is a concept that is generally used to describe the situation of individuals and households within a society rather than the state of the society itself. The United Nations Declaration on the Right to Development describes poverty as "a human rights violation ... freedom from poverty is an integral and inalienable right" (UN Declaration on the Right to Development 1996 cited in Elliot 2002:48). Facio (1995:6-7)[25] believes that poverty reduction is achieved through empowering people to take control over their lives. This includes providing practical resources (for example supporting infrastructure) to assist people. The concepts of

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[24] International Labour Organisation conventions on hours of work specify as general rule, normal working hours should not exceed eight in the day and 48 in the week. These limitations on normal working hours should be viewed as strict maximum limits that are not liable to variation or waiver at the free will of the parties (ILO 2005).

human rights and labour rights are closely linked with development as human rights provide a basis for empowerment for men and women.

One characteristic of the poor within the labour market is their lack of bargaining power, as they have few specialised skills, no working capital or established influential relationships. Within most societies, people living in poverty tend to have the little education and vocational training, and to have the lowest social status and fewest connections to help them obtain stable and remunerative income opportunities (Bromley and Gerry 1979:12). The lack of bargaining power and employment opportunity leaves people in this situation susceptible to exploitation, particularly from employers and officials (Bromley and Gerry 1979:13). Lack of access to information, facilities and opportunities ensures that these workers remain dependent on their employers and reduces their bargaining power further as few alternatives are open to them. These workers have little control over their situation and therefore little prospect of changing the system.

Poverty is not solely a women's issue, however oppression and exploitation of women means that frequently it becomes a women's issue. Women often are not fairly treated and tend to be deprived of basic needs through discriminatory policies and practices (Longwe 1994:294). The 2005 Human Development Report (UNDP 2005:6) identifies gender as one of the world's strongest markers for disadvantage, and concludes that reducing inequality in access to resources and distribution of resources as a public policy priority. Part of the solution is the reform of legal and institutional frameworks and governance systems (UNDP 2005:18). The United Nations Development Programme has identified structural forces as one of the most efficient routes for overcoming extreme poverty and enhancing the welfare of society. The absence of such structures has lead to the creation and continuation of extreme inequality (UNDP 2005:18).

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[25] While Facio points out that basis rights are not solely legal rights, as basic rights refer to all human needs (including water, food, housing, freedom from violence, sexual and reproductive freedom), legal rights are one approach to achieving empowerment.

2.3 DEVELOPMENT, WOMEN AND LABOUR

The debate, theories and understanding of women as individuals and within society are not just applicable to women in developing societies, but are also an area where there is continuing discussion and shifts in thinking in developed Western nations. The debate centres on the discrimination of women within a patriarchal system. Relationships between men and women, and between women need to be understood in the context of this discrimination.

There is no clear answer that will ensure all forms of discrimination of women are eliminated as, with all social change, this can only be achieved through using varying strategies at the international, national, regional and individual levels. While some of the strategies are common to all women, it would be incorrect to treat women as a homogenous entity, and nor all men and the relationships that exist between women and with men. Any social change requires a multifaceted approach and, if it is achieve the desired outcomes, must have the involvement and participation of those who it is intended to help.

Strategies to effect social change must take account of the context and environment in which the change is to occur. In analysing any situation in which the objective is to assist women the society in which they live and work must be examined. To achieve greater equality between women and men requires strategies that include changes in attitudes and relationships, changes in institutions and legal frameworks, changes in economic institutions, and changes in political decision-making structures (Office of the Special Adviser on Gender Issues and Advancement of Women 2002:9).

The United Nations Fourth World Conference on Women in Beijing in 1995 embraced the concept of gender mainstreaming, which emphasises the importance of a multifaceted approach to change for women[26]. The Conference identified that broad

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[26] The Economic and Social Committee agreed conclusions 1997/2 defines gender mainstreaming as: "...the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and

processes of change, particularly at policy and institutional level, were needed and that rather than "bringing women in" to current institutions and processes, there needed to be renewed consideration of structures and practices that perpetuate inequalities (Office of the Special Adviser on Gender Issues and Advancement of Women 2002:9). Gender equality, rather than the specific targeting of identified groups of women, was agreed as a development goal.

Chen, Vanek, Lund et al (2005:2) believe that women's economic security is fundamental to reducing poverty and promoting equality. Gender inequality in employment is characterised by women being employed in low-income and insecure work. This increases the risk of them living in poverty and offers little chance for improvement. Women tend to be paid at a lower wage than men and work fewer hours than men, in part due to their responsibility for unpaid household labour, including childcare (Chen, Vanek, Lund et al 2005:3). This means that women can often only afford to take on home-based or own-account employment.

The relationship between women's employment and poverty centres on the differences in earnings between men and women, how men and women earn and how long it takes them to earn (Chen, Vanek, Lund et al 2005:3). The consequences of women's inferior position in all of these aspects go beyond the issue of income. Chen, Vanek, Lund et al (2005:4) identify a range of social, political and economic consequences for women of being in low-paid and insecure employment. This includes fewer rights and benefits of employment, greater exclusion from state, market and political institutions that determine regulations, conventions, policies and systems, reduced access to financial, physical and other productive assets and reduced access to basic infrastructure and social services.

2.4 LABOUR RIGHTS FRAMEWORK

To facilitate social change it is important to recognise the role of the state and in particular, the role of the state in relation to governance. While 'good' governance has

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programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality."

been described as a valid and desirable development objective in itself, it is also an imperative in achieving development goals of more equitable economic and social justice, including political, civil, cultural, social and economic rights (O'Connell 1996:104).

The concept of governance can be criticised for prescribing a western framework for developing countries, another form of colonialism or western globalisation, and another criteria by which to withhold aid. However it is still a useful concept when considering the role of the state in relation to the human rights of its citizens and residents. Governance is based on the principles of human rights and democracy (O'Connell 1996:105). Democracy means not only the participation of a state's citizens and residents in determining who shall govern them, but also the existence of institutions that sit outside government and which act as regulatory and monitoring authority on government policy and control[27]. The elements of governance include legitimacy, transparency, accountability and respect for human rights (O'Connell 1996:107). Governments are therefore not the only influence on the rights framework within society, there is also an important role of non-government agencies. The relationship between the state and these agencies is essential for facilitating good outcomes for the state's citizens.

The role of states in providing a labour rights framework for its citizens was recognised by the United Nations Fourth World Conference on Women in Beijing in 1995. This conference identified three strategic objectives in relation to achieving human rights for women. One objective targeted equality and non-discrimination under the law and in practice, and identified a number of actions to be taken by governments to achieve this objective. These actions included providing constitutional guarantees and appropriate legislation to prohibit discrimination on the basis of sex.

Recognition also needs to be given to non-state agencies that have influence on the state and its citizens. In particular, international conventions and global frameworks/structures that aim to protect the interests of all people, regardless of their

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[27] For example, trade unions, the media, lobby groups, women's organisations, community groups, professional organisations, business associations etc.

place of residence, culture, ethnicity, gender, age or disability. Labour rights are the subject of numerous international conventions and definitions, and there are many non-government agencies and global frameworks in place to address labour rights. The importance of these conventions is that states that become signatories to the conventions must put in place strategies to implement the convention's objectives.

Use of legal mechanisms to advance the causes of, particularly poor, women has been described as a "fairly conservative approach" (George 2004:14). George (2004:14) believes that the use of the law as a 'political tool' to enhance women's participation has recently become more popular and that "strategies built upon the conviction that substantive links can be made between human rights ideals, legal frameworks and poverty alleviation sit very comfortably with the current international focus on human rights based approaches in development policy-making". This, George states, has caused non-government organisations working with women to overlook the fact that poverty levels may function as an obstacle which denies the poor access to the laws designed to improve their economic status[28].

However, to achieve poverty reduction through empowering people, it is imperative that human and labour rights frameworks are established. These frameworks must include legal protection, as this provides a legitimate basis for changing cultural beliefs and traditionally held views in society, particularly for historically disadvantaged groups. One of the criteria that Longwe (1994:293) believes is crucial to development is the reform of law, so that all forms of discrimination based on sex are removed. The issue then becomes how women can access and use these legal foundations in practical terms.

It would be simplistic to treat labour rights as the responsibility solely of the state and non-state agencies. There is also a role for employers with regard to conforming with and upholding labour rights for their workers. Employers, in theory, must operate within the state's laws and adhere to the conventions to which the state has become a signatory. However, the absence of immediate and effective sanctions or incentives can mean that employers operate outside these laws.

There is an inherent power imbalance in the relationship between employers and workers, particularly evident in businesses on which governments rely for global and domestic trade, and therefore income. The establishment of a labour rights framework therefore is not sufficient on its own to ensure that workers are fairly treated. This can only occur when states and employers take responsibility for workers and the workers are empowered to take action where these responsibilities are not being met. Women in developing countries and who work in the informal sector are therefore particularly vulnerable to exploitation, as there are few incentives for the state and employers to regulate or enforce safe employment conditions because of the labour surplus that tends to be characteristic of this sector.

2.5 INFORMAL SECTOR

The informal sector was classified in the 1970s as work that happened outside of the formal sector[29] (Chant 2002:207). Chant (2002:208) lists the common characteristics of the informal sector as ease of entry for workers, labour-intensive work, family/individual business ownership and small-scale operations. Workers have informally acquired skills (in home or craft apprenticeship) and labour legislation and social security only cover a minority of workers. The sector is also characterised by the absence of regulation[30]. Perceptions of the informal sector have been changing since the 1970s and it is now recognised a major provider of employment. The sector provides a significant contribution towards a developing country's gross domestic product, expands with modern industrial growth, is linked to the formal economy through the flow of labour, trade and services, and is a permanent economic sector (Chen, Vanek and Carr 2004).

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[28] For example, the right to form trade unions to undertake collective bargaining requires time resource for people who do not have the time to establish a union, recruit members, devise strategies and negotiate working conditions. This is particularly true for people living in poverty where the priority is day-to-day survival.

[29] Formal sector employment has tended to be in factories, public services and large-scale commerce.

[30] Tokman (cited in Chant 2002:208-209) describes these areas of regulation (and the legality that comes with regulation) as follows: business activity (regulation activities such as registration and health and safety inspections), payment of taxes and compliance with official guidelines (working hours, social security contributions and fringe benefits).

The informal sector is characterised by diversity and has been described as "highly segmented by location of work, sector of the economy and employment status, and by social group and gender" (Chen, Vanek and Carr 2004). Therefore Chen, Vanek and Carr had loosely categorised it into two employment segments; the self-employed who work in small unregistered activities, and wage workers who work in insecure and unprotected jobs[31]. The informal sector tends to be easier for workers to gain entry as it consists of low-skilled and low-paid jobs, more casual jobs and has less bureaucratic and administrative requirements[32]. The largest occupational categories include casual day labourers in agriculture and construction, small farmers, forest gatherers, street vendors, domestic workers, workers in export processing zone factories or small unregistered workshops, and industrial outworkers who work from their homes (also called homeworkers). Wage workers in this sector can be found in what Turnham (1993:14) defines as "survival employment".

A United Nations report has calculated that informal employment accounts for 50 to 80 per cent of total non-agricultural employment in developing countries and that this percentage is increasing (Chen, Vanek, Lund et al 2005:2). The report notes an increasing trend is that many jobs are not covered by legal or social protection due to the de-regulation of labour markets and relaxing of labour standards. Consequently, more workers do not receive employment-based social or legal protection. The number of survival workers in the informal sector presents particular difficulties for development. These workers live in poverty or very close to the poverty line, and where the worker is employed privately, it is difficult to regulate or enforce reasonable working conditions. Implementing policies designed to protect workers may have the unintended consequence of imposing high compliance costs on the employer, resulting in the loss of employment for workers.

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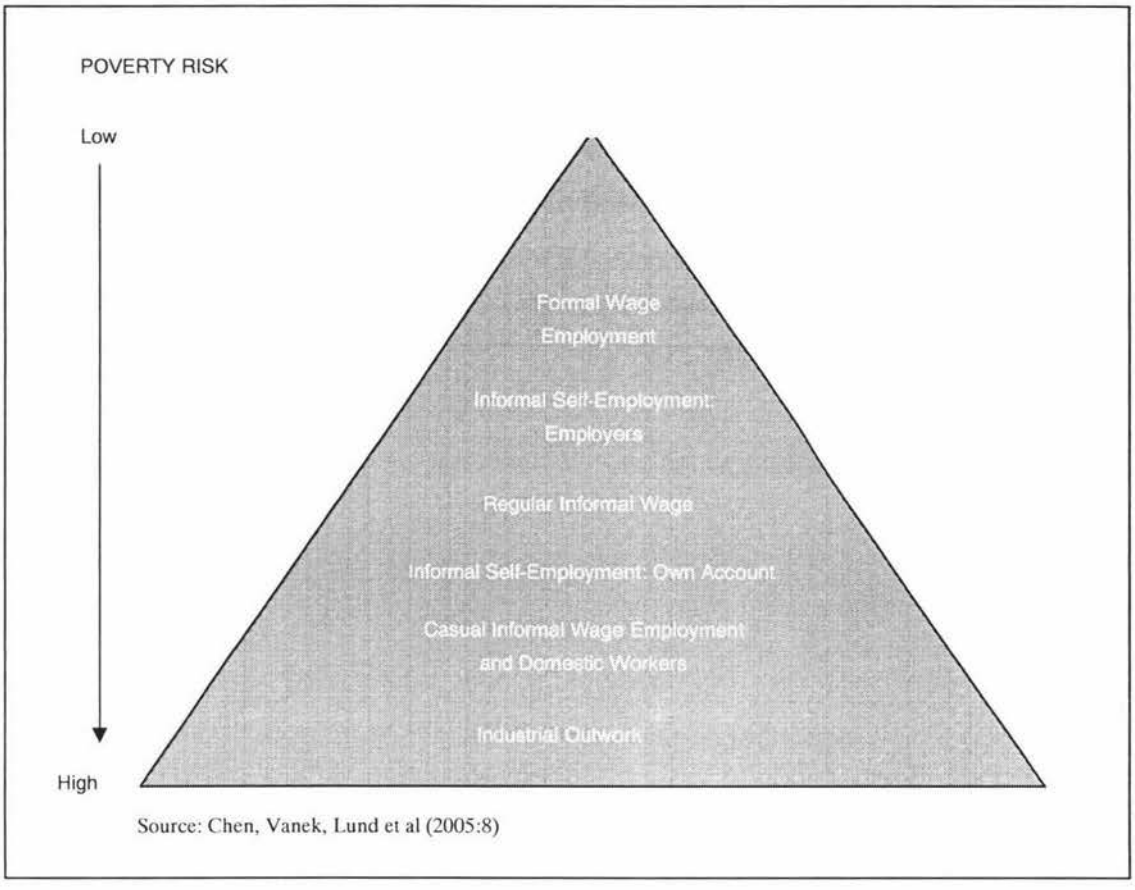
[31] There has been much debate over the concept and definitions of the informal sector since it was officially recognised in 1972, however for the purpose of this thesis it is sufficient to note the general characteristics in order to provide a context in which to place paid domestic work.

[32] It would be wrong to treat the informal sector as a homogeneous entity as it covers a diverse range of jobs and industry, however there are some general characteristics that apply when describing the sector.

Figure 1: Poverty Risk of Households by Primary Source of Income



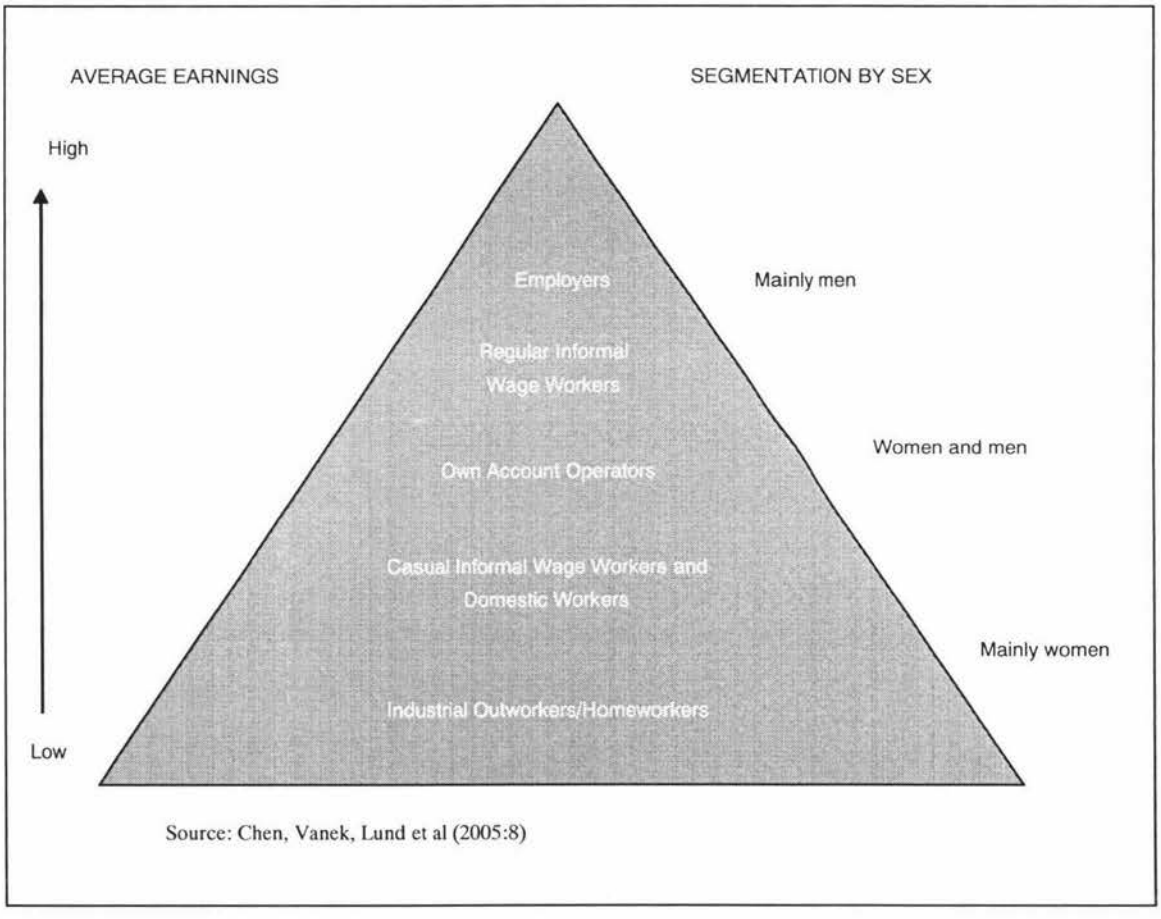
Source: Chen, Vanek, Lund et al (2005:8)

Historically, the state has not intervened in the informal sector. The significant growth of the sector and growing recognition that it makes an important contribution to a developing country's economy has resulted in pressure being placed on governments to be more actively involved and to protect workers. The role of the state in the informal sector continues to be a topic of debate. On one side is the International Labour Organisation which promotes state intervention in the areas of credit, technical support and infrastructure, while on the other side the World Bank advocates sector deregulation, based on a belief that state intervention distorts the market and provides obstacles to the sector's development (Reddy, Naidu and Mohanty 2002:129).

The informal sector is where women in developing countries are usually able to find work more easily. Competition for jobs in the formal sector is now greater than ever because of the increasing number of educated young people wanting to join the labour market, the increasing participation of women in the workforce, growing urbanisation

and the movement away from traditional subsistence agricultural activities, and lower rates of older workers leaving the formal sector (Turnham 1993:14 and Chant 2002:213). Domestic workers form part of the informal sector and have one of the lowest average earnings. Where the workers are the primary source of household income, they have a high likelihood of living in poverty (Chen, Vanek, Lund et al 2005:8). Women are over-represented as domestic work employees, which increases the probability that they live in poverty.

Figure 2: Segmentation of Informal Employment by Average Earnings and Sex



Source: Chen, Vanek, Lund et al (2005:8)

2.6 HOUSEWORK AND DOMESTIC SERVICE

Housework has long been a topic of debate within feminism (see, for example, Friedan 1971, Dalla Costa and James 1972 [cited in Ehrenreich 2003], Oakley 1974), particularly what it means for the gender relationship between men and women. The

focus of much of this debate has been the unpaid work that (mostly) women undertake in the household, which for a long time was 'invisible'.

One interpretation of unpaid housework is that women have been exploited by men (Abercrombie, Hill & Turner 1988:75). Housework was not viewed as 'work' and was considered to be within the 'natural' domain of women. The gender division of housework was seen as a form of control by men over women, and therefore another example of male dominance in society. The housework division reinforced the division of labour in employment in general, as women tended to have routine and badly paid jobs in all areas of employment (Abercrombie, Hill & Turner 1988:75). Housework was perceived in terms of power relationships and, as the feminist movement sought to establish women on equal footing as men, the demand was made for men to share in the housework so that women could fully participate in the paid labour market. One of the earliest feminist campaigns in the 1970s around housework therefore was the demand of wages for housework (Ehrenreich 2003:16).

Housework, where it is paid and becomes another person's labour, continues to be viewed in terms of a power relationship. In this scenario, the relationship between the employer and employee is under scrutiny. According to the International Labour Organisation (2002) paid domestic work has the following defining characteristics:

1. It takes place within a private home.
2. The work performed is of a domestic nature (housekeeping, housecleaning, cooking, childcare and personal care).
3. The work is carried out on behalf of the direct employer and under their authority, direction and supervision.
4. There is an absence of pecuniary gain by the employer in return for the work performed (employer's household is the final recipient of the work).
5. The work is performed in return for remuneration, either in cash and/or in kind (lodging and board).

Muttarak (2004: 503) maintains that paid domestic work is unique because, unlike most other types of labour, it takes place in the employer's home. The home, "while it is the

private sphere for the employer, represents the public sphere for the domestic worker" (Muttarak 2004:503). Paying for domestic work facilitates a "uniquely exploitative relationship" between employer and worker because of its location (Meagher 2002:55). The personal relationship between employer and employee leaves workers open to both economic and personal abuse. Employers are able to increase workloads without increasing pay and personal treatment of the workers is dependent on the integrity of the employer. There are also increasingly blurred lines between what is considered work and non-work, making boundaries difficult to establish. The popular view of paid domestic work is of middle and upper-class women employing working-class women, frequently from disadvantaged racial or ethnic groups, in isolated, privatised and inappropriately personalised employment relationships (Meagher 1997:2).

Domestic work is usually considered low-status and unskilled work (see Romero 1988:320, Meagher 1997:2, Bell 2001:26). Historically, it was considered an unattractive occupation for workers as it offers no opportunities for social mobility and is highly personalised in both tasks and employer-employee relationships (Katzman cited in Romero 1988:319). Where housework becomes a job in return for a wage, 'locals' are increasingly unwilling to undertake this work (Bell 2001:26). Coser (cited in Romero 1988:319) referred to domestic work in the United States of America as "an occupation so stigmatised that it can hardly attract potential recruits among ordinary citizens and must increasingly turn to a pool of otherwise 'undesirable' foreigners".

Meagher (1997:7) identifies three themes that have emerged amongst feminist writers on waged domestic labour. First, domestic work is different from other jobs in terms of its rules and values because of the private nature of the employment relationships. This means it is difficult for employees to negotiate and enforce agreements about tasks and working conditions. Second, domestic work is characterised by systems of gender, class and race discrimination that exist in society generally because of the deference and subordination of workers to their employers. Third, domestic workers find ways to maintain their self-respect and improve their working conditions, thereby actively resisting exploitation.

In developed countries, the expansion of the domestic services sector (including nursing and education) has accounted for the steadily increasing absorption of women into the labour force in recent years (Joekes 1995:45). Research on domestic workers in

Australia found that cleaners earned A$10 to A$20 per hour, with most earning A$11-A$15, typically untaxed (Meagher 1997:6). Very few of the workers received sick or holiday pay[33]. Domestic work is also an important source of employment in developing countries and increasingly, an important source of employment in the services sector. For example, in Latin America almost all female employment in the services sector is in low-paid domestic service (Joekes 1995:45).

2.7 DOMESTIC WORKERS

Much of the previous research on domestic workers has concentrated on migrant domestic workers (from developing countries) employed in more developed countries (for example, Filipina domestic workers in Hong Kong, Singapore and Canada, and immigrant women from Mexico, Central America, and Latin America working in the USA). This requires (usually) women from poorer countries going to work in another country as a domestic worker. These studies have focused on the vulnerable position of these workers, including subjection to sexual and physical abuse from employers, reliance on the employer for the work visa, which places the employer in a powerful position, and the emotional cost of being separated from their families.

Some studies have concentrated on the employment of poor women by middle-class and upper-class women of the same ethnicity (for example, Cooke 1990, Mack 1990, Adams 2003, Dickey 2003). This research examined the class differences between the (usually) women employers and the (usually) women workers, and concluded that employing a domestic worker was one means for the employer to attain middle-class and upper-class socio-economic status.

One study focused on Tanzanians domestic workers, who were engaged by Europeans, Asians and Africans (Bujra cited in Richey 2002:506). Most Tanzanian domestic workers, until recently, were males. This, Bujra argued meant that domestic work was considered 'real work' and specific skills were required to undertake this work. With the increased rate of female migration from rural areas and the decreasing ability of employers to pay high wages, domestic work in Tanzania became increasingly

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[33] Most of the domestic workers interviewed for this research had more than one job as a domestic worker (and

feminised. The job has since become dominated by lower-paid female migrants and no longer carries an ethic of professionalism (Bujra cited in Richey 2002:506).

Hansen, from her research, concluded that household work is also becoming increasingly degraded in postcolonial Zambia. Substandard wages is one issue, however most workers have complained about the treatment they receive from their employers "as a piece of inventory to be ordered around and considered available at their [employers] personal whims" (Hansen 1990:134). Hansen found that women domestic workers have the highest turnover rates in their jobs and earn the lowest wages. This is because employers consider women workers have high absenteeism rates (due to the worker's own childcare needs) and assume that a woman's personal circumstances will force her to leave the job sooner than a man would (because she is either looking for or separating from a husband).

Research undertaken in the United States on immigrant Mexican domestic workers concluded that the average worker is paid "woefully low wages" (Hondagneu-Sotelo cited in Tronto 2002:34). Live-in domestic workers earn less than the minimum wage and work an average of sixty-four hours each week. Domestic workers who did not live on the premises averaged US$5.90 an hour for approximately forty to forty-five hours each week (Hondagneu-Sotelo cited in Tronto 2002:38). Low wages, however, were not the most critical issue for the workers, who said that the aspect of their work they found most difficult was the lack of respect and dignity they received from their employers.

2.8 EMPLOYERS

Most studies on domestic service have focused on domestic workers (for example Dill 1988, Romero 1992, Hondagneu-Sotelo 1994), but several studies have also considered the relationship between the employers and workers (Hansen 1990, Gill 1994, Dickey 2000, Kidder 2003). Only a few studies have provided any information about expatriates living in a developing country who employ domestic workers.

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therefore had more than one employer).

Kidder (2003) undertook one such study. She examined how expatriates in India learned to live in India with and without Indian domestic workers. She argues that the relationship between expatriate employers and domestic workers "does not lie simply on an axis of domination and subjection" as the hierarchy between employer and worker is not linear (2003:208). Kidder found that expatriate employers rely on their workers for private assistance, for daily living in particular[34], and are therefore dependent on the worker, despite being in the dominant position as the employer. This simultaneous dominance and dependence status questions the relationship of control, as expatriates are "ill-equipped and inept in varying degrees of managing the practical necessities of living in India", although their "outsider status and postcolonial privilege" means that they still assume the status of the colonial "masters" who preceded them (Kidder 2003:209-210). In this type of relationship, the control shifts from employer to worker and back again depending on the context. This makes the relationship uniquely different to the relationship between employer and migrant worker, and employers and workers of the same ethnicity[35], as these relationships exhibit a linear hierarchy.

Kidder's research showed that workers employed by expatriates specialise in working for expatriates. When their employer's contract ends, the worker is "at a loss" until another expatriate family arrives and requires a worker (2003:212). Despite their experience gained working with expatriate employers, communication issues between workers and the employers were still common, and this lead to frustration on both sides. In India, expatriates' experiences of their relationship with their domestic workers were crucial to their enjoyment of their contract. Kidder concluded that "expatriates' success in maintaining good relations and retaining servants can be the difference between being happy or miserable in India" (2003:214).

Hansen in her research on domestic service in Zambia (1990) gathered data on expatriate employers of Zambian domestic workers. She found that, compared to the colonial era, expatriates living in post-colonial Zambia (including Australian and New Zealand expatriates) have had no previous experience of employing household help and

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[34] For example, expatriates lack knowledge on social customs and practical details (where to shop, where to pay bills, how to get tradespeople, rubbish disposal etc).

[35] The domestic worker will almost always be from a lower socio-economic class than the employer.

that few have lived in racially-structured, post-colonial settings. Expatriates who are accepting contracts in post-colonial Zambia tended to be further into the family development cycle and therefore do not require childcare services.

Armstrong's 1980 study on Malaysian domestic workers also provides some information on expatriate employers (1990:149). She discovered that expatriates in Malaysia had little experience of engaging domestic workers and consequently had difficulty in establishing a working relationship with their Malay employees. Expatriates were an important source of employment for domestic workers. Many workers preferred to work for European employers because they usually required shorter hours, allowed more time off and provided more flexible employment arrangements. The Malay employees also thought that expatriates had more egalitarian attitudes than prevailed among Malay employers. Laguerre's study on domestic workers in Martinique also found that the workers preferred employers who had a European upbringing because of their "liberal and democratic ideas" and because "they are less prejudiced towards their employees"[36] (1990:168).

Most of the expatriates I interviewed in Fiji expressed a 'moral obligation' to employ local workers. In employing a worker they believed they were directly contributing to improving the worker's standard of living. They also felt obliged to employ a domestic worker who worked for the previous tenants of their home. During my previous visits to Fiji, some expatriates said that they did not feel a need to employ a domestic worker, although they were questioned frequently about this decision. Most expatriates who did employ domestic workers expressed frustration at the employment relationship and were not clear about their responsibility with regard to the worker.

2.9 LABOUR RIGHTS AND DOMESTIC WORK

Countries in which most domestic workers are migrants have more protection in place for workers than countries where most domestic workers are local people. The two countries involved in the migrant labour exchange often have agreements about the work and protection for these workers. The working conditions for domestic workers in

Hong Kong and Singapore, two of the largest employers of migrant Filipina domestic workers, is strictly controlled by the state (Bell 2001:27). Both countries have established minimum conditions for the domestic workers, including a minimum wage and statutory holidays. Workers in Hong Kong also receive maternity leave (Bell 2001:27).

Despite this protection, the difficulties in monitoring the work can mean that these regulations are not consistently applied. Constable's research (2003) on Filipina domestic workers in Hong Kong identified many workers who were not paid the minimum wage. She also found that employers created rules and regulations that they present as 'law', even though the only legally recognised contract is the government's official employment contract (for a domestic worker recruited outside Hong Kong). The domestic workers had little knowledge of their rights, or if they did, were too frightened to challenge the employer because they risked losing their jobs and returning to their impoverished living conditions in the Philippines.

Having legislation in place has not guaranteed labour security for migrant workers. Following the 1998 economic recession the Hong Kong government reduced the minimum wage for domestic workers by five percent. Hong Kong's economic recovery has not resulted in the minimum wage being increased to the pre-crisis level (Bell 2001:28). Canada, another major employer of Filipina domestic workers, excludes migrant workers from certain entitlements under their employment law (Cohen 2000:82). While many low-paid workers also suffer the consequences of inadequate labour protection, the opportunity for domestic workers to act collectively is made difficult because they are employed by separate employers and work in separate workplaces. Even if domestic workers were able to easily engage in collective action, they may be unlikely to do so if they believed that the people they care for could be harmed by their absence[37].

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[36] For example, the household worker was invited to eat with the family and the worker may be allowed to address the employer by first name.

[37] This is particularly true for workers who care for children or the elderly.

Meagher believes that it is only when domestic work becomes formalised and modernised[38] that workers gain control over their work and are therefore protected from an inherently exploitative relationship with their employer (2000:57). She writes that research on the private employment relationship "demonstrates that its combination of unequal economic power, social distance, interpersonal intimacy and domestic isolation may place paid house workers at increased risk of both economic exploitation and disrespectful treatment" (2000:55). Formalising paid housework, Meagher argues, means that is it more likely to be subject to labour regulation. This enhances opportunities for the workers to seek improved wages and conditions through bargaining collectively.

Colen and Sanjek (1990:179), however, conclude that because domestic service is based on the private relationship between the employer and their worker "the physical presence and attitude of the employer is [...] central to the calculus of "good" or "bad" working conditions". Hondagneu-Sotelo (1994:53) concludes that because domestic work occurs in an isolated environment, workers are left to negotiate working conditions without guidance provided by government, unions, employment agencies or private firms. This means that any agreement, either formal or informal, is established "between two lone individuals who are operating without standard guidelines [and this] heightens the asymmetry of the employer-employee relationship".

2.10 SUMMARY

In the labour market women often have little bargaining power and fewer employment opportunities, which makes them susceptible to exploitation, particularly from employers. The lack of access to information, facilities and opportunities, and the lack of government intervention ensures that women remain dependent on their employers. Human rights and labour rights frameworks are necessary for development because these rights provide the basis for access to resources, a decent standard of living, gender

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[38] By "modernized" and "formalized" Meagher (2000:56) cites domestic service arrangements that now involve third party oversight or mediation, defining the work by the job rather than the hour (i.e. cost per house rather than a cost per hour), the increasing trend of domestic workers being employed by a number of households rather than just one household, which reduces the risk of personal mistreatment and introducing a contract for service between the employer and employee.

equality and social and economic well-being for all society. While the establishment of human and labour rights protection can benefit women directly, who are often subjected to political, social and economic discrimination, the existence of these rights do not guarantee that development outcomes will be achieved. Policies, strategies and action are all required to translate principles into practice.

Economic security is fundamental to reducing women's poverty and promoting equality. However, many women in developing countries do not experience economic security because they are employed in the informal sector, typically in low wage and insecure jobs. The absence of employment laws and the difficulty in enforcing labour protection means that women remain vulnerable to exploitation by their employers. Previous studies have concluded that domestic workers remain particularly vulnerable to exploitation because of the private nature of the employee/employer relationship. The private relationship and the surplus of informal sector labour means that employers occupy the position of power. Working conditions therefore are less likely to be negotiated between the worker and employer, and more likely to be stipulated by the employer. Despite the difficulties in establishing informal sector regulation, there is still an argument for labour protection of these workers as this provides a legitimate foundation from which workers can agitate for better working conditions. The challenge then becomes how to effectively implement and maintain this protection without affecting the informality of the sector.

Previous studies have shown that expatriate employers have been looked on favourably by domestic workers in developing countries because they believe that these employers are often more liberal in their views and provide better working conditions. These studies also show that most expatriate employers had little experience of being in racially structured colonial settings or of employing a domestic worker, and this had created difficulties in establishing their domestic worker's employment conditions. Against this background the rest of this thesis looks at the situation of domestic workers and expatriate employers in Fiji, and provides some insight into the domestic workers' employment conditions, job satisfaction and the employment process.

Chapter 3: Setting the Scene – the Fiji Environment

3.1 INTRODUCTION

To understand the research results it is necessary to set the context of the research. This chapter describes the research setting including an overview of the social, political and economic environment and an outline of the informal sector, the status of women, particularly in the labour market, and the situation with regard to Fiji's labour rights and employment legislation. The chapter concludes with a general description of domestic workers and expatriates in Fiji, and provides a depiction of Suva, the city in which the research was conducted.

3.2 REPUBLIC OF FIJI ISLANDS OVERVIEW

Fiji is officially known as the Republic of the Fiji Islands[39]. The provisional population at December 2004 was 840,201, comprising indigenous Fijians (54 percent), Indo-Fijians (38 percent)[40], and others (eight percent, including European, Chinese and other Pacific Islanders). In 1996, women comprised 49 percent of the population[41]. In 2000, the number of people in the labour force was estimated at 341,700 (68 percent male and 32 percent female), while the unemployment rate was estimated at 12.1 percent of the economically active population (Fiji Islands Bureau of Statistics 2005)[42].

The people of Fiji are referred to as Fiji Islanders. The indigenous population is known as Fijians. Indo-Fijians, the other major ethnic group, are mostly descended from indentured labourers brought to Fiji from India between 1879 and 1916 to work on the

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[39] For ease, throughout this thesis the Republic of the Fiji Islands is referred to simply as 'Fiji'.

[40] The percentage of Indo-Fijians decreased significantly since the 2000 attempted take-over of Parliament by George Speight. In 1996 Indo-Fijians comprised 44 percent of the population. Indo-Fijians are descendants of indentured labourers who were brought into the country from 1879 to work on the sugar cane and coconut plantations (United Nations 1997:4)

[41] The last census was conducted in 1996 with results published in 1998. The census is conducted every 10 years. Some key provisional information has been collated and published since 1998, however most data on Fiji is sourced from the 1996 census.

[42] No statistics were available on unemployment by sex. However, this would not provide an accurate reflection of the position of women as much of the work undertaken by women is invisible and is not classified as work.

sugar and coconut plantations (Wikipedia, 2005). Fiji is becoming increasingly urbanised, with the urban population growing at 2.6 per cent per year between 1986 and 1996 and the rural population shrinking by half a percent a year over the same period (Ministry of Information, Communication and Media Relations 2004). In 1996, 46 percent of people lived in urban areas and 54 percent were located in rural areas.

Fiji became a colony of Great Britain in 1874 and gained independence in 1970. Fiji's government was first established in June 1871. At independence Fiji adopted a bicameral Westminster Model parliamentary system, with a lower House of Representatives and an upper house, the Senate (High Commission of the Republic of the Fiji Islands, 2005)[43]. The President is the Head of State, while the Prime Minister and Cabinet are responsible for the day-to-day administration. Since independence, representation in Parliament and membership of the main political parties has been based principally along ethnic lines[44]. While it would be incorrect to view the indigenous Fijian or Indo-Fijian communities as single entities with all members displaying the same political behaviour, the political crises of 1987 and 2000 have brought race relations back to the forefront of Fijian society, and this has helped mask other divisions that exist.

Fiji is one of the wealthiest small Pacific Island states with a per capita Gross Domestic Product (GDP) of $4,168 in 2002 and an annual GDP growth rate of 7.6 percent. The national economy remains reliant on tourism, the sugar industry and the manufacturing sector (particularly the garment industry) for foreign exchange earnings (Ministry of Information, Communication and Media Relations 2004:27). Fiji has slowly been changing from a traditional agricultural-based economy (which now represents 18

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[43] The 1997 Constitution specifies the composition of the House of Representatives and the Senate. The House of Representatives consists of 71 members elected to represent single member constituencies and the Senate comprises 32 members, appointed by the President on the advice of various groups and individuals, including the Prime Minister, Leader of the Opposition and the Great Council of Chiefs. See www.parliament.gov.fj.

[44] Of the 71 seats in the House of Representatives: 25 are elected by universal suffrage and 46 are reserved for Fiji's ethnic communities and are elected from communal electoral rolls: 23 indigenous Fijians, 19 Indo-Fijians, 1 Rotuman, and 3 "General electors" (Europeans, Chinese, and other minorities). The Senate consists of 32 Senators, all appointed by the President on the nominations of the Great Council of Chiefs (14), the Prime Minister (9), the Leader of the Opposition (8) and the Council of Rotuma (1) (from http://en.wikipedia.org/wiki/Politics_of_Fiji)

percent of GDP) to a more commercial economy. The wholesale and retail trade, restaurants and hotel sector now accounts for 19 percent of GDP.

Despite the relative wealth of Fiji, a poverty report published by the Government of Fiji and the United Nations Development Programme in 1997 revealed that the income for about every fourth household in Fiji is below the poverty line. A further 25 percent was estimated to be living very close to poverty that any personal or national crisis would place these households in poverty (Government of Fiji and UNDP 1997:2)[45]. The percentage of people living in poverty is estimated to have increased since the 2000 political crisis and subsequent economic instability (Ministry of Information, Communication and Media Relations 2004:59). The 2004 Human Development Report ranked Fiji as 81st out of the 177 countries listed, compared to 47th out of 174 countries in 1996 (UNDP 2004). The human development index value has increased slightly during this period, from 0.744 to 0.758[46]. A recent paper on poverty levels has predicted that the percentage of people living in poverty will rise again from 2007/08, particularly for those workers in the manufacturing and services sector (Fiji Times, 10 December 2005:22). The worst case scenario is estimated to be an additional 25,000 urban workers becoming unemployed from this date[47].

3.3 INFORMAL SECTOR

One analyst has estimated that the informal sector in Fiji comprises approximately 50 percent of the total labour force (Waqavonovono, 2005), but another study has put the estimate at 37 percent (Chand cited in Reddy, Naidu and Mohanty 2002:135)[48]. While there is some uncertainty as to the precise figure, the informal sector in Fiji comprises a significant component of Fiji's economy. According to the Fiji Islands Bureau of Statistics, the informal sector in Fiji is made up of mainly household based activities. A

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[45] The 1990-91 national poverty line was estimated to be $83 per week for a household of 5 people. In urban areas it is estimated to be $100.08 (Government of Fiji and UNDP 1997:2).

[46] The human development index value has three key components: literacy, school enrolment and life expectancy. According to report, a falling index indicates crisis as it means that human development is being negatively impacted.

[47] Report by the head of the School of Economics (University of the South Pacific) and an economics lecturer. The rise in poverty and unemployment is due to a decline in the sugar sector and manufacturing and service sectors, and increased rural to urban drift (The Fiji Times, Saturday 10 December 2005, p22).

[48] It is difficult to provide a comprehensive picture of the informal sector in Fiji as statistics are not readily available.

United Nations Development Programme report in 1997 estimated that one third of informal sector workers were self-employed in the sugar industry and a further third were subsistence producers (Lal 2004:6). Informal sector activities accounted for 17 percent of the total Gross Domestic Product in 1995 and in the personal services sector, which includes domestic services, hairdressing, massage services and vehicle repair services, informal employment comprised 68 percent of activities.

Information on the informal sector in Fiji is limited and the lack of data presents problems for development policy. Research into the urban informal sector in 2001 collated information on 150 respondents[49] engaged in informal sector activities (Reddy, Naidu and Mohanty 2002:137). The research found that those involved in the informal sector had entered it only recently (the average length of time in the sector was 16 months). The survey also found that informal sector activities significantly increased the gross incomes of households from a monthly average of F$198.14 to F$315.84[50]. The personal characteristic of respondents showed a mean age of 38 years, with a mean formal education level equivalent to eight years of schooling. This research however did not gather the workers' perspectives on their activities, and therefore information on the informal sector from the view of those working in it remains limited. Further research is still required to enable better understanding of Fiji's informal sector.

Despite the contribution that the informal sector makes to the Fiji economy and the potential for informal sector growth, the Fiji Government has been slow to recognise or promote development of the sector. Indeed it has been claimed that until recently the Government has been actively hostile towards informal sector workers. Connell (2003:248-251) cites a number of examples of both local and national governments efforts to restrict informal sector activity, including removing shoe-shine boys, hawkers, beggars and street kids from the streets of Suva and Lautoka. There have also been

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[49] Domestic workers would not have formed part of this research. Respondents for this research were selected on a street-by-street basis and therefore only visible informal operators were involved. The survey is loaded towards those people who rely on public space for their activities (Reddy, Naidu and Mohanty 2002:141).

[50] At the time of the research in 2003 F$1 was equivalent to NZ$0.92 (average calculated over the period I was in Fiji - courtesy of www.oanda.com/convert/fxhistory). As noted earlier in this chapter, in 1991 the national urban poverty line was estimated to be $100.08 per week for a household of 5 people (Government of Fiji and UNDP 1997:2).

attempts to restrict the growth of informal housing settlements through refusing basic services (electricity and water), establishing regular patrols and serving new arrivals with eviction notices.

The Government is coming under increasing pressure to allow the informal sector to operate, given its significance to the economy. Government intervention in the informal sector in recent years has focused on the financing of micro-enterprise informal activities. The Small and Micro-Enterprise Development Act was passed in 2002 and this led to the establishment of a National Centre of Small and Micro-Enterprise Development (Reddy, Naidu and Mohanty 2002:146). The 2006 Budget included strategies to target small and micro-enterprise development as a key component of its development agenda (Young 2005). However, Fiji's labour force is estimated to be increasing by 17,000 new entrants each year[51], while only 2,000 to 3,000 job opportunities are available in the formal sector (Jahan 2005). With this significant gap between job opportunities in the formal sector and the number of new job seekers, it can be expected that these job seekers will look to the informal sector for employment. This poses a major development issue for the Fiji Government and for Fiji society in general.

3.4 WOMEN AND POLITICAL, ECONOMIC AND SOCIAL SOCIETY

As most domestic workers in Fiji are women, it is important to consider the situation of women in Fiji. Emberson-Bain and Slatter (1995:1) believe that the employment of women and employment laws have developed out of commonly held views of women in society. This research does not provide an in-depth look at the position of women in Fiji. However, as it is impossible to separate the employment of women from the cultural beliefs of a woman's role in society, the gender relations ideology that exists and the political and social environments, a brief outline of the status of women is included.

Fiji traditionally has been a patriarchal society, which has resulted in women being marginalised through perceptions, attitudes, customs, traditions and structures (Ministry for Women and Culture 1999:1). In both the indigenous Fijian and Indo-Fijian cultures the traditional role of women has been as wife and mother (Amratlal and Baro 1975:ii).

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[51] Approximately 15,000 are estimated to be school leavers and from tertiary institutions.

Both cultures expected women to be 'obedient' to their husbands, to adopt a secondary position in their households, and to be responsible for the home and the childcare.

Women have had little say in decision-making, both within the home and in society (Amratlal and Baro1975:ii-iii). A 1997 report on the profile of women in Fiji noted that until the early 1980s, Fiji women had very little share in power and decision-making at all levels of society (United Nations Economic and Social Commission for Asia and the Pacific 1997:3). There was only one women member of Parliament and there were no female mayors or public service chief executives. Women received the right to vote and the right to stand for election in 1963. Since this time, women have been under-represented in Fiji's parliament. The first woman was appointed to Parliament in 1970, but since then little has changed in terms of increasing women's representation. Progress made in the 1999 elections, which saw eight women elected to the House of Representatives and five women holding Ministerial posts, was reversed following the 2000 takeover of Parliament and subsequent elections held in 2001. As at November 2005, women hold six seats in the House of Representatives and four in the Senate (Nicholl 2005:5)[52].

The government now recognises that specific policies are required if the status of women in Fiji is to be improved. In 1990 the protection of women's rights was included in the Fiji Constitution for the first time. The Department of Women and Culture was established in 1987 in recognition of the role that women have in the national development process (United Nations 1997:3). This is now the Ministry of Women, Culture and Heritage and Social Welfare, which has a female Minster, a female Assistant Minister and female Chief Executive Officer[53]. The Government passed the Family Law Bill in 2004 which gives women new rights, including the nullification of marriage within a 12 month period instead of three years, recognition of children born

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[52] This represents 12.5 percent female representation in the Senate and eight percent in the House of Representatives.

[53] The Ministry of Women, Culture and Heritage and Social Welfare's vision statement is "that Fiji is a nation where women are valued and treated with respect and dignity; where women are free from every form of discrimination; where equal opportunities are available to women and where equality is cherished by all". Their mission is "women and gender concerns are mainstreamed into government policies and programs" and their slogan is "equality for all" (Ministry of Women, Culture and Heritage and Social Welfare 2005 at http://women.fiji.gov.fj).

of de-facto relationships, establishment of counselling centres and the establishment of the Family Law Court.

The Government has cited its report, "Development Strategy for Fiji" as evidence of its commitment to involving women as equal partners in the national, political, economic and social development of the country. The report aims to "promote equity for women in their economic and social development and to eliminate all forms of discrimination" (Ministry of Information, Communication and Media Relations 2004:12). The Ministry of Women, Culture and Heritage and Social Welfare[54] published a report in 1998, *The Women's Plan of Action 1999-2008* to identify "broad directions for action by Government, and in some cases – its stakeholders and development partners – in order to fulfil its national and international obligations [to women]" (pg. 3). The Government has also endorsed the *Pacific Platform for Action (1994)*, the *Jakarta Declaration for the Advancement for Women in Asia & the Pacific (1994)* and the Fourth World Conference *Platform for Action and Beijing Declaration* (1995) (Ministry of Women, Culture and Heritage and Social Welfare 1998:3). The Ministry of Women, Culture and Heritage and Social Welfare has established a National Women's Advisory Council to advise the Minister for Women on women and gender issues.

Non-government organisations have also had a role in promoting strategies to improve the status of women. In the 1960s the Fiji YWCA[55] was a leading agency in promoting women's causes. Today other organisations supporting women include the Fiji Women's Rights Movement, the Women's Crisis Centre, DAWN[56] and Femlink Pacific. These non-government organisations have had influence on the political agenda and have had some success in pursuing a women's agenda (George 2004:9-10).

Education has been linked to the changing perceptions of a woman's role, both within the home and in society (Amratlal and Baro 1975:ii-iii). In 2003, girls comprised 48 percent of the primary school student population and 51 percent of the secondary school student population (Fiji Islands Bureau of Statistics, 2005). When tertiary education

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[54] This government department has had a number of different names. For the ease of the reader I have used the most recent name - the Ministry of Women, Culture and Heritage and Social Welfare - when citing this department.

[55] Young Women's Christian Association

[56] Development Alternatives with Women for a New Era

providers are compared, females comprise 34 percent of the technical and vocational school students, 40 percent of the Fiji Institute of Technology students and 52 percent of the University of the South Pacific students[57]. Enrolment of girls in vocational courses is much lower than for boys, due to the sex stereotyping of employment that exists in Fiji (Government of Fiji with UNICEF 1996:48). Females in Fiji are less likely than males to be educated and less likely to proceed to tertiary education (Jalal 1997:81).

Despite these changes to the position of women in society, political and social institutions still hold women in a subordinate position to men. Men still hold much of the political power, especially through the Bose Levu Vakaturaga (BLV) or Great Council of Chiefs[58]. The conservative Methodist Church is also a powerful force within Fiji, particularly in the indigenous Fijian culture, and has been seen to uphold traditional values and actively denounce policies that are aimed at empowering women (Jalal 2002). The law in Fiji also supports the traditional views of women. Jalal (1997:88) describes the law relating to women as reflecting the "conservative views about women's proper status as wives, mothers and teachers, and the expected domestication of women". This has resulted in women receiving lower wages, having restricted access to employment, being over-represented in the semi-and unskilled labour sectors and facing vulnerability within the workplace.

It is difficult for women to secure loans or credit both from state funded financial institutions and commercial banks (Fiji Women's Rights Movement et al 2002:24). In 2003, I conducted a review of commercial banks which showed that in order to open a bank account women had to produce a birth certificate or passport, a FNPF card (superannuation)[59], a bill (water, electricity) showing their current address, a letter from their employer and $20 as an opening deposit. Based on these criteria, many women

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[57] Some of the female students at the University of the South Pacific will come from other Pacific Island countries.

[58] This is a representative body of the traditional chiefs of Fiji and a small number of specially qualified 'commoners', "who meet at least once a year to discuss matters of concern to the Fijian people" (Ministry of Information, Communication and Media 2005:10). The BLV appoints the President and its advice is always sought on matters affecting the Fijian people. Historically, the BLV has had much influence within Fiji and still has an important role within Fiji society.

[59] FNFP is a voluntary superannuation scheme. It only became available to domestic workers approximately 10 years ago (it started more than 35 years ago). There are only about 80-100 domestic workers who pay into the scheme. It requires employers to also contribute.

would not be able to open an account in their name. One expatriate I interviewed did try to open a bank account for her domestic worker but could not as the domestic worker *"did not have the right documents"* (Rachel).

The colonial legacy of racial separation and the current local political environment have hindered non-government organisations committed to progressing changes for women. Jalal (2002) has argued that most women's organisations in Fiji mobilise on the basis of race first and then around traditional issues like handicraft or for religious or welfare service reasons[60]. Women therefore identify with race before gender. George (2004) has argued that non-government organisations have become increasingly self-censoring, due to a belief that if they were seen to be overly activist, this would jeopardise their relationship with international donor organisations and with the state. This has presented problems for pushing a platform for change. Racial divisions in the women's movement have thwarted attempts to mobilise women and the political climate has also limited the potential for non-government organisations to pursue activist agendas (Jalal 2002 and George 2004:38-39).

3.5 WOMEN AND LABOUR MARKET PARTICIPATION

Employment is just one factor that shapes the lives of women, however it is a significant factor as it is the means through which women access the cash economy. This is important as it can contribute to women's economic independence and provide a mechanism to reduce vulnerability to poverty (Emberson-Bain and Slatter 1995:1-2).

Writing on the status of women in the labour market in Fiji in 2000, House (2000:i) commented on the lack on information and how this provided a significant barrier in considering policy reform. This situation does not appear to have changed much since House was conducting his research. Much of the available information on women is scattered around different organisations, focuses on industry segments (for example, garment workers) with little comparison between segments, much of it remains unpublished and therefore not readily accessible to the public, and most has not been

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[60] Some examples are the indigenous Fijian Soqosoqo Vakamarama (which is also class based and consists of mainly chiefly women who control it), and the Indian Fijian Sri Sewa Sabha (middle class Indo-Fijian women) (Jalal 2002)

updated since the early 1990s (for example the Fiji Poverty Report 1997). Part of the problem is that the census is conducted only once every 10 years[61], although the Fiji Islands Bureau of Statistics now publishes some reports more frequently[62].

This lack of information is not just an issue for Fiji. Ironmonger and Hill (1998:27) also noted that the gap in available information on women and work in the Pacific, particularly in relation to the role of women in service industries. One of the problems has been that traditionally women's work has gone unnoted in official statistics[63]. While there has been concern expressed about the position of women in the labour market, there has been very little information on which to base an analysis to back up these claims (Devi & Chand 1997: 70).

The status of women in Fiji, particularly in regards to their employment, is therefore difficult to describe clearly. However, there are some general characteristics that can be drawn from government data and previous research on women. In general, employment for women in Fiji is very segregated with one quarter of them working in what are traditionally termed 'women's occupations' - clerical work, teaching, nursing, factory workers and sales staff (House quoted in Government of Fiji 1996:18).

The Fiji Government's report on its efforts to meet the goals specified in the Convention on the Elimination of All Forms of Discrimination against Women stated that women comprise the fastest growing group of job seekers in the formal sector of Fiji (Committee on Elimination of Discrimination Against Women Press Release, January 2002). In 1997, women comprised 32.6 percent of total paid employment in this sector. Despite this growing participation, women were typically employed in lower-paid, lower-level jobs and on average earned the equivalent of 88 per cent of male wages (Committee on Elimination of Discrimination Against Women Press Release, January 2002).

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[61] The last census was conducted in 1996 with results published in 1998.

[62] For example, the Household and Income Expenditure Survey is published more frequently.

[63] For example, the Fiji Islands Bureau of Statistics did not record information on 'women's' work until recently, particularly for women working in primary agricultural industry. The annual employment survey also published by the Fiji Islands Bureau of Statistics ignores large parts of the informal sector, where traditionally, more women are likely to be employed.

The 2002 urban household income and expenditure survey reported that of the female population aged 15 years and over, 41 percent were defined as "economically active"[64]. This compared with 76 percent of males defined as economically active. The 1998 annual employment survey showed that women were over-represented in the manufacturing, community, social and personal services, and wholesale and retail trade sectors (Fiji Islands Bureau of Statistics 2001:24). Similarly, 1996 census data showed that women were over-represented in the teaching, office clerks, salespersons/demonstrators, market oriented agriculture/fishing, machine operators, sales and services and domestic workers/cleaners occupations (Fiji Islands Bureau of Statistics 1998: 142-144).

A report of the Ministry of Women, Culture and Heritage and Social Welfare (1999:41) estimated that, in 1996, 39 percent of women aged 15 and over were employed in the labour market. Of this 39 percent, just over one-third (38 percent) were employed as domestic workers, small-scale self-employed workers, piece workers or market gardeners. A survey conducted in 1994 estimated that average incomes in the informal sector were about one-half of the average in the formal sector, and for women they were substantially less than this (Fiji Islands Bureau of Statistics 1994:22-23).

Women's participation in the labour force has increased significantly since 1986. This has been attributed in part to better reporting of women's work, but mainly due to the growth in the garment manufacturing and service industry sectors (Government of Fiji and UNDP 1997:38). Since the two 1987 military coups, government policies to stem the economic downturn resulted in the considerable expansion of the manufacturing sector (Prasad, Hince and Snell 2003:89-90). Women's employment in the garment industry has increased significantly since then, although mostly in the lowest-paying jobs[65].

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[64] The Fiji Islands Bureau of Statistics defines 'economically active' as people in part-time work, full-time work, a mixture of part or full-time work and subsistence living, purely subsistence living or unemployed. "Not economically active" categories included students, not looking for work, homemaker, retired, disabled or other (Fiji Islands Bureau of Statistics, 2005).

[65] In 1986 the manufacturing industry employed 4,000 mainly women workers. In 1999 11,000 workers were employed within this industry – mostly women in the lower paid jobs (Prasad, Hince and Snell 2003:111).

The Fiji Women's Rights Movement et al (2002:8) claims that government policies during the 1980s, aimed at attracting investors by promising low wages to maximise profit, has had a detrimental impact on women. These policies have resulted in the over-representation of women with part-time and poorly paid employment. The consequence of this, as indicated by the Fiji Poverty Report (Government of Fiji and UNDP 1997:2) has been that people in regular employment are also living in poverty because their low wages cannot keep them and their families above the poverty line. It has also meant that poverty in Fiji has become feminised (Fiji Women's Rights Movement et al 2002:8).

In 1990, two jobs - domestic work and sewing - accounted for 50 percent of the employment of poor urban women household heads, while typing, clerical work and machine work accounted for a further 15 percent (Government of Fiji and UNDP1997:2). These jobs are typically low paid and are associated with insecure and poor working conditions. The Fiji Poverty Report (Government of Fiji and UNDP 1997:57) concluded that urban households headed by women experience significant economic need. Forty percent of poor urban women aged over 60, who were the head of their household, were found to be economically active. This situation has been described as "quite remarkable" because "if families were supporting [these women], as the stereotypical view of family support nets proposes they do, then this pattern would not be seen" (Government of Fiji and UNDP 1997:57).

Information on civil servants published by the Ministry of Women, Culture and Heritage and Social Welfare shows that 47 percent of civil servants are female, with the majority of women being employed in the nursing, services and support, and teaching positions. Women are underrepresented in the more senior positions, with 30 of the 182 senior executive positions held by women and seven of the 28 judge and magistrate positions (Ministry of Women, Culture and Heritage and Social Welfare, 2005).

One of the biggest hurdles facing recent graduates in Fiji is the lack of employment opportunities. This is a common issue in developing countries where the need to absorb a large number of young people into employment has remain unchanged over the last 20 years. The lack of opportunity continues to be a threat to the economic growth of these countries (Turnham 1993:241). The combined effect of a competitive job market in a patriarchal society means that women find it more difficult to enter the labour market. This remains true of Fiji, where women remain underrepresented in the more

professional and semi-skilled jobs and are over-represented in the informal sector, and in particular in low-skill and low paid jobs.

3.6 WOMEN'S RIGHTS

As noted earlier in this chapter, the protection of women's rights was first included in the Fiji Constitution in 1990. The 1997 Constitution enabled the establishment in 1999 of the first Human Rights Commission in the South Pacific (Lal 2000:1). Fiji therefore became the first South Pacific island nation to have a commission for the promotion and protection of human rights (Amnesty International press release, 1999)[66]. Since human rights include women's rights, the establishment of the Commission has been viewed as an important mechanism for women to address instances of discrimination (Committee on Elimination of Discrimination Against Women Press Release, January 2002).

Fiji has ratified key international conventions[67] aimed at improving women's equality. These include the International Labour Organisation (ILO) convention 100; Equal Remuneration Convention 1951, and convention 111; the Discrimination (Employment and Occupation) Convention 1958. In 1995 Fiji became a signatory to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)[68]. These conventions form part of the International Labour Organisation's mandate on gender equality that aims to promote equality between women and men in the world of work.

Members of the Committee on the Elimination of Discrimination against Women considered Fiji's initial report, submitted in 2000, on its compliance with the

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[66] The Commission is responsible for the protection and promotion of human rights in Fiji and for helping build and strengthen a human rights culture. Its role is to educate the public about human rights and to make recommendations to the government about matters affecting human rights (Human Rights Commission, 2005).

[67] Abrera-Mangahas (1994:161) writes that the conventions, when ratified, involve a formal commitment to apply the provisions. After ratification member states can be tested or challenged on the implementation of conventions and be summoned to explain any breach of these conditions. "The objective of these conventions and recommendations is to provide a model for national legislation of a member state" (Abrera-Mangahas 1994:161).

[68] Initial reservation to article 5(a) on measures to change sex roles and stereotypes (on the grounds that "it impinges on our cultural values and social norms of behaviour that are the mainstay of traditional societies like Fiji") was removed in 2000 and reservation to article 9 on nationality and citizenship (reservation was expressed on the grounds that it was inconsistent with the provisions of Fiji's Constitution, which contained different provisions for men and women who marry 'aliens') was removed in 1999.

Convention on the Elimination of All Forms of Discrimination against Women[69]. In its consideration the Committee stressed that employment was central to solving many women's issues in Fiji, and in particular, cited legislation on equal employment as a requirement to guarantee equal opportunities for employment, retirement and promotion. The Committee noted that an absence of equal opportunity legislation "has allowed the de facto segregation of job opportunities by gender through institutional restrictions on the employment of women in particular fields" (Committee on Elimination of Discrimination Against Women Press Release, January 2002).

In an non-governmental report on the status of women in Fiji, the authors stated that "the most significant point to note about the status of women in the Fiji Islands is that real progress for women has been severely curtailed as a result of the attempted coup d'etat in May 2000 and the ensuing political instability and loss of the rule of law" (Fiji Women's Rights Movement et al 2002:4). According to the Fiji Women's Rights Movement et al (2002:4), the new government ignored the 1997 Constitution, the Bill of Rights and other articles on equality. The 2000 interim government indicated an intention to write a new Constitution and in 2000 established a review of the 1997 Constitution, however this review was halted in 2001 following a successful application to the High Court by the Fiji Labour Party (Ministry of Information, Communications and Media Relations 2004:17).

At the time of writing this thesis, the 1997 Constitution was still in force with the provisions guaranteeing the protection of women's rights still intact, however the current government has stated that it remains committed to a substantive review of the Constitution (Qarase press release, 30 September 2005). There is no indication whether the Bill of Rights section, which includes the protection against discrimination provision, will be included in the substantive review[70]. The current Prime Minister intends to make

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[69] The Committee's 23 experts from around the world (acting in their personal capacities) monitor compliance with the Convention. Operational since 1981, the Convention requires State parties to eliminate discrimination against women in the enjoyment of all civil, political, economic and cultural rights and sets an agenda for national action to end such discrimination.

[70] The Constitution can be amended by a Bill passed by at least two-thirds of the members of the House of Representatives and the Senate (Williams 2003:5).

the substantive review of the Constitution a priority after the 2006 general election, should his party form the next government[71].

The 2000 political crises highlighted how one event can undermine the empowerment of women in Fiji. The Fiji Women's Rights Movement et al report (2002:4) highlighted the consequences of the political crisis for women, stating that "existing forms of direct and indirect discrimination against women have been exacerbated. All reform bills and other lobbying towards equality for women have been obstructed, judicial processes have become chaotic, poverty in general has increased, and democracy has been subverted". According to a government report, following the 2000 political crisis, emigration of highly skilled and qualified professionals negatively impacted the nation. Over 50 per cent of these emigrants were women (Committee on Elimination of Discrimination Against Women Press Release, January 2002).

The Fiji Women's Rights Movement et al (2004:5) concluded that very little had been done by the new 2001 Government to "incorporate and implement the provisions of the Convention [on the Elimination of All Forms of Discrimination against Women] through legislation, policies or resource allocations". Women, as noted in this report, are reliant on the agenda of government to support policies designed to empower women. Since independence in 1970, the progress of legislation that includes women-friendly provisions has been slow. The recent passage of the Family Law Bill and the changes proposed in the Employment Relations Bill has provided some hope that the Government is making a commitment to advancing the position of women. It remains to be seen whether this is an ongoing commitment.

3.7 LABOUR RIGHTS PROTECTION

Industrial relations systems and labour protection in Fiji vary from being very strong in traditional employment sectors such as the sugar industry, which has strong employer and employee representative groups, to being non-existent in other sectors. The history of organised labour in Fiji has included the minimum wage for selected industries,

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[71] This election is due to be held in September 2006.The newly established Standing Committee on Constitution Review would recommend a Terms of Reference for the substantive constitution review.

wages councils[72] and state legislation that provides labour protection for workers in specific industrial sectors (Leckie 1995:187). A high rate of union participation was a major legacy of the colonial period (Prasad, Hince and Snell 2003:91 and Leckie 1995: 191).

The Employment Act (cap 92 1978) is one key piece of legislation protecting workers and it aims to provide a "control of conditions of employment" and minimum standards for employment. However, the Act does not cover all aspects of employment. For example, paid sick leave and public holidays are not covered. These provisions have to be negotiated through collective bargaining and Wages Council legislation[73]. There is no national minimum wage in Fiji. Separate wages councils for a specific sector determine minimum wages, where they exist. The government can establish wages councils for groups of workers if no effective collective bargaining mechanism already exists for these workers[74].

The position of women has largely been ignored in the development of labour legislation and establishment of trade unions in Fiji. The government, employers and trade unions groups have been slow to establish protection for women in both the formal and informal sectors. Where protection has been implemented, government has done little to enforce the law[75]. This is because women were not traditionally employed in the

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[72] Wages Councils are constituted by the Wages Act to provide minimum wages and conditions of employment for certain industries (e.g. hours of work, overtime, meal allowances etc). There are 10 Wages Councils covering specific industries. Wages Councils have been established for these sectors: building, civil and engineering trade; wholesale and retail trade; hotel and catering trade; road transport; mining and quarrying industries; saw milling and logging industry; printing trades; garment industry; manufacturing industry. Wages Councils comprise representatives of employers, the government and up to three independent members (ILO website).

[73] The Employment Relations Bill will amalgamate much of the existing employment legislation into one Act of Parliament.

[74] An effective collective bargaining mechanism is a mechanism usually involving a trade union and employer. To be recognised as a collective bargaining agent for workers, a registered trade union's voting members must comprise 50 percent of the persons eligible for membership (ILO 2005).

[75] For example, a trade union for garment industry workers, where the majority of workers are women, took over 7 years to be established (Prasad, Hince and Snell 2003:123, 108 &110). A minimum wage order for this industry was gazetted in 1990 although only 50 percent of factories were prepared to pay the approved minimum wage and the Labour Department showed "indifference, even reluctance" to enforce the order (Emberson-Bain 1991 cited in George 2004:29). This wage has remained at a very low rate. According to a recent report, the majority of garment

dominant economic activities of sugar production and gold mining. Other contributing factors include the colonial government's policies, the late arrival of other actors in the industrial relations scene to influence policy development that has, until recently been the realm of three major players: the government, trade unions and employers[76], and the relatively late participation of women in paid work. As a result, women have faced major disadvantages in the labour sector. This is evidenced by their lack of inclusion in legislation designed to protect worker's rights, the lack of coverage by wages councils[77] and until recently, the absence of trade unions that covered sectors in which women have were employed.

The political crises of 1997 and 2000, which had a detrimental impact on Fiji's economy, resulted in a number of government initiatives to reinvigorate the economy. These initiatives have been designed to attract foreign investors rather than protect workers. This, George (2004:29-30) has argued, has had a negative impact for women workers, and recent governments have done very little to protect the working conditions of women. Citing government's response to conditions of garment workers, George states "in the contemporary setting it appears that successive governments in Fiji have been more likely to side with industry owners than industry workers, and have gone out of their way to offer concessions to local garment manufacturers [...while] the condition of the women workers in this industry have largely been ignored" (George 2004:29)[78].

However, even if Fiji had employment laws that were aimed at the protection of women, it is often policies and cultural attitudes that prevent women from participating equally in the labour market (Tabakaucoro, Durutalo and Sanday 1986:7). Cultural attitudes towards women and work would need to change and supporting infrastructure

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workers expressed a desire to join a union however were scared to do fearing retribution from the employer (Storey 2004:37)

[76] The Fiji Women's Rights Movement, a non-governmental organisation involved in improving the status of women in Fiji by lobbying and advocating government for legislative change to eliminate forms of discrimination against women, was only established in 1986.

[77] Wages Councils can work more to the advantage of the government and employers than employees. For example, in the garment industry the Wages Council acts to keep wages low.

[78] George (2004:29) believes that in the period immediately post-independence, government was sympathetic to the conditions of low-wage workers and that discussions of organised labour initiatives or industry regulation were more acceptable within the political climate than they are today.

(including employment and equal opportunity laws) would need to be established if women employees are to enjoy the same benefits as their male counterparts.

3.8 DOMESTIC WORKERS

The employment law relating to domestic workers is unclear, particularly whether they are covered at all under the Employment Act or whether they just excluded from certain provisions of the Act. The Fiji Trade Union Congress (2003) [79], Emberson-Bain and Slatter (1995:14) and Jalal (1998:508) believe that certain provisions in the Act do not cover domestic workers. However the Labour Ministry (cited in Emberson-Bain and Slatter 1995:14 and Jalal 1998:508) believes that domestic workers are excluded from the protection offered by the Act. While this debate has not been tested in a court of law, it is clear that domestic workers are, at least, not covered by certain provisions in the Employment Act, including maternity leave, paid sick leave and annual leave provisions, and are not able to seek worker's compensation for a workplace injury. Employers of domestic workers are not obliged to provide a payslip for their workers, which would specify the hours worked, any overtime paid, the wage rate, total earnings and any allowances or deductions made.

The Employment Act is due to be replaced by the Employment Relations Bill, which is an amalgamation of some parts of current employment law and some new provisions. The Employment Relations Bill appears to strengthen the labour rights of domestic workers, giving them the same access to maternity leave, paid annual and sick leave (Fiji Women's Rights Movement 1999)[80]. The specific provisions relating to women workers would also cover domestic workers. The Bill does not expressly introduce a minimum wage for domestic workers but does allow the Minister of Labour to prescribe

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[79] Interview with Abdul Khan, Publicity and Education Officer and the Industrial Relations Officer with the Fiji Trade Unions Congress 14 May 2003.

[80] In the Bill, domestic workers are defined as "a person employed in connection with the work of a private dwelling-house and not in connection with a trade, business or profession carried on by the employer in the dwelling-house such as a cook, house worker, child's nurse, gardener, laundry worker, security officer, or a driver of a vehicle licensed for private use. The Minister of Labour stated in a press release that domestic workers will be covered under the new Employment Relations Bill and they will also benefit in all entitlements for workers (Zinck 27 September 2005).

minimum rates of wages and fix hours of work for any workers[81]. The Bill was introduced to Parliament on 29 July 2005[82].

Previous attempts to establish a minimum wage and minimum conditions of work for domestic workers have been unsuccessful. In 1974, the Young Women's Christian Association (YWCA) was asked by a group of female household workers in Suva, who were seeking improved working conditions, to support the establishment of a trade union to represent domestic workers (George 2004:27-29). The YWCA approached the Ministry of Labour with this proposal however the Ministry did not support the formation of a household workers union. YWCA records show that government did recognise that an adequate wage and improved working conditions for household workers was important and proposed a number of alternatives to achieve this from "the creation of a national household workers association to the establishment of a household workers agency" (George 2004:28).

In 1987 the plight of domestic workers was again highlighted with the establishment of the Soqosoqo Ni Marama Dauveigaravi (Fiji Domestic Workers' Association). The Association's slogan was "better pay – fair working hours – a fair deal" (Women's Wing, Fiji Labour Party 1987:97)[83]. The Women's Wing of the Labour Party supported better conditions for domestic workers and put forward some proposals to improve the status of these workers. The proposals included the introduction of a Wages Council Order to establish a minimum wage, the establishment of a resource and support centre for domestic workers providing information on legal entitlements and dealing with grievances relating to terms and conditions of service, and information on the rights to protection under the Workers' Compensation legislation (Women's Wing, Fiji Labour Party 1987:98-99).

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[81] This Bill has been developed through consultation with a tripartite forum, the Labour Advisory Board, comprising members from the government, unions and employers associations and included other members (e.g. Fiji Women's Rights Movement).

[82] The Minister of Labour stated in November 2005 that he expected the Bill to be back before Parliament in early 2006 and that he was looking for enactment by June 2006 (Zinck 17 November 2005).

[83] The Association for domestic workers no longer exists and has not existed for "a while". Personal correspondence with Peni Moore, director of Women's Action for Change, January 2006.

Domestic workers are, according to the United Nations country profile on Fiji (1997:3), "almost entirely women and are not legally defined as workers". When researching information about domestic workers in Fiji it quickly becomes apparent that there is very little information available. The Fiji Islands Bureau of Statistics includes a category of domestic workers in its employment statistics, however this category also includes cleaners, gardeners and other maintenance workers for households[84]. The 1996 census recorded 6,279 people employed as domestic workers and cleaners, which is three percent of the total employed population aged 15 years and over employed in the money economy. Women comprised 79 percent (4,967) of the domestic workers and cleaners category. Eighty-five percent of all domestic workers and cleaners worked full-time and 84 percent of female domestic workers and cleaners worked full-time[85]. Eighty-nine percent of male domestic workers and cleaners worked full-time.

Nine percent of the total females aged 15 years and over employed in the money economy were employed as domestic workers or cleaners compared to 0.8 percent of the total males aged 15 years and over.

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[84] The domestic services industry is defined as "maids, cooks, housegirls, gardeners and other maintenance workers for households whether provided by individuals who are employed by these households or by business units primarily engaged in furnishing these services" (Fiji Islands Bureau of Statistics 2001:108).

[85] Full-time is defined as 5+ days and part-time is defined as less than 5 days (Fiji Census 1996:141).

Table 1: Domestic Workers as Percentage of Total Employed Population

	Total	Male	Female
Employed Population 15 years and over	219,314	166,299	53,015
	100%	*76%*	*24%*
Domestic Workers and Cleaners	6,279	1,312	4,967
	100%	*21%*	*79%*
Domestic workers as percentage of total employed population	*3%*	*0.8%*	*9%*

Source: 1996 Census of Fiji, Bureau of Statistics

Domestic workers and cleaners are listed as part of the 'elementary occupations' in the census and made up 14 percent of this occupational class. Most employees recorded in this occupational category were employed in the sales and services industry or as labourers in the agricultural and fisheries industry (Fiji Islands Bureau of Statistics 1996:141). The majority of domestic workers (79 percent) were employed in urban centres.

Most domestic workers and cleaners are employed in the private sector (78 percent), with more females employed in this sector (81 percent) than males (68 percent). The age profile of females and males working as domestic workers and cleaners does not differ greatly from the total population employed in the money economy, with at least 50 percent of workers being aged 25 to 45 years. There is no information available on the ethnicity of domestic workers.

Table 2: Total Employed Domestic Workers by Age

	Total	15-24 years	25-34 years	35-44 years	45-54 years	55-64 years	>64 years
Total employed in money economy	219,314	44,739	66,075	57,868	33,644	12,873	4,115
		20%	*30%*	*26%*	*15%*	*6%*	*2%*
Total domestic workers	6,279	859	1,573	1,965	1,386	399	97
		14%	*25%*	*31%*	*22%*	*6%*	*2%*
Males	1,312	235	364	357	262	78	16
		18%	*28%*	*27%*	*20%*	*6%*	*1%*
Females	*4,967*	*624*	*1,209*	*1,608*	*1,124*	*321*	*81*
		13%	*24%*	*32%*	*23%*	*6%*	*2%*

Source: 1996 Census of Fiji, Bureau of Statistics

A study on domestic service in Suva was conducted by Pollard in 1986 as part of the requirement for the author's Doctor of Philosophy. Pollard interviewed 100 housegirls[86] to find out whether they had experienced social or occupational mobility as a result of their employment as domestic workers. Pollard concluded that the "domestic servant population [...] not only experienced upward social mobility but also the prospect of upward occupational mobility as well" (Pollard 1987:37).

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[86] Pollard refers to domestic workers as "housegirls". This term is probably the most common term used to describe domestic workers in Fiji. See Chapter 4 for further discussion on the job title for paid domestic workers.

Pollard found that 90 percent of domestic workers were raised outside Suva and that 74 percent of the total workers interviewed had moved to Suva to find employment (Pollard 1987:37-38). The average weekly wage for domestic workers was $19.98, with an average hourly wage of 46 cents[87]. Domestic workers worked on average 52.3 hours per week, with 12 percent of workers claiming that they had no full day free of work (Pollard 1987:40-41). On average, these workers received 3.7 days of paid annual leave and 34 percent of interviewees received more than seven days paid sick leave.

In terms of job satisfaction, Pollard's research found that 14 percent of the domestic workers said that the job they most liked was that of domestic worker, and 36 percent of participants said that they would like their daughter to be a domestic worker. One-third of workers said that in five years they would like to be in the same type of job (Pollard 1987:42-43).

My research compliments Pollard's study as it also provides an insight into the work and conditions of domestic workers. Unlike Pollard's study, my research is qualitative and as such can not be seen to be representative of the total domestic worker population. It does however, provide a picture of the perceptions of employers and employees on domestic work, and identifies areas for further research.

Most of the domestic workers I interviewed had had a few years experience in domestic work and tended to get their first domestic work job later in life. Domestic work was perceived as easier than working in a factory or shop. In general, the domestic workers I interviewed had not actively sought domestic work employment, but had been offered a job by someone that they knew. Most of the domestic workers had children of their own, however most were grown and were beyond needing full-time childcare. Most of the workers preferred to live in their own houses rather than on the working premises (where this was an option). The workers said that they preferred to work for expatriates because of the poorer working conditions that they experienced or believed existed when employed by either an indigenous Fijian or Indo-Fijian employer.

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[87] All dollar amounts are in Fiji dollars unless stated. At the time of the research in 2003 F$1 was equivalent to NZ$0.92223 (average calculated over the period I was in Fiji - courtesy of www.oanda.com/convert/fxhistory).

3.9 EXPATRIATES IN FIJI

There is also very little official information on the expatriate community in Fiji. The majority of expatriates working in Fiji live in Suva, due to the number of embassies, international businesses, universities, international and regional intergovernmental agencies and non-government organisations that are based in Suva (Wikipedia, 2005).

Fiji is the home base of many regional organisations, due to its central location in the South Pacific and relatively well-developed economy and infrastructure. Most of these organisations are located in Suva (Australian Government Department of Foreign Affairs and Trade 2005). These include the Pacific Islands Forum Secretariat, the University of the South Pacific, the South Pacific Applied Geoscience Commission, United Nations Economic and Social Commission for Asia and the Pacific (Pacific Operations Center), the South Pacific Subregional Office of the Asian Development Bank and part of the Secretariat of the Pacific Community, and all provide an important source of employment for expatriates.

The 1997-98 Annual Employment Survey showed that there were 1,947 expatriate employees in Fiji in 1998 (up from 1,351 in 1997)[88]. The mean annual salary for expatriate employees was higher than for locals in every occupational category. The mean annual salary for expatriates in 1998 was $35,287 compared with $15,703 for locals (Fiji Islands Bureau of Statistic 2001). Approximately half of the expatriate employees (48 percent) earned over $25,000.

Most expatriates come from Australia[89]. Australia's aid to Fiji is estimated to be worth a total of A$34.1 million in 2005/06[90]. Australia has an extensive defence cooperation

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[88] As noted previously, this report has been hindered by a low response rate. Therefore the information provided should be treated with caution. For example, the annual salary for many expatriates is expected to be much higher than that cited.

[89] The composition of the expatriate community is unknown. This information was requested from the various embassies and high commissions in Suva, however all were reluctant (indeed refused) to provide any data on the number of their citizens currently resident in Fiji. Therefore, personal observation has been used to 'guesstimate' the expatriate population in Suva.

[90] Comprising country programme aid of $A24.0 million and other overseas development assistance of A$10.1 million (Australian Government AusAID 2005).

programme with Fiji and provides continued training and support, including Australian personnel. Full defence ties were resumed in 2001 following the lifting of sanctions imposed after the 2000 political crisis.

From observation, New Zealanders also comprise a significant proportion of the Suva expatriate community. In 2005/06 the New Zealand Government provided NZ$6.1 million in bilateral aid assistance to Fiji (approximately four percent of the total assistance provided to the Pacific). The strategic position of Fiji in the South Pacific, historical links between New Zealand and Fiji and significant trade interests places importance on New Zealand's relationship with Fiji (New Zealand Ministry of Foreign Affairs and Trade: Manatū Aorere Aotearoa 2005). Other expatriate populations include British, Indian, Chinese, American and Canadian.

The participants I interviewed were from the United Kingdom, Australia, New Zealand and the United States of America. Most of them had been in Fiji for less than four years and most worked for an international organisation or the University of the South Pacific. This was the first time that all except one of the employers had employed a domestic worker. Only two employers had previously been employed in a developing country.

Anecdotal evidence gathered while I was in Suva in 2003 suggested that most expatriates employ indigenous Fijian domestic workers. The research participants believed that Indo-Fijian domestic workers were more likely to be employed by Indo-Fijian employers. Indigenous Fijian domestic workers were perceived to be better at looking after children than Indo-Fijian domestic workers.

It is difficult to estimate the proportion of expatriates who do employ a domestic worker. Observation tends to suggest that it is a significant proportion. Whether or not to employ a domestic worker, how to employ a worker, how much to pay and what type of work the workers should do are frequently the topics of conversations between expatriates. Information is generally passed on by word of mouth rather than by any official information channel. This has meant that expatriates have tended to find their own way in their employment of domestic workers, including setting the terms and conditions of employment. This suggests a rather haphazard rather than a formal approach to the employment of domestic workers.

3.10 THE RESEARCH SETTING: SUVA

Field research for this thesis was carried out in Suva, the capital of Fiji. Suva became the capital of Fiji in 1877[91]. Suva has municipal status and is only one of two cities in Fiji[92]. Suva's political authority is vested in the Suva City Council, comprising an elected Mayor, Deputy Mayor and 18 Councillors. Recent elections held in late 2005 resulted in the election of two female Councillors, one more than was elected in October 2002[93].

In 1996, Suva's population was 167,975. The dominant ethnic groups living in Suva are indigenous Fijians (51 percent) and Indo-Fijians (39 percent), however the majority of Fiji's ethnic minority populations are also based in Suva with Chinese (two percent), Europeans (three percent), Rotumans (two percent), other Pacific Islanders (two percent) and others (one percent)[94]. Fifty percent of Suva's population is male and 50 percent female.

In 1998, Private Limited Companies employed most of the workers in Suva with approximately one-third of all employees (36 percent) located in the manufacturing sector (Fiji Islands Bureau of Statistics, 2001). Fifty five percent of the employees in the manufacturing sector were female (mostly garment factory workers) and this sector accounted for 45 percent of all female employees. The next biggest employment category for women in Suva was in the wholesale and retail trade sector (18 percent) followed by the community, social and personal services sector (16 percent). The proportion of informal employment in Suva is estimated to be very high, approximately 51 percent of all employment in Suva in 1996, largely due to the high youth unemployment rate (Reddy, Naidu and Mohanty 2002:135).

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[91] Fiji at the time was under colonial rule and British authorities decided that the capital, then in Levuka on Ovalau Island, was too isolated to provide effective administration.

[92] The other city is Lautoka, also located on the island of Viti Levu.

[93] Residents, owners of rateable property, occupiers of rateable property and representatives of corporations that own or occupy rateable property in Suva are eligible to vote (Suva City Council website).

[94] It is not known whether these proportions have changed since the political crisis of 2000 when many Indo-Fijians and Europeans emigrated.

As the work of domestic workers is largely unaccounted, it is difficult to estimate the proportion of women in Suva who are employed in domestic service. Of the total female wage and salary earners in Suva in 1998, approximately one-third (30 percent) were employed in the plant and machine operators and assemblers occupational group, 25 percent as clerks and 13 percent in the elementary occupations (includes domestic workers).

3.11 SUMMARY

The lack of information on Fiji makes it difficult to develop a clear picture of the nature of the informal sector, the work undertaken and the contribution that women make to this sector. Traditional male/female roles in Fiji are still apparent, and this is particularly evident in the employment sector, where women are employed in the more traditional 'female' roles of nurse, teacher, garment worker and domestic worker. The government has developed an action plan to enhance the status of women in Fiji and there are numerous non-government organisations that aim to assist and support women. However, the status of women is only slowly changing. The 2000 political crisis brought another halt to the inroads that had been made for women.

Domestic workers are predominately female. There is very little information available on domestic workers, reflecting their 'invisible' status in society. They are not currently covered by employment legislation that provides minimum protection for other female workers. Previous attempts to promote the working conditions of domestic workers appear to have failed. However, the current government does appear committed to working towards improving the status of women. In employment, this commitment is demonstrated by the Employment Relations Bill, which strengthens the rights of women in relation to work and brings domestic workers into employment legislation coverage.

Expatriates arriving in Fiji are not provided with information about the employment of domestic workers, and yet it appears that a significant number of the expatriate community do employ domestic workers and provide an important source of employment for these women. Most expatriates have tended to find their own way in setting employment terms and conditions. Given this approach, and despite the information exchange that can be expected in a small expatriate population, it could be expected that employment terms and conditions of domestic workers employed by

expatriates would vary markedly. The experiences of expatriates and domestic workers are the subject of the following four chapters. The next chapter provides an overview of the research participants and finds out why they employed or became a domestic worker.

Chapter 4: Domestic Workers and Expatriate Employers in Fiji

4.1 INTRODUCTION

This chapter provides background on the research participants and discusses the reasons why they either employed or chose to work as domestic workers. Most expatriate employers either 'inherited' their domestic worker or were expected to employ a domestic worker as part of their contribution to the local economy. This expectation did cause some difficulty for some of the employers, but overall most employers liked having a domestic worker. Domestic workers tended to be offered a domestic work job rather than actively seeking work in domestic services. For these workers, it was more an opportunity that came along rather than a deliberate career choice.

The chapter also examines why the job title for domestic workers is important and how the women themselves choose to describe their role. As found in other studies, the employers and the workers use different terms to describe the role, the employers favouring the traditional job title of 'housegirl' while the workers choose titles that emphasise their specialist skills.

This chapter also reports participants' views about the advantages and disadvantages of being a domestic worker or an expatriate employer. Most employers liked having a domestic worker, although gave different reasons as to why they valued having a person to do this work. The domestic workers said that they preferred to work for expatriate employers because they believed that they had better working conditions than workers who were employed by either an indigenous Fijian or an Indo-Fijian employer.

4.2 OVERVIEW

All the women who participated were enthusiastic to talk about employing or being a domestic worker. The women seemed to feel that in general no one is interested in their views or their experiences. This is in spite of the networks that both employers and domestic workers have and use to talk about their experiences, air frustrations and

receive advice or suggestions on how to resolve issues. Litiana[95] said about the interview experience:

> *"I'm okay. I feel free and it's good. "I enjoy [the interview] because most of my working and housegirl conditions I never ever had somebody to come and ask me about this [sic]. (Litiana)*

More of the domestic workers than the employers were interested in the outcome of the research. Although some of them knew the working conditions of other domestic workers in their area, most seemed curious about what the overall research results would show. The employers generally indicated that they were happy to be given the results in time but did not display the same level of interest that domestic workers did in the overall conclusions.

The small number of participants in this research means that the results can not be extrapolated more widely to explain the situation of all domestic workers and expatriate employers in Fiji. The most that this research can hope to achieve is to provide some insight into the experiences of some domestic workers and expatriate employers, thereby providing an indication of common themes and issues that arise from this employment relationship.

4.3 THE PARTICPANTS

The participants were all female. Thirteen employers and domestic workers were interviewed for this research and all lived and worked within the greater Suva area.

Having only female participants is not unusual for research on domestic workers. It reflects the results of other research undertaken on domestic workers. Most researchers have found that it is often the women of the household who have responsibility for employing and managing the work of the domestic worker, and that most domestic

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[95] Pseudonyms have been used in place of participant's real name throughout this thesis.

workers are women (see Joekes 1995, Dickey 2003, Muttarak 2004)[96]. Some employer participants in my study said that both they and their husbands took equal responsibility for the household work and childcare, although it is interesting that it was the female employers who agreed to be interviewed.

Rachel described the employer responsibility of herself and her husband as *"pretty equal. When I first arrived I was employed [and my husband wasn't] so my husband took responsibility. Now my husband is employed and I take the primary responsibility"*.

Penny and her husband *"split"* the employer responsibility and Anna said that she and her husband *"both do it really"*.

Kate said: *"I do all of it [the tasks associated with employing a worker]. She [the worker] considers my husband the boss but she talks to me about things"*.

Mendez (1998:123) describes employer households, where the sexual division of domestic labour continues despite the employment of a domestic worker, as "the stalled generation". Middle-class women are still taking primary responsibility for the domestic sphere and this is a reflection of the gender ideology that continues to exist, in particular, within the middle-class socio-economic group, who now make up a significant proportion of domestic worker employers.

The sex of the domestic worker participants in my study is consistent with an essential characteristic of domestic work defined by Meagher (1997:7), namely that domestic work depicts the gender divisions that exist in society. Women are traditionally employed in low-income and insecure work and, because domestic work is poorly paid and often temporary, it is not surprising that all the domestic workers in this study were female. It also reflects the position of women in Fiji, who are over-represented in the informal sector and among the lower skilled jobs.

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[96] An exception to this is research undertaken by Hansen (1990) in Zambia and Bujra (2002) in Tanzania cited earlier in this thesis. Most employees in this research were male.

4.3.1 Expatriate Employers

Seven female expatriate employers of domestic workers took part in the research. The employers interviewed identified as New Zealanders, Australian, British or American. Three employers had lived in Fiji for less than one year, three had lived in Fiji for between three and four years, and one had lived in Fiji for more than four years. These relatively short periods in Fiji reflect the contract nature of expatriate employment.

All of the employers except one had at least one of their children living with them in Fiji. Five employers engaged the domestic worker to look after children and do the housework. Two employers used a worker solely to do the housework. Three employers had live-in domestic workers.

Only one employer had had experience of employing a domestic worker prior to coming to Fiji. Hansen (1990) and Armstrong (1990) in their research also found that the expatriate employers they interviewed had no experience of employing household help. They found that the expatriate employers tended to be working in a post-colonial developing country for the first time, where socio-economic class divisions are more apparent and preserved than within the expatriates' home countries. The expatriates' 'superior' status within these post-colonial societies and their higher incomes compared to local people often mean that they are expected to employ a domestic worker during their time there. Also, for many expatriates it is an opportunity to employ a domestic worker because of the existing domestic worker culture and because it is relatively inexpensive.

Table 3: Demographics of Expatriate Employers*

	YEARS IN FIJI	NUMBER IN HOUSEHOLD		NUMBER OF EMPLOYEES**	NUMBER OF LIVE-IN EMPLOYEES	PREVIOUSLY EMPLOYED DOMESTIC WORKER?
		Adults	*Children*			
1	3.5	2	2	2	0	No
2	4	2	2	2	0	No
3	8	2	3	1	0	No
4	3.5	2	1	2	2	No
5	< 1	2	2	2	0	No
6	< 1	2	2	2	1	No
7	< 1	2	0	2	2	Yes

* Nationality has been omitted to avoid identification of respondents.

** Number of employees living in the household (includes domestic workers, gardeners, pool maintenance etc)

4.3.2 Domestic Workers

Six female domestic workers took part in the research. All identified as indigenous Fijian. Two domestic workers lived on the employer's premises. Four domestic workers were employed to look after children and to do the housework. One was employed solely to do housework and one was employed as a cook and to clean the house.

Three domestic workers had been employed as a domestic worker for less than five years, one between five and 10 years, and two for more than 20 years. Half of the domestic workers had been employed in their current job for one year or less and half for between one and three years, again reflecting the contract nature of expatriate employment in Fiji.

All the domestic workers had been to secondary school until 16 or 17 years of age[97]. Two had gone on to further secretarial skills training, but the other four had had no formal training beyond secondary school. Five domestic workers had, at some stage during their working lives, been employed in formal sector occupations, mainly as waitresses or factory workers. This indicates the existence of a labour flow between the formal and informal sectors, and in particular, a flow from the formal sector to the informal sector. For these domestic workers it was a move made by choice. The reasons that these women became domestic workers are discussed in more detail later in this chapter.

Only one of the domestic workers had no previous experience working for an expatriate employer.

Table 4: Demographics of Domestic Worker Participants

	SCHOOL	FURTHER EDUCATION (TERTIARY)	ETHNICITY	LIVE-IN?	PREVIOUS JOBS	YEARS EMPLOYED AS DOMESTIC WORKER	TIME IN CURRENT JOB
1	16	typist training	Indigenous Fijian	No	Typist & waitress	22 years	3 years
2	17	1 year secretarial	Indigenous Fijian	No	Secretary	9 years	3 years
3	16		Indigenous Fijian	No	Factory Worker	5 years	10 months
4	17		Indigenous Fijian	No	Waitress	1 year	1 year
5	17		Indigenous Fijian	Yes	-	27 years	21 years
6	17		Indigenous Fijian	Yes	Cashier	2 years	10 months

[97] Secondary school is compulsory in Fiji - education is free from Year 1 to Year 10 (High Commission of the Republic of the Fiji Islands, 2005).

4.4 THE JOB TITLE

The term used to describe the domestic worker is one indicator of the relationship between the employer and the domestic worker. Muttarak (2004:519) found that in Thailand the reshaping of relationships between worker and employer was reflected in the terms used to describe the worker. The employers in Muttarak's study used varying terms to describe their domestic worker's occupation; one third used a term that indicated the domestic worker's subordinate status, while some chose terms that did not imply subordination. However, the employers in Muttarak's research did expect domestic workers to be subordinate due to the obligations inherent in the traditional patron-client relationship[98].

The job title most often heard in Fiji in relation to domestic workers is 'housegirl'. This term was used during the colonial era when settlers employed domestic workers to work in their houses as cleaners, nannies and cooks. This term is still much in use today and appears to be commonly understood, particularly among expatriates living in Fiji. The term implies a subservient and generalist role; there is no recognition of specialist skills required (for example, cleaner, nanny or cook) and women workers are diminished to the status of 'girl'.

Both employers and domestic workers in my study were asked how they referred to the domestic worker role. None of the domestic workers used the term 'housegirl' to refer to their jobs, while five of the seven employers used this term. Kate said:

> *"I call her a "housegirl". It's just what everyone here calls them". (Kate)*

Rachel however expressed her dislike of this term. She said:

> *"Housegirl is the local term but I hate it. It's a term they [domestic workers] use. I refer to [domestic worker] as "the woman who looks*

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[98] Muttarak interviewed 33 domestic workers and 25 employers as part of her research. All the employers interviewed were Thai, making her study different from this one because of the relationship dynamics that exist when the employer is an expatriate.

after my children" and sometimes "nanny" but I don't like that term either. I tend to just use her name when I am talking to other people". (Rachel)

One employer referred to the domestic worker as her "child-minder".

The domestic workers used various terms to refer to their jobs, including "nanny", "housekeeper", "house-lady" and "cook and house-cleaner". There was not one term that they appeared to use consistently. However, none of the workers referred to themselves as housegirls.

As Ofelia and Emele illustrate, the domestic workers were eager to distance themselves from the "housegirl" term:

"Nanny now. I used to say Nanny including housegirl, but Nanny now". (Ofelia)

"Nanny. Housegirl is not the right word". (Emele)

However, sometimes when talking about their jobs the domestic workers would use the term 'housegirl' to describe their role. For example, when discussing her working conditions, Litiana said:

"I enjoy [the interview] because most of my working and housegirl conditions I never ever had somebody to come and ask me about this [sic]. [...] Why don't housegirls have a union because they work long hours too? Few months ago garment workers had their hours changed". (Litiana)

The references to 'housegirl' are not surprising as it is the term most commonly used in Fiji to describe domestic workers.

The domestic workers seemed to think that there was more prestige is using the description "nanny" and "cook" than housegirl, as did the domestic workers in Thailand

who participated in research conducted by Muttarak. Muttarak (2004:519) found that domestic workers in Thailand rarely referred to their occupation by the more subordinate terms, instead preferring the Thai equivalent of 'housekeeper', a term which "carries no semantic or cultural overtones of subordination" (Muttarak 2004:519).

Armstrong (1990:150) also found that household workers and employers used different terms. In her study on Malaysian domestic workers, the workers preferred the title "houseworker" or "housekeeper", or described themselves as "working for a family". The employers tended to stick with the colonial period terms of "servant" or "amah"[99].

The use of the title 'housegirl' by expatriate employers implies that the colonial paradigm of dominant expatriate and subservient local worker still exists within the expatriate community in Fiji. Domestic workers, on the other hand, want to be seen as doing work of value and to escape the inherent subservient nature of the domestic worker role, and this is reflected in how they describe their occupation.

4.5 WHY EMPLOY OR BECOME A DOMESTIC WORKER?

Anderson (2000:17) found that the majority of domestic workers that she interviewed for her research in Europe worked for dual-income families in which the domestic worker was particularly important as a full-time carer for children or the elderly. Other reasons why people employ domestic workers include freeing up time to participate in community or voluntary work, to facilitate leisure activities or to avoid conflict within families over who does the household chores (Anderson 2001:27). Dickey (2003) found that families also employed domestic workers as a mark of status and to signal entry into the middle and upper socio-economic classes, thereby distinguishing these families from the working poor (e.g. domestic workers).

Only one of the employers I interviewed had previously employed household help in their home country. Most employers indicated that the cost of using household help in their home country was expensive and was perceived of as more of a luxury than a necessity.

When asked why they had engaged a domestic worker in Fiji, the main reasons employers gave were for childcare, security and to help with the housework. Security seemed particularly important as the employers spent time out of the country, often for weeks at a time and considered it necessary to have someone stay in or at least regularly check the house while they were away. While security was not an immediate consideration for Rachel, who initially struggled with the idea of employing a domestic worker, she came to see its importance:

> *"I was convinced by local people that it was safer to employ a person with connections to the local community. Now that I think about it, this is true. [Our domestic worker] tells me that there are "bad elements" in the local village who break in and torch houses, but they won't break into our house because she has friends there. When we first came, the employment of a domestic worker was a big issue for us". (Rachel)*

The idea of employing a domestic worker to improve the security of the employer and their possessions reverses the traditional views of patronage. In the Fijian environment, the employer receives the benefit of the domestic worker's familial contacts, as opposed to the domestic worker reaping the benefit of contacts made by working for an employer with a higher socio-economic status.

Childcare is also an important factor in the employment of a domestic worker, particularly for employers with children less than five years of age. Some of the employers interviewed appeared to employ a domestic worker primarily to provide childcare and the housework was a secondary consideration. There was an expectation that the worker would complete basic housework tasks as part of their employment, but childcare, and the way the children were cared for, was the main duty. Employing a

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[99] This is a Cantonese-loaned word for servant.

worker to help with the childcare may be a reflection of the lack of pre-school services available in Fiji compared with the services provided in the employer's home country[100]:

"It's about 80% childcare". (Julia)

"Her primary responsibility is childcare as both my husband and I work". (Penny)

"We have two children and no access to kindy [kindergarten]". (Sandra)

However, some employers mentioned that they did not feel they really had any choice. Their employers expected them to employ a domestic worker as a way of contributing to the local economy. As Clare explained:

"When we arrived we were given a house, a dog and a housegirl. Financially for us it would be cheaper if she didn't live in, [but] she is part of the [employment] package. She is about 50 so she wouldn't get another job if we didn't employ her. Really it is a moral obligation as an ex-pat [expatriate] to keep her employed. We are also supporting her husband, as he is our gardener, and her son. Her son lives in and he wouldn't have anywhere to live if we didn't employ her". (Clare)

Kate described the reason for employing a domestic worker as:

Not officially part of the [employment] package, but we are encouraged to contribute to the local economy. It's an understood part of the [employment] arrangement. We get paid an allowance to employ a domestic worker". (Kate)

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[100] In Australia and New Zealand there are a number of pre-school options for children aged under five including kindergartens, playcentres, daycare centres, crèches, nannies, home-based educators etc

Anna felt she had no choice:

> *"We have to [employ a domestic worker]. It's part of the conditions of [employer name]". (Anna)*

These employers appeared to display a sense of powerlessness in their relationship with the domestic worker. As the employer was expected to hire a worker, it appeared that they felt they could not specify the work that was done by the domestic worker. This was particularly the case for employers who inherited the domestic worker with their accommodation.

However, there appeared to be no strong relationship between satisfaction with the domestic worker's performance and the ability of the employer to choose whether or not to engage a domestic worker. The employers who felt that they had to employ a domestic worker were neither more or less satisfied with their work than those employers who chose to employ household help.

Whether domestic workers choose to do such work or are forced to by their circumstances continues to be a topic of debate. Many studies on migrant workers, in particular international migrant workers, have found that these workers undertake domestic work in order to escape poverty at home, to provide money to enable a better life for their children or to escape violent and abusive family life (see Anderson 2001, Constable 2003). Other studies have concluded that domestic work is often the only job women from poor backgrounds who have not had the privilege of extended schooling can obtain (see Romero 1988). Further studies point to the opening of the domestic service job market due to the increase of women's employment in the formal sector, leaving these women less time for childcare and housework. One study of Mexican immigrant domestic workers discovered that, although these workers had few employment opportunities open to them, most chose domestic service employment because it offered flexibility and had minimal impact on established family obligations and traditional roles (Hondagneu-Sotelo cited in Schneider 1998:64).

The domestic worker participants in my research gave a number of reasons why they were in domestic employment, including the need to earn money, they felt it was a job

they could get, because they liked children and because someone offered them a job. Litiana said that she had started work to help out her husband:

> *"I was trying to help my husband. More money to help my husband". (Litiana)*

While two of the domestic workers mentioned that they liked children, only Ofelia stated that she had become a domestic worker because she liked the type of work it involved:

> *"I got only two children and I wanted to have another one but I couldn't. So I wanted to look after children instead". (Ofelia)*

It did not appear that domestic workers had actively sought domestic work. Most seem to have been asked if they would like to do a particular job:

> *"My husband came to me and asked me if I would work for two days per week for an expatriate family, so I said I would give it a go". (Litiana)*

> *"My sister-in-law asked me if I would look after her daughter. Then another family asked me". (Sera)*

> *"One of my cousins, she was working as a housemaid and nanny and she met the employers. I just said "yes". (Timiama)*

Only Ofelia had actively sought work as a domestic worker:

> *"I found my first job in the newspaper for an expatriate. I had an interview and the lady asked me if I have children and asked me how I raised them". (Ofelia)*

Although only one of the domestic workers stated directly that they had to get a job to earn money, most workers seemed to have taken on the job because they and their

extended family perceived a need to increase their household income. Domestic work was available and was a job that these workers thought they could do.

Timiama and Ofelia said they had become domestic workers because they did not like their previous jobs:

> *"It's hard to find a job in Fiji and I wanted to find a job that was easier [than my previous job]". (Timiama)*

> *"I used to work in a factory but I didn't like the work". (Ofelia)*

Malaysian domestic workers interviewed in 1980 had also experienced work in factories Armstrong (1990), another example of the flow between the formal and informal sectors for domestic workers. Romero (cited in Milkman, Reese and Roth 1998:491) found that domestic workers preferred their jobs to unskilled factory and service jobs as they generally earned more and had far superior working conditions. The fact that domestic work is often paid in cash as an informal arrangement means that the actual pay rates are higher than for factory workers. The hours and days of work tend to be more flexible for domestic workers, again making this work more desirable than routine factory work with its generally long and inflexible hours.

Most of the participants became domestic workers because someone they knew had told them about a position that was vacant and had asked them if they wanted to fill the role. This is consistent with the results of Hondagneu-Sotelo's study on immigrant Mexican women in America. Most of these workers found jobs as domestic workers through their husband, kin groups or friends (Hondagneu-Sotelo 1994:54). However, unlike the women in Hondagneu-Sotelo's research, the domestic workers I interviewed do not appear to have deliberately chosen a career as a domestic worker. Rather, it was an opportunity that had arisen and the work suited their needs. Like Romero's findings (cited in Milkman, Reese and Roth 1998:491), domestic work offered these workers more freedom and choice than jobs they had experienced in the formal sector, along with improved pay rates and working conditions.

4.6 THE ADVANTAGES AND DISADVANTAGES OF EMPLOYING OR BEING A DOMESTIC WORKER

Having a domestic worker in the house was a new experience for all except one of the employers interviewed. Employing a domestic worker was a difficult decision for some, while others had no choice as a worker "came with the contract". However, all but one of the employers could identify things that they liked about employing a domestic worker.

There were many reasons why employers liked having a domestic worker. For Rachel it meant getting to know more about Fiji culture:

> *"The aspect of having got to know [domestic worker] really well. It is a close link with Fijian culture. I have gone to family weddings, the village etc and that's the way I have learnt most about Fiji". (Rachel)*

Penny valued the security aspect:

> *"Definitely security for the house. I am also comfortable with her taking care of the girls, as I can't do my job if am I worrying about the girls". (Penny)*

Having the housework done was important to Sandra:

> *"Because I came from being someone who worked [in my own country] and I'm not a natural housewife having a domestic worker has made Fiji bearable. I can cope if I can escape mundaneness. I wouldn't say that being here has helped my self-confidence because I am not working. Self-respect goes out the window so I avoided that experience where all you do is clean". (Sandra)*

Kate valued having more time to do other things:

"Having time to myself. I haven't had any family to help so this gives me time to get things done without the children under my feet. It gives me security knowing that the children are okay". (Kate)

Other reasons for employing a domestic worker included making sure the children were looked after, the 'cheap' wages, and having someone around who can supervise workmen when required.

Anna, however, said that there was nothing she liked about having a domestic worker. She did not choose to employ a domestic worker but a worker "*came with my husband's job*".

"[There is] not much [I like about employing a domestic worker]. There is also the issue that I don't have to clean my own toilet. Given the choice I would prefer to clean it myself. Probably would be better if I was working full-time, but it boils down to my privacy. I feel I don't have control [in my house]". (Anna)

Three employers stated that there was nothing that they disliked about employing a domestic worker, with Julia and Clare emphasising the quality of care received and the respect for privacy that the domestic worker displayed:

"There is nothing I dislike. It's also about attitude. I feel okay about what I expect. This is a service that I get in no other country – the quality of care". (Julia)

"No [there is nothing I dislike] because she gives us space and understands privacy. It is the same relationship as if we were in an office and she was [employed] under me". (Clare)

The other employers identified the lack of privacy, losing control over the house and feeling guilty about the amount of wages paid as the things that they disliked about employing a domestic worker:

"It's intrusive into privacy and you don't have control over the house, especially where things go and food for the children". (Sandra)

"It is really different having someone else as part of your family but I have gotten used to it. I guess employing her for so little makes me slightly uncomfortable". (Rachel)

"I'm a very private person and having someone around is difficult. I couldn't have someone live in. I prefer to be at home on my own". (Penny)

Most of the domestic workers interviewed had previous experience of working as household help for expatriate employers. For Emele, however, it was a new experience. Domestic work had given her self-confidence and had enabled her to discover skills that she did not know she had. Domestic work therefore had been a positive experience:

"Yes, [I would stay a domestic worker] because I like children. It's a new experience for me. Reading books to the children, I didn't realise I had this talent. Now I buy second hand books for our children and their cousins". (Emele)

The workers said that they preferred to work for expatriate employers because of the poorer working conditions that they experienced or believed existed among indigenous Fijian and Indo-Fijian employers. Other advantages that the workers identified were the more flexible working conditions, the less physical nature of the work and the better rates of pay. For Sera, domestic work was less demanding than her previous jobs and this made the role attractive:

"The pressure is less than in other jobs. In my last job I was sickly and stressed so I took a rest from that work. On my doctor's advice I gave up that job". (Sera)

This was true for Laisa and Timiama as well:

"I didn't really want to be mainly a cook, it's a hard job. I prefer housecleaning or looking after children". (Laisa)

"It's hard to find a job in Fiji and I wanted a job that was easier than being a cashier". (Timiama)

However, despite preferring to work for an expatriate, Sera believed that expatriates tended to view the workers as being of a lower social class than themselves:

"Ex-pat [expatriate] families seem to think we are servants but we are at home doing 'their' work. We should be treated fairly and not be seen as a servant. [There needs to be] more understanding of us". (Sera)

Rollins (cited in Milkman, Reese and Roth 1998:430) believes that the racial/ethnic division of the relationship in a 'white' employer and a 'non-white' employee situation is inherently unequal and, because of the historical legacy, most employers expected the worker to behave with deference and show signs of subservience. Rollins described the relationship as follows:

"While any employer-employee relationship is by definition unequal, the mistress-savant relationship--with its centuries of conventions of behavior [sic], its historical association with slavery throughout the world, its unusual retention of feudal characteristics, and the tradition of the servant being not only of a lower class but also female, rural, and of a despised ethnic group--provides an extreme and "pure" example of a relationship of domination in close quarters" (Rollins cited in Milkman, Reese and Roth 1998:430).

The unequal relationship between employers and the workers was in general not raised directly by the worker participants. This is explored further in the following two chapters.

4.7 SUMMARY

My research showed that some employers engaged a domestic worker because both partners worked. However, most employers seemed to hire a domestic worker because it was 'something that expatriates did', an expectation associated with their position and social status in Fiji. This appears to be a legacy of colonial times, where settlers had higher social status than the indigenous people or descendants of indentured labourers from India. The job title 'housegirl', which is the term used most frequently by expatriate employers, reinforces the class distinction between worker and employer. The job is diminished to a subservient and unskilled occupation rather than recognised as a role requiring specific skills and attributes.

The domestic workers, on the other hand, were careful to avoid using the term "housegirl" to describe their role. They preferred specific terms that emphasised the particular skill set that they were using and did not inherently denote a subservient position. The participants did not actively seek paid domestic work and most of them were offered jobs rather than having to search themselves. However, these workers also believed that jobs in Fiji are difficult to get and that their skills and experience mean that domestic work is one of the few options open to them. It is also an occupation that conforms to traditional roles for women in Fijian society, meaning that their husbands are unlikely to object to them taking on this type of work. It is therefore not surprising that all of the domestic workers in this study were women.

Most of the domestic workers had previously been employed in the formal employment sector, indicating that there are labour flows between the formal and informal sectors in Fiji. However, the workers seemed to prefer service in the informal sector to their previous their jobs in the formal sector, where they encountered lower pay, harder work and inflexible working conditions.

Most of the employers appreciated having a domestic worker, but struggled with the loss of privacy. Some of the employers had adapted to this better than others. One of the more surprising aspects was the value that expatriates placed on the security aspect of hiring a domestic worker. This feature of domestic service has not been identified in previous studies and was not mentioned by the domestic workers themselves.

The domestic workers expressed a preference for expatriate employers because they believed local employers provided poorer working conditions. The working conditions of the domestic workers are the subject of the next chapter.

Chapter 5: In Reality – the Terms and Conditions of Employment

5.1 INTRODUCTION

In reality, what are the working conditions of domestic workers in Fiji? This chapter covers the terms and conditions of employment for domestic workers in the study and discusses the employers' and workers' views about whether there is a better way of establishing working terms and conditions.

One of the research aims was to find out more about the conditions of employment for domestic workers. The worker participants were asked how many hours they work, how much they get paid, whether they receive holiday or sick leave or other allowances (including overtime), whether any training or resource were provided, and whether there are notice requirements. They were also asked about the process that led to the establishment of these terms and conditions.

The employer participants were asked similar questions in relation to the domestic workers that they employed. Both groups of participants were also asked whether they would like any of the employment terms and conditions changed and whether next time they would ask for different terms and conditions or follow a different process for establishing the terms and conditions.

This chapter is written in a generic style to minimise the possibility of identifying particular employers and workers, and their specific working terms and conditions. The results cannot be taken as statistically valid due to the small number of research participants[101]. However, the responses do give an indication of the employment terms and conditions of domestic workers and provide a basis for further research.

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[101] As previously noted, the research was not designed to provide statistical information that could be extrapolated more widely.

5.2 ESTABLISHING TERMS AND CONDITIONS

Unlike the domestic workers in the research conducted by Romero (1988), Meagher (1997) and Dickey (2000), the domestic workers I interviewed worked for only one family rather than a number of different employers. Dickey (2000:469) commented that having multiple employers represents increased independence for workers as they have greater power to negotiate their working conditions (including wages and tasks) and are not as vulnerable to unfavourable demands as are employees who have a single employer. If this is true, then it would be more likely that domestic workers in my study would have had have little input into establishing their terms and conditions.

As noted in the previous chapter, most of the domestic workers that I interviewed had not actively sought employment as a domestic worker. Most of the workers began paid domestic work because a family member knew that a particular job was available and asked the worker if they would be interested. For employers, there was an expectation that as expatriates they would contribute to the local community by taking on a domestic worker. Some employers had 'inherited' their worker with their job and accommodation.

In general, despite the relatively informal process of employment, the employer and worker had discussed terms of employment before the job commenced. When asked how their working conditions were established, four domestic workers said that they had discussed the terms of employment with their employers before they started. Litiana and Timiama had signed a formal contract with their employer[102]. The domestic workers' terms and conditions were not reviewed on a regular basis, but either not at all or infrequently.

The domestic workers were asked if they discussed their current terms and conditions with their employers. Four workers said that they did discuss their conditions with their employers and three workers said that they feel okay about discussing conditions with their employers. Mostly it was the worker who had instigated the discussion. Litiana asked for a pay rise:

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[102] One was employed by an organisation and one was employed by a private individual.

"Just this year I asked for my pay rise. I felt comfortable asking. I put all my records there". (Litiana)

Sera said that she asked when she wanted something to change:

"During my time here I have talked to her [employer]. I always ask, she doesn't. I can talk my mind because I have been here a few years now so it is easier. I can say to her that I disagree. When I started in the first year I kept quiet, I didn't answer back. My husband kept telling me that I would have to leave but I couldn't bear to part from the children. She listens now if I say I don't like something". (Sera)

Emele said that she did not really ask for anything to change because she was happy with the job as it was:

"They [employer] offered me $100 per week [when I first started]. Then when they had [the second baby] they gave me $120[103]*. I am happy with that. Apart from the money the thing I really appreciate is that I can bring my own child to work. Most employers wouldn't allow it. I already told them I appreciate them having my child here". (Emele)*

Ofelia and Laisa did not discuss working conditions with their employers prior to starting the job. Ofelia still feels uncomfortable about raising the topic with her employer:

"I would like to sit down and talk to her about some things. It is not good for us to ask [for this] because they are our boss [sic]. It's the Fijian way. I think we should have a meeting so that we know that we are doing the work well. [...But] I wouldn't feel comfortable asking her for a meeting". (Ofelia)

Laisa now has a signed contract that is reviewed every three years. This change came about with a change in employer. She can use this opportunity to ask for any "*new ideas*" to be added to the contract.

All of the employers had done some investigation about terms of employment before hiring a domestic worker. Three employers said that they had discussed the employment conditions with their workers before they had started work. Two employers had asked other expatriates about appropriate terms and conditions for a domestic worker and two employers paid the domestic worker the allowance that they received from their own employer to hire a worker. None of the employers had signed a contract with their employee, which reflects the fact that all the employers who participated in the research were private individuals, rather than representatives of an organisation that employed the worker.

When the domestic worker's responsibilities had changed, three employers said that they had talked to the worker about the new responsibilities and had offered a wage increase:

> *"It was our idea for a pay rise. I suspect she is happy with her pay and conditions. I think we provide good conditions as we don't require her to do a lot. She spends a lot of time reading, watching TV and playing with the children. I increased her salary because my husband's job changed and we felt that we had put more demands on her". (Penny)*

Employers who had changed the terms and conditions did not seek input from their workers about the new conditions. They tended to decide themselves what they were prepared to pay or what hours they needed and then had informed the worker of the new salary or requirements.

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[103] See next section (5.3 Wages and Hours of Work) for more detailed information about wages of the domestic workers.

Three employers had not reviewed their worker's conditions since employing the worker:

> *"If our conditions changed we would pay her more if we got paid more". (Kate)*

> *"No. I thought about it when we upped the days that she worked but my husband said no. When we reduced her hours we warned her two to three weeks ahead that I was going to reduce her hours". (Sandra)*

Despite the domestic workers being attached to a single family, most of them had managed to have some input into their working terms and conditions before the job started. However, the impression I received was that the employers had stated what they wanted and were prepared to pay and the worker had just said "yes" rather than being a more active negotiator. I believe that the way the conditions were established at the start also impacted on the ability of the workers and the employers to review the conditions during the course of the employment. Employers tended to change conditions with little or no consultation with their workers and the workers appeared to lack the confidence to ask for any change until they had been in their job for a few years. The fact that most employers and workers had not established a regular review of the conditions contributed to this situation. Therefore, any alteration to working conditions was subject to the integrity of the employer and only proposed by the worker when they felt comfortable approaching their employer.

5.3 WAGES AND HOURS OF WORK

Pollard's 1986 study of domestic workers in Fiji found that the average weekly wage for domestic workers was $19.98, with an average hourly wage of 46 cents[104]. Domestic

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[104] All amounts are in Fijian currency unless stated otherwise. At the time of the research F$1 was equivalent to NZ$0.92 (average rate calculated over the period I was in Fiji - courtesy of www.oanda.com/convert/fxhistory).

workers worked on average 52.3 hours per week, with 12 percent of workers claiming that they had no full day free of work (Pollard 1987:40-41)[105].

According to the 1998 Fiji Islands Bureau of Statistics annual employment survey the mean annual salary for employees in the "elementary occupations", which includes domestic workers, was $6,379[106]. This is the equivalent of $129.59 per week. For the "community, social and personal services" category, which could also include domestic workers, the mean annual salary in 1998 was $4,420 ($85 per week)[107]. In contrast, the mean annual salary in 1998 for expatriates in the "legislators, senior officials and managers" occupational category was $54,024 ($1,038.92 per week) and in the "professionals" category was $34,490 ($663.27)[108].

The participants' responses in my study show a variance in the levels of remuneration, although the jobs were reasonably similar. The workers received between $70 and $168 per week ($3,640 to $8,736 per annum). As the number of hours worked per week and per day varied between respondents, daily rate and hourly rates were also calculated[109]. The daily wage for domestic workers ranged from $14 to $31. The hourly wage ranged from $1.56 to $3.39. The highest paying employer was an organisation. For workers

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[105] Pollard's study, in contrast to my own, concentrated on domestic workers who were employed by indigenous Fijians or Indo-Fijians. She did not interview domestic workers who were employed by expatriates. Previous research has shown (for example, see Armstrong 1990), and the participants in my study confirmed that expatriates tend to pay domestic workers higher wages than local employers.

[106] This figure is based on responses from 755 people in this sector. See Appendix 5 for full list of elementary occupations. It should be noted that the employment survey is of "all registered establishments" under the Statistics Act [Cap 71]. It is not known how many domestic workers are not captured by this survey, however it is likely that the majority are excluded as their working arrangements are informal. For this reason, this figure should be treated cautiously.

[107] This category includes maids, cooks, housegirls, gardeners and other maintenance workers whether employed as individuals or business units engaged in furnishing these services. It is not known how many responses this mean annual salary is based on, although historically the annual employment survey has been dogged by a low response rate.

[108] This figure is based on responses from 407 people in the Legislators, Senior Officials and Managers category and 646 in the Professionals category. See Appendix 5 for the full list of these occupational categories.

[109] The hourly rate was calculated using the minimum number of hours the employers and the domestic workers said that the domestic workers was employed and weekly wage. All wage information given to me was stated as a weekly wage. Because the hours worked varied, I used the weekly wage information and the daily hours worked to calculate an hourly and daily wage rate for comparison purposes.

employed by private individuals the weekly rate ranged from $70 to $120, the daily rate from $14 to $24 and the hourly rate from $1.56 to $2.67[110].

The employers in the study paid their workers between $70 and $110 per week ($3,640 to $5,720 per annum)[111]. The daily wage paid ranged from $14 to $22 and the hourly wage from $1.75 to $2.74. Both the highest and the lowest rates were paid to domestic workers who were employed for childcare and housework.

Although this research did not explore the family situation of the domestic workers, it should be noted that if the worker was the sole income earner for the household, then the wages indicated above would not be enough to sustain the household. In 1990-91, the national poverty line was estimated to be $100.08 per week for an urban household of five people (Government of Fiji and UNDP 1997:2). This figure is likely to be higher since the cost of living has increased significantly in the last 15 years.

The employer who paid the highest hourly rate received an allowance from her own employer (an organisation) towards the cost of employing a domestic worker while the employer who paid the lowest rate did not receive any such financial assistance. The employer who paid the lowest hourly wage, when asked how much she paid her domestic worker, qualified the amount paid by saying "*I can't go to the top of the market rate because this would set a precedent*"[112].

Simply considering the amount of money paid or received for domestic work does not give an accurate picture of what might be termed 'the total employment package'. Armstrong (1990:150) found that expatriate employers provided additional benefits, including clothing, furniture, and medical or dental services. Where the worker lived on

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[110] In comparison, according to the Wages Council Status Report in 2002 [LAB PAPER NO. 12/2002 refers] garment industry workers earned $1.26 per hour or $1.05 per hour as learners. In the hotel and catering sector, a general worker earned $1.64 per hour. Shop assistants (wholesale and retail sector) earned $1.88 per hour and cashiers $1.92 per hour.

[111] It should be remembered that, with one exception, there was no working relationship between the employers and the workers in the study.

[112] The employer volunteered this information. Neither the employer nor I knew that this employer paid the lowest hourly wage at the time the interview was conducted as the data analysis occurred after my return from Fiji.

the employer's premises, their family members were sometimes able to live-in and most living expenses were paid for.

In Fiji, expatriate employers also provided benefits in addition to the domestic worker's wage, although there was considerable variance in the types of benefit workers received. All of the employers did provide something additional to a set wage. At a minimum, this included providing lunch and giving the worker first choice on clothes and goods that the employer no longer required. When the worker lived on the employer's premises, all amenities were paid for and they were often able to have family members live with them at no cost. One employer paid for the school fees for the domestic worker's children and planned to do this "forever". Other benefits included finding jobs for other family members, helping out with funeral expenses and offering to support other employment opportunities:

> *"Now I have helped her mother find another job". (Rachel)*

> *"We have offered to support them [the worker and her husband] in an orchid growing scheme because they expressed an interest. We would be happy for her and her husband to grow orchids". (Penny)*

Colen and Sanjek (1990: 181-182) have criticised this aspect of domestic work employment. They believe that employers often justify low wages for domestic work by their "culturally ingrained views of both occupation and the social background of the household worker". Employers place a value on the gifts that they give the workers and use this value as a substitute for paying a good wage. "These gifts – typically cast-off clothing or unwanted household goods- are often equally unwanted by the recipients" (Colen and Sanjek 1990:181-182).

The domestic worker participants mostly expressed appreciation for the additional benefits that they received, particularly those workers who were able to live on the premises. Timiama said:

"My accommodation, electricity and water is all paid for. And local telephone calls. My daughter can stay here if she wants to". (Timiama)

Sera, however, used to live on the premises but moved out because of the conflict that the close proximity to her employer was causing. She received no additional benefits from her employer apart from being able to have first choice of the employer's unwanted items, although she was expected to pay for these. She received very little in the way of other entitlements including no annual or sick leave and only occasionally was permitted to take a public holiday. She did however continue to be paid while her employers were on holiday. Sera was one of the lowest paid workers I interviewed and, while she did say that she would like to be paid a bit more, she was more focused on improving other working conditions than getting a higher wage:

"We should get public holidays and we should get weekends off because everyone needs a break. Ex-pat [expatriate] families seem to think we are servants but we are at home doing 'their' work. We should be treated fairly and not be seen as a servant". (Sera)

Most employers I interviewed said that they felt guilty about the amount of money that they paid their domestic worker, particularly compared with what a similar job in their home countries would pay. For example, research of domestic workers in Australia in 1997 found that domestic cleaners earned A$10 to A$20 per hour, with most earning A$11-A$15 (Meagher 1997:6).

"Everyone gets paid so little here, there is no minimum wage. Not just for domestic workers, but also doctors, security guards. I am amazed". (Rachel)

"If we had the chance to pay more allowance wise [in wages to the domestic worker] we would pay it. Local wages are so low here and there is no social security. But the higher you make the wages the less [sic] people will be employed. You try to do the best you can in the circumstances that you've got". (Kate)

"Wages seem to be pretty similar. I don't know how they survive. I think ours [domestic workers] are lucky they live here. It must be a hard life". (Anna)

However, most employers believed that they paid a good wage and that domestic workers received a good income when compared to other Fiji Islanders:

"If looking at an Australian or New Zealand point of view then [domestic workers are] on [a] pittance. But if comparing them to garment workers then the wage is okay. Some are even getting accommodation". (Clare)

"When I first got here I thought it [domestic worker's wage] was atrocious. Now I know wage rates of Fijians and I think it is good – a cushy job by Fijian standards". (Sandra)

The employers also thought that they paid better wages than what a domestic worker could expect to earn in a similar job for an indigenous Fijian or Indo-Fijian employer:

"I get the sense that local people pay less [than we do]". (Rachel)

"My [Fijian] neighbour complained that I was spoiling the housegirls because they would now expect more [money] from the local employers". (Sandra)

The employers' belief that they paid a good income was supported by the domestic workers' responses. Most of the workers appeared to be satisfied with the amount of money that they were paid. When asked if there was anything they would like to change, or if they changed jobs what they would ask for, only two workers said that they wanted more money. The workers seemed to be more concerned about other employment conditions, such as hours of work, and holiday and sick pay. This is discussed in more detail later in this chapter.

The number of hours worked each day did not differ greatly among the workers. All except one said that they worked nine hours per day. The other worker worked an eight hour day. The number of hours employers said that they required their domestic workers varied between six and nine hours per day.

However, it is unclear how often these standard hours were adhered to. When asked, most workers, especially those whose tasks included childcare, often worked longer than these hours. This was because they were required to baby-sit the children in the evening or were required to work because the employers held evening functions. Not all workers were paid extra for babysitting, although those who worked evening functions did receive extra pay:

> *"I don't get paid for babysitting at night. [Employer] said that comes with living here in the [domestic worker] quarters". (Sera)*

> *"Sometimes employer pays for extra babysitting". (Ofelia)*

> *"With functions, we get paid extra, [...] although we had to ask for this to be increased and [to get paid] for a taxi fare home". (Laisa)*

Some workers also took their employer's children to their home village for one or two days at the weekend. Usually the workers were not paid extra for this as it was seen by both the worker and the employer as something that the workers liked to do. If this happened, then the employers would provide food for the worker's family and pay for transport to the village.

For Emele however, the pay was not the overriding consideration for taking the job. What she appreciated most is that the employers allowed her to bring her own child to work:

> *"Apart from the money the thing I really appreciate is that I can bring my own child to work. Most employers wouldn't allow it. When I*

started I asked if I could phone home and check on the baby and then they offered to have the baby here". (Emele)

5.4 OTHER ENTITLEMENTS

The respondents were asked about other entitlements associated with the role, including annual and sick leave, public holidays, superannuation and notice requirements. These are summarised in Table 5 below.

Annual leave, sick leave and public holiday entitlements were the same for most of the workers. Five out of the six respondents received paid public holidays and paid sick leave. All except two of the workers reported that they received paid annual holidays. One worker said that she is not entitled to annual leave and the other worker was unsure. Five of the workers also got paid when the employers were on holiday, although this often coincided with the period when the worker was required to take annual leave. Four of the six workers received a Christmas bonus in the form of either cash or a present.

All employer respondents reported that their employees received paid sick leave and they all gave their employees the day off on a public holiday. All except one employer also paid the worker for the public holiday. Six employers paid annual leave, but required this leave to be taken over the Christmas period when the employers were also on holiday and generally had returned to their home country. The other employer said that she had "nothing specific" arranged although when the family are on holiday the employee stays in the house and gets paid her normal wage.

One employer had put in place a superannuation plan for her employee and two domestic workers reported that they received superannuation payments from their employer.

Four of the six workers were required to give a notice period, but none of the employers in the study required a period of notice. However, notice was not usually an issue raised by the employers as often the employment relationship terminated when the employer's contract finished and they left the country. All the domestic workers were aware of the length of time of their employer's contract.

Table 5: Overview of Domestic Worker Entitlements

		DOMESTIC WORKERS (N=6)				EMPLOYERS (N=7)		
		Yes	*No*	*Not sure*	*Sometimes*	*Yes*	*No*	*Not arranged*
Annual leave	Day off	4	1	1	0	6	0	1
	Paid	4	1	1	0	6	0	1
Sick Leave	Day off	5	1	0	0	7	0	0
	Paid	5	1	0	0	7	0	0
Public Holidays	Day off	5	0	0	1	7	0	0
	Paid	5	1	0	0	6	1	0
Superannuation	Paid	2	4	0	0	1	6	0
Employer holidays	Stays in house	3	3	0	0	2	5	0
	Gets paid	5	1	0	0	5	2	0
Christmas bonus	Cash/presents	4	2	2	0	6	1	0
Notice period	Required	4	2	0	0	0	7	0
Overtime	Paid	4	1	0	1	-	-	0
Workers' Compensation	Paid	1	5	0	0	1	6	0
Medical costs	Paid	1	5	0	0	1	6	0
Parental leave	Paid	1	5	0	0	0	7	0
Redundancy	Paid	1	5	0	0	0	7	0
Bring own child to work	Allowed	1	5	0	0	N/A	N/A	N/A

Half of the domestic workers interviewed did not feel that they had satisfactory terms and conditions of employment. While most seemed happy with the wage they received, or at least, not unhappy, these workers rated factors such as additional pay for working extra hours, holiday pay and sick pay as very important to their job satisfaction. The workers felt that they did not receive adequate paid holidays or additional pay for working extra hours. This is discussed in more detail in the next chapter.

While most employers said that they would be willing to pay for holidays or sick leave, it was not clear whether they had said this to their employees. In general, the employers expected that if the worker wanted a holiday or a sick day, the employee would ask for it. In contrast, the domestic workers did not always feel comfortable asking their employers for a day off. The unequal status in the relationship between the domestic

worker and the expatriate employer, and cultural differences may have contributed to this lack of communication.

5.5 TYPE OF WORK

The domestic workers were asked what sort of tasks their job entailed. The primary task was cleaning and, for four of the workers, childcare. Most of the workers were also expected to do the laundry and ironing. Some workers were required to do cooking and shopping and also sometimes did the driving when the employers wanted to go out. None of the workers were asked to do any gardening.

The main tasks required by the employers were similar to those described by the domestic workers. All employers expected their employee to do cleaning and ironing. Five employers also required their employees to care for the employer's children. Laundry, cooking and shopping were not identified as primary tasks, although some domestic workers did undertake these tasks from time to time. Only Kate expected her worker to do the gardening (most of the employers hired a gardener to do this work). Kate however said that now that she had some experience of employing a worker she would not pay extra for her to do the gardening:

> *"We were as green as green as green [sic] [about the process when we arrived]. We had no idea what we were doing. I don't think we would have paid her the gardening dollars if we had known [more about employing a worker...] the money we pay her is supposed to cover all the gardening but she doesn't do it all. I may have dropped the amount we pay and paid a grass cutter man as well". (Kate)*

Table 6: Overview of Domestic Worker tasks

	DOMESTIC WORKERS (N=6)	EMPLOYERS (N=7)
Cleaning	6	7
Childcare	4	5
Ironing	4	6
Laundry	5	3
Dishes	2	3
Cooking	3	1
Shopping	2	1
Sweeping	1	2
Dusting	1	0
Watering plants	1	0
Wiping walls	1	0
Wash windows	2	0
Supervising workmen	0	1
Driving	0	3
Gardening	0	1
Pool cleaning	0	0

The employers did not trust the domestic workers with some tasks, usually the shopping and the laundry. They feared that their clothes would get ruined or that the worker would not get the 'right' food. Anna, whose worker also did the cooking, commented on the amount of effort that she had to go to so that the worker could cook:

> *"I would prefer to cook myself. If I don't have the right ingredients I have to go out and get them [for the domestic worker] whereas if I was cooking I would substitute [the ingredient I didn't have with something else]". (Anna)*

The employers appeared to have low expectations of the work that the domestic worker did and most confessed that if there was something in particular that they thought was badly done then they would do the work themselves. The employers tended to manage around the worker, by not asking them to do the tasks that they felt the domestic worker

would not do well, by lowering their expectations of the quality of work or by redoing the work. Employers therefore do some of the housework themselves:

> *"I do about one and a half hours per day – this includes the cooking. I do the cooking and the shopping and in the weekends cleaning up". (Rachel)*

> *"Yes, about five to six hours per week. A few cleaning tasks, some ironing – silk or linen as I don't let her [domestic worker] iron silk or linen. Some dishes I do myself – she's a bit heavy handed so I do delicate things myself. She's broken lots of dishes. I do these tasks because I don't trust her to do them. She doesn't sort the clothes and things come out pink". (Penny)*

Employers also limit the task that the worker does if they believe that the worker is not confident or competent to do aspect of that task:

> *"She hangs out the laundry. She doesn't do the laundry because she is not sure about how to sort the washing or how to use the [washing] machine". (Sandra)*

None of the employers or the domestic workers said that the worker was punished for a job that they did not do well, even though the workers are seemingly vulnerable in this situation due to the informal nature of their employment contracts. For example, all the employers said that they would not ask the worker to pay for any household item that the worker broke. This was also the experience of most of the workers. However, Sera said that her employer expected her to pay for any items that she damaged and that this had caused some tension:

> *"Yes, she [the employer] has done that. Her bark is worse than her bite. Sometimes she gets quite upset. She was going to cut my pay because I put toys that had batteries in them in the bath. I said to her*

that she would have to cut the other lady's [another domestic worker] pay because she did it, not me. I think she did take the money". (Sera)

When the employers were asked if there were any tasks that the domestic worker did not do that they would like them to do, only two employers said that there were:

"I would like it if she could cook. But she has her own family and cooks for them". (Clare)

"It would be good if she could do the clothes washing. If I had known her longer we would get through these things [doing the washing badly]. She has learnt some things". (Sandra)

Most of the domestic workers were satisfied with the tasks that they were requested to do, although three workers felt that they should not have to do some tasks that they were asked to do:

"I talked to other houseladies. Other households just have someone looking after the children and another one to do the housework. I did all before the other lady was employed. Others [domestic workers] get paid for extra hours and employers have no expectation of the house being clean. Most want you to look after their children, not to have house clean at the end of the day". (Sera)

"Yes, like cleaning. Other houses [I worked at] I used to find someone else to do the windows, dusting and polishing the furniture". (Ofelia)

"Sometimes when there is a function one after another there is part of the house I have to clean and I have to rush down and do the shopping. But I hate shopping. No one else helps do the shopping". (Laisa)

I also asked the domestic workers if they thought there were any tasks that they thought they should be doing but are not currently required to do. Only Emele replied that there was:

> *"Yes, the driving thing would be good". (Emele)*

Litiana talked about the tasks that she liked to do:

> *"I love all I do. I think I am really made because I have to do ironing, just to move the iron. I love my ironing. I love my washing". (Litiana)*

5.6 COMPARISON TO OTHER WORKERS AND EMPLOYERS

All except one of the domestic workers had talked to other domestic workers about their terms and conditions of work. The conversations were primarily around the wages and allowances that they received, although other job-related issues such as how to use the washing machine were also discussed. The domestic workers appeared to seek support from others in a similar position through these conversations:

> *"We talk about work conditions and share ideas". (Sera)*

> *"Talk a lot about what we all go through, the good days and the bad days. It helps talking to them [the other workers]". (Emele)*

It is through these discussions that the domestic workers have found out about other workers' conditions and they use this information as a means of comparison:

> *"Most of them [domestic workers] don't agree with their pay. They have a workload and it's [the wage] not good enough for them". (Timiama)*

"Not similar to mine [employment conditions], the others think mine are much better. Most of them couldn't believe it [how much I get paid]". (Emele)

However, the domestic workers do not appear to use this information to ask their employers for better conditions:

"Yes [I talk to other domestic workers], sometimes others say it is difficult to talk to their employer". (Timiama)

When Laisa did ask her employer for changes to her conditions, she felt that it had not helped:

"[We discuss] food allowances, bonuses and things. Doesn't really help - we ask for food allowance and bonus and didn't get an answer". (Laisa)

Employers were not specifically asked if they had spoken to other expatriates about domestic workers' terms and conditions, but some did mention that they had spoken to other expatriates about this topic:

"You get to hear what everyone else is doing. We took on what the people before were paying and every Christmas added on five dollars". (Clare)

"We talked to the family who employed [domestic worker] previously as well as her landlord who had employed her for years". (Penny)

As some employers had 'inherited' their domestic worker from the previous employer, they were able to ask the worker what tasks they currently did and how much pay they received. These employers were able to use this information as a basis for their employment conditions:

"With these [compound] houses when we take over the place the housegirls are here. We took over the amount [domestic worker] was getting paid before. Christmas bonus and things we didn't know about so we asked others here so no one [domestic workers in the housing compound] favoured". (Kate)

5.7 PERCEPTIONS OF THE EMPLOYMENT PROCESS

Despite communication difficulties and indicating a dislike for the employment process, most of the employers said that if they were to employ a domestic worker again, there would be little difference to what they did last time:

"No [we wouldn't do anything different], assuming we got someone as reliable and consistent". (Penny)

"No, although it depends on the person. I dread the thought that I would have to go through it all over again. It took a while to go through everything, for [domestic worker] to learn the house". (Sandra)

Clare expressed how difficult she had found the process:

"I would hate to have to do it [again]. It's really difficult. You can't learn a lot from an interview". (Clare)

Improvements that were suggested included writing down expectations and setting up an annual review:

"[It would be] good to have something formal in writing. Get a first aid course done in the first couple of weeks and have a six month or twelve month review". (Julia)

"The more you can set expectations, the better. I would try to write things down [next time].... Some kind of written contract that specified expectations that both parties could sign". (Rachel)

Almost all of the employers felt that they were lucky to have employed a good domestic worker despite the rather informal process that they followed:

"I feel lucky with our housegirl. I haven't tried to change her". (Clare)

"She seemed so naturally good with [child's name]. I don't think Fijians could do anything to harm children". (Sandra)

When the domestic workers were asked what terms and conditions they would like if they changed jobs, there was no one thing in particular that all the workers mentioned that they wanted. Most of the workers seemed to value a degree of flexibility in their current jobs - for example bringing their own child to work, having time off when they needed to, not working at the weekends - that they did not appear to focus so much on the wages paid. Only Timiama said that she would ask for more money:

"I would prefer good pay". (Timiama)

Other improvements mentioned included the employer's adherence to the agreed hours, paid overtime and sick leave, a job description, superannuation and no weekend work or childcare:

"A job description – to do only that [those tasks in the job description]. I would like something written down [...] maybe a bank account to put in superannuation". (Sera)

"For the time to start work and time to finish. Babysitting have to pay extra. Sick leave money". (Ofelia)

"No cleaning. Just to be a cook". (Laisa)

The responses to this question were not very detailed, possibly a reflection that the workers had not really given a lot of thought to their next job or how they might approach any future job interviews.

5.8 SUMMARY

Six domestic workers and seven expatriate employers of domestic workers were interviewed for this research and their experiences have provided an insight into the working terms and conditions upon which domestic service arrangements are based.

These interviews suggest that there is a lot of similarity in the terms and conditions of domestic workers who are employed by expatriates. The range of tasks that the workers performed were similar and most received paid public holidays, annual and sick leave. Interestingly, all of the employers reported that there were some tasks that they did themselves as they did not trust their worker to do these tasks adequately. However, the wage rates did vary considerably. This is surprising given the small expatriate community that exists, but probably reflects the different rates of pay and domestic work allowance that the expatriate employers themselves received.

The employers did express embarrassment at the amount of money that they paid their worker, particularly when compared to wages for similar work in their home country. However, all justified the amount that their worker received by comparing it with the wage of a similar worker employed by a Fiji Islander. The employers also considered that they were good employers and believed that they paid their worker well for the amount of work expected.

In general, the workers believed that the wages they received were satisfactory. They had more concerns about other working conditions and, in particular, the amount of overtime work they did and the lack of remuneration for this work. While most of the employers and domestic workers had discussed the job requirements before the job commenced, this discussion did not involve much negotiation by the domestic workers, who tended to accept whatever conditions the employer offered. As a consequence, a review of these conditions has become awkward to initiate, especially because no

regular review process was established from the start. The workers who had least input into the employment negotiation process appeared to be more aggrieved about their working conditions than those who had some direct involvement. Despite some of the informal and unstructured processes that were followed, neither the employers nor the workers believed that the overall employment process should be changed significantly, although the responses indicated that the participants had given little thought to this matter.

This chapter touched on communication issues between the worker and the employer. Cultural differences between the two seem to have lead to a misunderstanding of how they should communicate any dissatisfaction with their working arrangements to each other. In general, the employers thought that if the worker was not happy or wanted to change their conditions then the worker would ask the employer directly. The workers, however, often did not feel comfortable asking for changes and thought that the employer should raise these issues with their worker. This misunderstanding has meant that the employers have tended to remain ignorant of the worker's perception of their job. If the workers were unhappy, this has led them to feel that the employer dictated the terms of employment without negotiation. Whether this miscommunication has impacted on the overall relationship between the employer and worker needs to be further explored. The next two chapters will examine the relationship between employers and workers in more detail.

Chapter 6: Employer and Employee – Exploring the Relationship

6.1 INTRODUCTION

The previous chapter highlighted the difference in expectation between expatriate employers and domestic workers about responsibility for raising any issues about the worker's employment conditions. This chapter explores the relationship between the two parties further in terms of their views of the relationship, their communication with each other, the quality of work that is expected and is done, and job satisfaction.

The workers and the employers in the study were asked how they perceived their working relationship, whether there had been any conflict between them, and if so, how this conflict was managed and resolved. The employers were also asked about the quality of housework that they expected and whether they thought their domestic worker achieved these desired standards. Both the employers and the employees were also asked about job satisfaction; for the employers, whether they were happy with their domestic worker, and for the worker, whether they were happy to be a domestic worker and if they thought they would continue to do this job. The answers to these questions provide a picture of the relationship that has developed between expatriate employers and the domestic workers they employ.

6.2 DESCRIBING THE RELATIONSHIP

The relationship between employer and domestic worker and, in particular the potential for employers to exploit the worker because of the unequal power relationship that exists between them, has been the subject of much research. The unequal relationship is not unique because it is between an employer and a worker, but because the work takes place in the employer's private home. Hondagneu-Sotelo (1994:53) believes that the isolation in which domestic worker conditions are established reinforces the unequal power relationship between the employer and employee, particularly where the negotiation takes place without the use of already formulated and recognised guidelines. Employees in private households are dependant on the integrity of the employer to regulate working hours and tasks, and to provide payment. Tronto's research on domestic workers found that "according to the workers themselves, the most degrading aspect of their work is that they are not accorded sufficient respect and dignity"

(2002:38). Some employers attempt to make the worker 'part of the family' but often this only conceals the real power relationships in existence (Anderson 2001:31).

The popular view of paid domestic work, according to Meagher (1997:2), is of middle and upper class women employing working-class women, frequently from disadvantaged racial or ethnic groups. In contrast, Kidder (2003) found that control in the relationship between the expatriate employer and their Indian domestic worker did not lie solely with the employer. Kidder studied how expatriates in India learned to live in India, with and without Indian domestic workers. Because the expatriate employers rely on their workers for assistance, particularly with daily living, they are therefore dependent on the worker at least some of the time (Kidder 2003:210).

In contrast to most other studies, which show an exploitative relationship between the employer and the worker, and that domestic workers and their work is degraded, the experience of the domestic workers that I interviewed was reasonably positive. Most of the workers viewed their employers favourably and enjoyed working for them.

The domestic worker participants were asked whether they thought they had a good relationship with their employer and all except Sera responded in the affirmative:

> *"Yes. I'll miss her when she goes. Four years she has been here". (Laisa)*

> *"Yes, very good. They are very nice, that's why I really enjoy my work with them". (Timiama)*

Sera did not describe her relationship with her employer as being a good relationship, although she did say that it was improving mainly because she had started to state her opinion and let her employer know when she disagreed with her:

> *"I can talk my mind now because I have been here a few years now so it is easier. I can say to her [that] I disagree. When I started in the first year I kept quiet, I didn't answer back. My husband kept telling*

me that I would have to leave but I couldn't bear to part from the children". (Sera)

The relationship between Sera and her employer changed when she ceased living on the employer's premises. While living on the property Sera thought the employer asked too much of her, including working late at night and at weekends with no day off and no pay for the extra work. She moved to her own house when the employer accused her of stealing and called the Police to investigate. The incident gave Sera the opportunity to change her living situation and gave her the confidence to start being more assertive about the relationship with the employer. While Sera did not believe that she had a good relationship with her employer, she felt that the job had improved because she felt she was able to better communicate with her employer and had had some success in changing the conditions of her job to suit her needs.

Most of the answers that domestic workers gave to other interview questions regarding the relationship with their employer supported their view that they thought they had a good relationship with their employer:

"I like the way she talks to me. Sometimes she prepares tea for me." (Ofelia)

The workers were also asked whether the employer gave them feedback on their quality of work, whether the workers agreed with the quality of work that the employers expected and whether they had had an argument with their employer at any time. The answers to these questions suggested that the domestic workers believed that the relationship with their employers was generally good. In particular, the workers felt respected and most commented that the aspect of their work that they most liked was when the employer complimented them on the work they had done:

[My employer says] "You have been doing a nice job. I feel great". (Litiana)

"Oh yes, that's one thing I like [being told she has done a good job]. For instance, last week I cleaned the toilet and bathroom and they

[the employers] noticed. And they came and thanked me. They notice little things that I do". (Emele)

"Mostly when we have parties she [the employer] says you girls have done a good job. And when she goes away and she comes back and finds the house clean she says that". (Laisa)

It is not known whether the domestic workers felt able to criticise their employers in any way and whether this had any influence over the answers that they gave about the nature of their relationship with their employer[113]. Ofelia, who said that she likes her job and likes her employer, also said:

"I would like to sit down and talk to her about some things. It is not good for us to ask [for this] because they are our boss [sic]. It's the Fijian way. I think we should have a meeting so that we know that we are doing the work well. And talk about looking after the children. [But] I wouldn't feel comfortable asking her for a meeting". (Ofelia)

However, Timiama said that having a good relationship with her employer made it easy for her to communicate with them, especially if there was something that she was unhappy about:

"No, I don't find it difficult to communicate with my employers. It is easy to talk with them. I could tell them straight if there was anything that I didn't like". (Timiama)

Employers in my study were asked to describe the relationship that they have with their domestic worker. Most of the employers appeared eager to "get the relationship right",

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[113] The extent to the workers' answers were influenced by being interviewed by a 'westerner' is also unknown. The workers may have felt uncomfortable saying that they did not like their employer because their employers were of the same or similar nationality to me. However, most of the domestic workers were open about some of the things that they did not like or would like to change about their working conditions, which suggests that they did feel comfortable stating their opinions and were not giving answers that they thought I wanted to hear.

even if they found this difficult to achieve because of their lack of knowledge about employing a worker, cultural differences and the loss of privacy that came with employing someone to work in their home.

Four employers described the relationship as a predominately employer/employee relationship. Clare worked to establish her position as the employer from the beginning:

> *"I think we understand each other. It's definitely an employer/employee relationship. We are not family members or good friends. I don't encourage her to be part of the house. I make it clear I am an employer". (Clare)*

Sandra's relationship with her worker has also evolved along the employer/employee line:

> *"The relationship is friendly, but we're not mates". (Sandra)*

Rachel and Kate both thought their relationship with their domestic worker was bordering on friendship, but the employer/employee distinction was still present:

> *"We have a good relationship, it's bordering on friendship as well". (Kate)*

Most of the employers found the relationship difficult to describe and found the arrangement a strange experience. Rachel expressed it as:

> *"It is an awkward relationship. I am not comfortable feeling like someone is doing everything for me". (Rachel)*

The employers who had developed a distinctly employer/employee relationship with their domestic worker appeared to be more comfortable with the status of the relationship and their role in it.

The employers who felt that there was an aspect of friendship in the relationship found it more difficult to assess whether they were friends or employers and this had an impact when employment issues needed to be resolved:

> *"It's a really strange relationship. In the end it is employer/worker. I try to relate to her as a friend, but she's not. She refers to us as her "boss". It's sort of like a friendship. She talks to me about her personal life and it is intently a good relationship but I find it really hard when the employer/employee thing comes in and you have to deal with it in a different way". (Rachel)*

Previous research has shown the difficulties that occur when the domestic worker is described as 'part of the family' (Miles 1999, Anderson 2000). Anderson (2000:122) believes the phrase suggests "a special relationship beyond the simple bond of employment". Employers use this phrase to disguise the employment relationship because it places the worker in a disadvantageous position when it comes to negotiating their terms and conditions (i.e. the worker risks the good relationship with their employer if they make demands). In addition, the use of the term disguises the power status inherent in the relationship, particularly as the employer can terminate the employment at any time. The worker then has no 'familial rights' with this particular family, despite the position that they once enjoyed. Miles (1999:206) concluded that being considered part of the family had more disadvantages than advantages as wages tended to be lower and erratically paid. Thus, being considered part of the family often led to a more exploitative relationship.

None of the domestic workers I interviewed described themselves as being part of the family and only one of the employers referred to the domestic worker as being part of the family.

When describing the relationship between herself and her domestic worker Rachel said:

> *"It's sort of like a friendship. She talks to me about her personal life and it is intently a good relationship [...]. Her daughters are like my*

daughters' sisters. My daughters call her "Nan" [Fijian for Mum]. She is very much part of the family".

Clare was emphatic that her domestic worker was not considered part of the family and described an issue early on after her arrival in Fiji that demonstrates some of the problems connected to the domestic worker being considered part of a temporary family situation:

"We had a problem when we first arrived as the people before us had two children. The housegirl became their mother. She was living in the bure [accommodation for domestic workers] full-time and became part of the family. That was hard when they [the previous employers] left. When we came the housegirl's children expected to have the run of the house, like watch TV, and they couldn't understand why they were not part of the family unit. I think the housegirl understood and had to tell her son no, [employer's son] doesn't want to play with you. I think the housegirl has adapted as different ex-pats [expatriates] have come through". (Clare)

However, the employers did seem to want to have a good relationship with their worker and for them it was important that the worker liked them as an employer:

"She hasn't invited me back to her house or anything like that. But other housegirls have said that she likes me so that's okay". (Sandra)

6.3 EXPERIENCES OF CONFLICT

The employers were asked whether they had experienced any conflict with their domestic worker. Four employers said that they had, and all employers acknowledged that they had experienced communication issues with the domestic worker:

"I talked to her about not using the pool. I did feel mean but she doesn't seem to be vindictive". (Clare)

"She does a good job. I did have a go at her after Christmas because I thought she was getting slack, for example not telling me when she broke things. I raised it with her [...] when I told her off really badly she wouldn't meet my eyes and she was sweating a lot. I used the word "lazy" because I thought she could relate to it. I finished by saying she was wonderful overall. After this she worked full-tilt". (Sandra)

"I have expressed disappointment when she has broken things or ruined my clothes, but this isn't really conflict". (Penny)

Most employers tried to avoid conflict with their domestic worker, however they all had different ways of managing this conflict. Some would do this by changing their expectations so that the relationship would work, while others used humour when broaching issues that had arisen:

"If there has ever been any problem I kind of have a bit of a joke with her about it". (Kate)

"I do complain about her as it takes me forever to find things. I ask her and we have a running joke about where things are". (Sandra)

Other employers simply avoided raising issues:

"No, we don't have conflict. But that's because of my personality because I find it difficult confronting people. I am not comfortable bossing people around. I do trust the workers but if I don't like the work they have done, I would redo it myself [rather than ask them to do it again]". (Anna)

"I get really bent out of shape. Learning to communicate has been really hard as she's not used to being direct. It makes her

uncomfortable. It's an exercise in learning to let go. I change myself more than I have tried to change her". (Rachel)

Employers have tended to work out what issues they are comfortable dealing with and what communication style works best, and have managed the relationship accordingly:

"She does some things that drive me crazy but I know she is set in the way she does things. I have temper tantrums in private when she has left. Some times I feel like banging my head against a brick wall, but it's my problem because she isn't going to change. It is my management style that has to change. I avoid conflict by not asking her to do the tasks that I don't think she does well. I have expressed disappointment when she has broken things or ruined my clothes, but this isn't really conflict". (Penny)

Most employers did not consider that addressing issues with their employee directly would benefit the relationship or the work that the employee did. However, most employers believed that the things that upset them the most were relatively minor and that overall the worker did a good job so there was little to gain by making a fuss over these issues:

"Some things irritate me but [domestic worker] is learning. Little things irritate me". (Kate)

Most of the issues that seemed to bother the employers related to the quality of housework, which is discussed later in the chapter.

Employers who engaged domestic workers to look after their children were pleased with the quality of childcare provided. As they believed that this was the most important aspect of the domestic worker role, they did not seem so concerned about the quality of housework that was done. This is also discussed in more detail later in this chapter.

Some of the difficulty in communicating expectations may be linked to the feelings that the employers had about the amount of money that they paid the worker or the belief

that if they did not employ the worker then no one else would[114]. These feelings of guilt and obligation may have contributed to the employer being uncomfortable about insisting that the domestic worker achieve the housework standards that the employer ideally would expect.

Another reason for the communication issues may have been that for all but one of the employers this was the first time that they had employed a person to undertake the housework and in-house childcare. These employers were still working out the relationship, their role and their expectations of the workers, who are from another ethnicity and culture to their own. Most of the employers had no experience of managing staff and this lack of experience has contributed to their lack of confidence in addressing any issues that arise with the domestic worker directly. As Armstrong (1990) and Hansen (1990) noted in their studies, in most post-colonial societies today, the new expatriates are not practised as employers, are not used to the socio-economic class divisions that exist, and therefore are uncertain about their status and how to conduct themselves as employers.

The employers generally felt, at least, slightly uncomfortable about employing someone to "*clean up their personal mess*" (Rachel). Domestic service is unique in that it takes place in the employer's home. It also requires the worker to be closely involved with the personal affairs of the employer. Dickey (2000:469) suggests that the tension in domestic service is a result of the "combination of an intimacy based on the worker's closeness to the family and a distance based on class and other hierarchies[115]". This tension and the employer's awareness of their perceived social status in Suva may have contributed to their reluctance to tackle any communication or work issues directly.

Despite the experience that the domestic workers had gained in working with expatriate employers, communication problems for the workers and the employers I interviewed were still prevalent and both commented on the frustration that this has caused. In India, the experience of employing a domestic worker was crucial to expatriates' enjoyment of their own work contract. Kidder concluded that "expatriates' success in maintaining

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[114] See Chapter 5 for findings on terms and conditions of employment, including the wages that domestic workers receive.

good relations and retaining servants can be the difference between being happy or miserable in India" (2003:214). While I do not believe that this is true to the same extent in Suva as in India[116], the relationship that an expatriate has with their domestic worker does have an impact on the expatriate's enjoyment of their time in Fiji.

6.4 QUALITY OF WORK

Dickey (2000), Rollins and Romero (both cited in Dickey 2000) found that the quality of the work that the domestic worker did was not as important to employers as other attributes, including cleanliness and honesty of the worker. For Dickey (2000:477) this finding suggests that employers hire domestic workers to maintain social status and not because they or other members of their household are incapable of doing the housework.

There appears to be an element of maintaining social status involved in the decision of expatriate employers in my study to engage a domestic worker, particularly for those employers who did not require childcare. As noted in the previous chapter, the main reasons that expatriates stated for employing a domestic worker were for childcare, security and because it was something that was expected of expatriates living in Fiji. Therefore, whether a domestic worker was engaged for conscious or subconscious reasons, the quality of housework was not very important to the employers, although most of them would have liked it to be done to a higher standard.

Most of the employers I interviewed said that they had particular ways of wanting the housework done, but accepted that another person might not meet these standards, especially if they were from another culture:

> *"I want to do things in a certain way ... but I look at it as that is her way and I leave it to her". (Rachel)*

When asked if they thought that they did a good job, all of the domestic workers replied that they thought they did. In contrast, the employers were not overly complimentary

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[115] The domestic worker will almost always be from a lower socio-economic class than the employer.

about the quality of work of their domestic worker, with four employers saying that they often had to redo aspects of the housework.

Most of the employers did however manage to comment positively on at least one task that the domestic worker performed:

> *"[The quality of work is] pretty low for some things. For other things she does better than we would do. She keeps the house cleaner than we would and does laundry more diligently than we would". (Rachel)*

As with most of the other employers, Clare had tried to teach their domestic worker to do the work to a quality that she would prefer, but had very little success:

> *"I tried to change a few things but it didn't work. It doesn't matter though as she does so much else that it doesn't make sense to get upset. Compared to the last housegirl this is so easy, I can trust her implicitly. I don't particularly like the housework that she does, although her ironing is good. The house is neat and tidy but sometimes I clean after her at the weekend". (Clare)*

Penny believed that because of the cultural differences between her and her domestic worker, and because the domestic worker had grown up in a different social environment, it was inevitable that each of them would have a different standard of housework:

> *"She's not very good. I have talked to her and showed her. She'll do it for a little while and then she lapses. I figure it is my problem so I will do it myself. She has different standards of cleanliness and hygiene to us. I often do the bathroom again to a New Zealand standard of cleanliness. She comes from a different social and cultural context to*

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[116] This is probably because it is easier to communicate with other people and organisations in Fiji as English is one of Fiji's three official languages and is widely spoken and understood.

what I do. She lives in a village so she doesn't have an appreciation of New Zealand standards". (Penny)

Kate however had a different perspective to the other employers:

"Overall I like the work that she does. She does a better job than we do". (Kate)

Anna was also complimentary about the quality of work that her domestic workers did, although she also re-did some of the work herself:

"They are good. The end result is pretty well done. If there is anything that I don't like I tend to do it myself". (Anna)

When asked if they check the work that their domestic worker does, most of the employers said that they did not specifically check but just noticed if there was something that they thought was not done very well. The employers with children were more likely to specifically ask the worker if certain tasks had been done or to watch how the worker was caring for the children:

"I don't specifically check. I see what she is doing, but I don't care about the laundry, floors etc. I do watch to see how she is holding the baby or how she is with our older daughter. I would probably say if she was doing something I didn't like. I remember telling her I wanted her to wash her hands before she picked up the baby". (Rachel)

"No [I don't check the work that she does]. I have trust. Only informally I might ask if the baby has been fed or had a nappy change". (Julia)

For those employers who employed a domestic worker for both housework and childcare, the quality of housework was a secondary concern to the childcare. As Julia described it:

"If the children are happy, then I am happy". (Julia)

For these employers, it was more important that the children were looked after than having the cleanliness of the house meet their usual standards:

"The childcare is great. She has a fondness and compassion for the girls and that's what we pay her for. She's not very good at housework. [...] My emphasis is on childcare so I don't mind about housework, as long as she gets the dishes done before the girls get home from school". (Penny)

"I don't care if the house is a disaster as long as she looks after the children". (Rachel)

"She does a really good job with the children. When I come home I know because the children are happy and smiling. The house is kept very clean [but] some things irritate me. She is learning". (Kate)

All of the employers whose domestic worker provided childcare were satisfied with the level of care provided and expressed appreciation for the worker's quality of childcare.

For the employers and the domestic workers who had a childcare arrangement as part of the work, there appeared to be awareness that this changed the nature of the relationship slightly. The power in this situation does not rest completely with the employer because they are reliant on the worker for the childcare. There are few options for childcare available in Fiji besides private arrangements and therefore the employers wanted to provide good working conditions for their worker so that they remained the employers of choice. In these situations, the employers were less likely to be concerned with the type, amount or quality of housework that their worker did.

The worker, however, did not exploit this power shift in the relationship because they appeared to develop a bond with the children that they looked after. This meant that they were less likely to leave their jobs if they were unhappy with some of their working

conditions because of the relationship that they had established with the children who they cared for. As Emele expressed it:

> *"Most of them, the nannies, don't have a good relationship with their employer, but the children are holding them there". (Emele)*

When asked about the quality of work that their employers expected, three domestic workers said that their employers had certain ways of wanting the housework done or the children looked after. For Timiama this was not a big issue:

> *"Just in the normal way with children. Not to smack the children. To do some reading and painting and drawing instead of watching TV all the time". (Timiama)*

Five workers considered that the quality of work expected was reasonable and all of the workers said that their employers told them frequently that they did a good job:

> *"No, they are not very particular. I have been blessed by that" (Emele)*

Only Sera said that she had had a disagreement with her employer about her employer's expectations in relation to the housework:

> *"Yes, she has her ways. She is very fussy. She has high expectations and it is hard to cope with [three children] and to do the housework". (Sera)*

Laisa and Sera thought that their employers expected them to do too much work:

> *"Sometimes I find it is too much work. At the moment with only a single boss we have a time break and now this gives us a lot of free time to spend with our families". (Laisa)*

"It's really hard looking after the children and doing the housework. I try to balance the work". (Sera)

Ofelia also thought that her employer required her to do too much work. She did not find this a problem however, because her employer seemed to be happy with the work that she did, even though on most days she did not get all the work done:

"I was thinking that two children so close in age, that is a lot of work. It's hard. No, I don't get everything finished, but [employer] is happy with the amount of work I do". (Ofelia)

Timiama and Litiana thought that the amount of work required was about right:

"Just suits me right [the amount of work]". (Timiama)

"I have got more time. Sometimes I finish early and wait for the car to come. I have got enough time to do all the work". (Litiana)

Overall, the workers did not seem to be very concerned about the quality of work that they believed their employers expected. This is probably because they all thought that they did a good job, a view that was reinforced by the positive feedback that they received from their employers.

While employers were generally critical of the quality of housework, they identified other benefits of employing a domestic worker that offset this. Clare liked the fact that her domestic worker was able to communicate with the tradesmen, which she was unable to do:

"I don't particularly like the housework that she does, although her ironing is good. I tried to change a few things but it didn't work. It doesn't matter though, because she does so much else that it doesn't make sense to get upset. Part of having her here is that she can speak

English, Fijian and Hindi so she can communicate with any workmen that we have". (Clare)

Rachel and Penny thought that the security provided by having a domestic worker was valuable:

"When we first came [to Fiji] we were convinced by the local people that it was safer to employ [a domestic worker] who was connected with the community, especially when we were away. Now I come to think about it, it's true. I don't worry about the bad elements in the village as [the domestic worker] says they won't touch our house because she is engaged to a boy in the village". (Rachel)

"She provides a security service for us as she lives in if we are on holiday or overseas". (Penny)

Honesty was important to the employers I interviewed. As Sandra explained:

"[The domestic worker] is a half-job Johnny but I like her because she doesn't have sneakiness. She is naïve and honest, but she is rough and ready". (Sandra)

Kate also valued her worker's honesty:

"I asked [the domestic worker] when we needed extra help because I trust her". (Kate)

When describing the relationship with her worker Anna said:

"I trust them. I have misplaced things and thought 'oh' [the domestic worker has taken it] but then I have found it and it's been my fault". (Anna)

Overall, the employers were generally happy with the amount of work that their domestic workers did, with most employers recognising that the workers did work hard for their wage and that the job could be tedious at times:

> *"She does a lot for her money. She gets so little in the scheme of things". (Rachel)*

> *"I think she is a good worker considering the repetitive style of work". (Sandra)*

Most of the employers thought that they were good employers and provided good terms and conditions as an incentive for the worker to do a good job. These terms and conditions reflected the expatriates' experience of employment in their home countries. In essence, they worked out a 'subconscious' contract with their domestic workers based on their socialisation into and experiences of formal sector employment. Julia thought that she had lower expectations of her worker than other employers might have of their workers:

> *"It's a hard question because it's a relative playing field. I think my expectations are lower than what others might expect. If we were overseas, this is a ridiculous amount of money for the work she does". (Julia)*

While Kate said that she felt guilty about the amount that she paid for domestic service, she believed that her worker was better off working for her than for another employer:

> *"I feel guilty that we don't pay her more going from Australian standards. But in comparison to other households in Fiji she does pretty well". (Kate)*

Anna justified the amount she paid by saying that the domestic worker that she employed did not have as much work to do as other domestic workers:

"I think the amount she gets paid per week is terrible. She doesn't have much to do though as we don't have our children here". (Anna)

While the employers in the study believed that the wages that they paid were low, most of the employers justified this on the basis that their employee was better off with them because they provided good wages and working conditions in comparison to non-expatriate employers. The employers thought that their worker was fortunate to be working for an expatriate because a similar job for a local person would not provide the same benefits.

6.5 JOB SATISFACTION

Colen and Sanjek (1990:183) describe household work as "in essence, a dead-end job", although acknowledge that there is evidence that some domestic workers view domestic work as a long-term occupation. For these workers, Colen and Sanjek believe there is some inward, if not upward, mobility. By this they mean domestic workers change employers to improve their working conditions and pay, rather than changing from domestic work to another type of work.

The domestic worker participants in my study did not consider their work to be a dead-end job. Most workers responded positively when asked if they like their jobs. Two responded that they loved their job and the other four said that they were happy to do their job. Litiana and Emele said that they loved their jobs and that there was nothing that they would like to change. Their love of the work was directly related to their relationship with their employers:

"I love my job. The [employers] have been good to me. They are all good and I love to mix up [sic] with them and talk with them. They are good to me". (Litiana)

"I am so grateful. I wish they [the employers] wouldn't leave. I really love looking after children. I will probably look for more work as a nanny". (Emele)

However, even though Emele said that she loved her job, she had thought about other employment opportunities but the study required provided a barrier:

> *"I would love to be a kindergarten teacher but you have to go through courses and diplomas. I might do this. Right now I am happy". (Emele)*

Timiama and Sera said that they liked their jobs and that they did not want to change any aspect although this was on the basis that they believed they were lucky to have a job:

> *"I don't think there is anything I would want to change. It's difficult to find a job in Fiji, so I like what I am doing now. I'll see when the employer has gone, then I'll decide what job I can get. If it is hard to get another job then I will stick to this. Perhaps working in a supermarket or shop – to be meeting people". (Timiama)*

> *"In Fiji now, work is hard to find. People with experience and degrees get the first jobs. I'm just happy to do anything". (Sera)*

However, in line with Colen and Sanjek's conclusion, most of the workers participants I interviewed were looking to improve their working conditions and pay. When Timiama and Sera, who said that they liked their jobs, were probed further they did not appear to be as satisfied as they claimed and both had suggestions for how the job could be made better:

> *"I should get paid for normal hours and she [the employer] should pay more for extra hours. We should agree on extra [pay] for extra hours. And a job description – to only do that. There was a verbal job description when I started but it [the tasks] climbed up and up and up [sic] – every day an extra thing was added. I would like something written down so there is no argument and no fuss about it. So both parties are happy". (Sera)*

"I would prefer more pay – maybe more than that [what I get now]". (Timiama)

Even Emele and Litiana, who said that they loved their jobs and did not want anything to change, thought there could be some general changes to the employment of domestic workers. Litiana said that she would like domestic workers to have holiday leave built into their employment and that some job training would be beneficial. She also believed that she would like to join a trade union as a trade union could look after domestic workers' needs. Emele acknowledged that one of the reasons she loved her job was because she had a "*good relationship with [her] employers*". She believed that it would be beneficial for domestic workers to have some standard terms and conditions "*because their [the employers'] children's life and death is in our hands. We are practically raising their children for them*".

Ofelia was the only worker who stated that she was dissatisfied with her job, even though she felt that she had a good relationship with her employer. Ofelia believed that she had too much work and that she did not get paid enough. She was also dissatisfied because she did not have the opportunity to discuss the terms and conditions with her employer before the job started – the employer simply told her what they would be. Ofelia did not feel that she could instigate a discussion with her employer to raise these issues. Although she thought that she should have a meeting with her employer to talk about the work, she said that she would not be comfortable asking her employer for such a meeting:

"She [the employer] didn't interview me so I could tell her my opinion. She just told me what I get paid. First, I think we should have a talk [...]. When I first started, if I missed a day she would cut my pay. But just at the beginning of this week [of the interview] she told me about holidays and sick pay and that they will give me the wages for these days. I don't know why they decided to change it [...] I would like extra money because looking after children, that's a lot of work. With no children the work would be easier. I worked for a lady for three months who had no children. I could finish at 3pm and the work is

done. If there are children, we have to wait until the parents come home, sometimes this is 7pm or 8pm". (Ofelia)

Unsurprisingly, Ofelia said she would ask for a number of different working conditions if she changed jobs and was quite specific about the conditions that she would request. She also thought that domestic workers would benefit from joining a trade union, so that the union would "*fight for us and help us get better conditions*". When asked what she liked about being a domestic worker, Ofelia responded "*it is work I am used to*". However, she also talked about the bond that she had with the children and how hard it was to be away from them:

"It's very hard for us [being away from the children]. It's Fijian tradition. It happens in the village - we worry about who is looking after the children, who is putting the laundry on, who is doing the dishes". (Ofelia)

The domestic workers were also asked whether they would be happy if their children decided to work as domestic workers. The workers had mixed responses about their children doing this sort of work, with half of them saying that they would not like it and half of them saying that they would be happy for their children to be domestic workers.

This is somewhat different to the experience of participants in Miles' study on female domestic workers in Swaziland. Miles (1999:207) found that the domestic workers in her research were willing to experience hardship and humiliation in their jobs to ensure that their children had a good education and therefore did not have to resort to domestic work for their livelihood. These women were using domestic work as a way to increase their children's social mobility. The same does not hold true for the domestic workers that I interviewed, given that half responded positively when asked if they would be happy for their children to be domestic workers. Pollard (1987) found that just over one third of the domestic workers in Fiji that she interviewed were happy for their daughter to be a domestic worker.

The workers who expressed happiness with their current employer were more positive about their children working in the same profession than were the workers who were less satisfied with their terms and conditions of employment:

> *"Yes, I think she could make a good nanny". (Emele)*

> *"Just my little girl, yes" Being a cook is quite good for a girl. You are occupied all the time". (Laisa)*

The workers who thought domestic service would be a good job for their children thought this because they believed that the work was easier, the hours less and the pay higher than in other jobs:

> *"Oh yes, I always tell them [her children] it's much better to be a housekeeper than to do work in a garment factory or working in a restaurant. I think that it's a bit hard, less pay and long hours". (Litiana)*

> *"Yes, it's hard to find a job. It's money, [but] I prefer her to do something else than study for nanny [sic]". (Timiama)*

The reasons that workers gave for not wanting their children to be domestic workers was because of the type of work that domestic service entailed and because of the problems that they had experienced as domestic workers. These were also the workers who felt aggrieved over their terms and conditions of employment and who considered that they had too much work to do:

> *"No, I have seen the problems". (Sera)*

> *"No, because I have been working, I know". (Ofelia)*

The responses were also mixed when the domestic worker participants were asked what they liked about being domestic workers. Three of them said that they liked looking

after children and one said that she liked the type of work she did. Other responses included the hours of work, working for important people and that it was work that they knew how to do:

> *"Sometimes I get home and I am so tired, but I am tired because they [the children I look after] are a bundle of joy. This makes me forget I am tired. I didn't realise the joy of being around children. I would love to be a kindergarten teacher but you have to go through courses and diplomas. I might do this but right now I am happy". (Emele)*

> *"I like my job because I work for important people. I like it when [my employers] have guests because I get to meet important people". (Laisa)*

The domestic workers also had varying answers to what they did not like about domestic work. Emele said that there was nothing that she disliked about the job. Other workers identified the type of work, especially the heavy jobs or jobs that they did not feel that they were good at, the expectation that they would work after hours or the employer taking their work or personal problems out on the domestic worker as aspects of the job that they disliked:

> *"Sometimes I hate cooking because I didn't get a grade [at school] for cooking. I am not a really good cook. That's what I think. But they [the employers] tell me I am a good cook". (Litiana)*

> *"Sometimes when the employer has personal or work problems she lets it out on you. I have asked her not to do this, please do not let it out on me". (Sera)*

Timiama mentioned that the job could be boring because of the lack of interaction with other adults during the day:

"Being at home all the time. You don't mix with people like at other work places. Just to have someone to talk to and to joke. It can be boring at home". (Timiama)

Dissatisfaction with the job was expressed mainly by domestic workers who looked after children as well as doing housework. They thought that looking after children was hard work and that they did not receive adequate pay or enough recognition from employers for "bringing up" their children:

"I did all [the work] before other lady [the new domestic worker] was employed. Other households just have someone looking after the children and another lady to do the housework". (Sera)

Most of these workers mentioned that they would prefer to do either the housework or the childcare, but not both. When asked what their preference would be, most also said they would prefer to do the housework:

"Looking after small children is a lot of work. With no children, the work would be easier. I would like to work doing the housework and not looking after the children". (Ofelia)

"[If I changed jobs] I would ask to just be a housekeeper and not a nanny". (Timiama)

This is a surprising response because the domestic workers who looked after children mentioned the close relationship that they had with the children and how it would be hard for them when the children left. In contrast, the domestic workers do not realise that their employers generally think that their quality of housework is poor and that it is the childcare that the worker provided that made their employment valuable.

6.6 SUMMARY

The reality of the relationship between domestic workers and their expatriate employers is different to the relationship they portray to each other. Both experience frustration in

the relationship but have not displayed this frustration to each other. This is not because they being dishonest, but because do not want to offend each other while trying getting the relationship 'right'.

The employers are careful to hide their frustration from their worker, both to avoid conflict and because they are not comfortable or confident in their employer role. As in most post-colonial societies today, the new expatriates are not practised as employers, are not used to the socio-economic class divisions that exist and are uncertain about where they fit into and how to conduct the employer/employee relationship. Most of the employers believed however that the things that upset and frustrated them were minor and not worthy of being raised with their worker.

Another perception held by the employers is that their workers are unable to learn new tasks or new ways of doing the work. Some employers have attempted to explain new ways of doing the job to their employee, but with little success. Other employers have not bothered to do this, having already decided that their worker is unable to change their ways. For the employers, this perception is based on the different socio-economic environments in which they and their employees have lived. Unfamiliarity with cleanliness standards in the employer's home country and unfamiliarity with domestic appliances are two reasons cited by the employers that the domestic workers are unable to meet their 'western' standards. As a consequence, most employers spend a portion of their leisure time re-doing the housework.

In this way, the domestic workers exhibited a degree of control in the relationship with their employers. While the domestic workers might not have been aware of this, the fact that the employers said that it was difficult to instruct the workers in new or different ways of doing the job and that the workers largely determined what tasks were done and where household items were placed, suggests that domestic workers 'constructed' the job and, to a lesser extent, the organisation of the house to suit themselves. The worker therefore allowed their employer to have little influence over how the job was done.

The domestic workers appear unaware of the frustration that the employers have expressed over the quality of housework. Most workers believe that they do a good job, a view formed on the basis of feedback received from their employers. For childcare, this feedback is honest; the employers do value the childcare that the workers provide.

Most of the workers, on the other hand, would prefer to do housework than look after children.

The domestic workers do not view their job as a career but neither do they view it as low-skill, unimportant, 'dead-end' job. Half of them said that they would be happy for their children to go into domestic work, mainly because of the tight job market in Suva. The domestic workers who had experienced more problems in their working life were less likely to want their children to follow them into domestic service.

Domestic work was generally seen as a job that was 'okay for now'. While the domestic workers had not given a lot of thought to their job in the future, most of them expressed an interest in other occupations. However, they were also equally likely to talk about their next domestic service role. The relationship with their employer had a direct impact on how the worker perceived their job. Workers who believed that they had a good relationship with their employer were much happier to be domestic workers and were more likely to say that they would continue domestic work than workers who believed that their employer did not treat them fairly. Those who had a good relationship with their employer were more interested in labour rights for domestic workers and in finding a mechanism that would help establish consistent working conditions. The employers' and workers' views on paid domestic work and labour rights in discussed in the next chapter.

Chapter 7: Perspectives on Labour Rights for Domestic Workers

7.1 INTRODUCTION

The previous chapters have provided insight into the employment conditions experienced by domestic workers in Fiji, how these conditions were established and the nature of the employment relationship. This chapter examines the participants' perceptions of labour rights and domestic work. It reveals their lack of knowledge on employment rights and gives the participants an opportunity to contribute their own ideas of how the employment of domestic workers could be improved. The participants also give their final thoughts on their experience of paid domestic work in Fiji. The chapter concludes with a discussion of some of the suggested options for improving the employment conditions of domestic workers.

7.2 WORKING CONDITIONS - WHOSE RESPONSIBILITY?

While Colen and Sanjek (1990:179) have identified employers as the determinant of employees' working conditions, this does not address the question of who should have responsibility for ensuring that employees enjoy decent working conditions. Does this responsibility lie with the government, the employer, or is it a duty of both?

Many developed countries have legislation that promotes productive employment relationships. In developing countries, particularly in relation to domestic workers, either no such legislation exists or, if it does, tends to target formal sector workers. Fiji is characteristic of what Armstrong (1990:152-153) has described as the typical situation of developing countries in regard to employment legislation and its lack of coverage of domestic workers[117]. Another characteristic of developing countries identified by Armstrong is the lack of a household worker union through which pressure for more contractual arrangements might be applied. Currently in Fiji no household worker union exists.

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[117] In Fiji, this may change, however if the Employment Relations Bill, as currently drafted, is enacted. The Bill has been introduced to Parliament. It is awaiting its second reading and the Minister of Labour is hopeful of enactment in June 2006.

The experience of migrant domestic workers in France, where French governments have attempted to integrate domestic work into the formal economy has been problematic. While the state has introduced laws to protect domestic workers and incentives for employers to register their foreign domestic workers, only a small percentage of employers have taken up the formal declaration of their workers. Based on this evidence, Narula (1999:161) concluded "ultimately the responsibility [of employment conditions] lies with the employer". Anderson (2001:32) also believes that employers have some responsibility for the working conditions of their employers. She considers that on a personal level employers have a duty to act with integrity and to eliminate injustice in the workforce.

I asked the employer participants in my research who they thought had the primary responsibility for ensuring domestic workers received decent working conditions. The employers had varying views. Some thought it was up to the individual employers to provide decent working conditions:

> *"I hope everybody would take responsibility, especially employers and ex-pats [expatriates] who have a privileged position here". (Rachel)*

> *"Each household – as it is such a personal thing for each household". (Clare)*

> *"In the current situation it is clearly up to the employers". (Penny)*

Julia, on the other hand, thought it should be the responsibility of government:

> *"Chiefly the government and, in particular, the Minister of Labour". (Julia)*

Rachel and Kate thought the obligation fell on both the employer and the state and acknowledged that the government should have an interest:

"I don't know. In general the employer should provide safe working conditions. Maybe some legislation or guidelines". (Kate)

"The government maybe too has a stake". (Rachel)

Prior to the interview, most employers had not given much thought about who should have primary responsibility for ensuring satisfactory working conditions. However, they all believed that, as employers, they have a personal responsibility to provide good conditions for their domestic worker. As noted in the previous chapter, most employers thought they were good employers and provided reasonable terms and conditions. All the employers felt that they paid better wages than workers employed by local employers could expect. The employers therefore were not concerned about the general employment conditions of domestic workers in Fiji because they believed their employee enjoyed what Sandra described as "*a cushy job*".

The domestic worker participants were not asked directly who they thought had primary responsibility for their working conditions. They were asked whether they thought domestic workers should have the same working conditions and whether law changes would help them. They all believed that legislation was required to protect their interests. This is discussed in further detail in the following section.

7.3 LEGAL PROTECTION

Anderson (2001:32) argues that the "most effective means of protecting workers from abuse is, in the first instance, to treat domestic work as 'just another job', extending employment rights as a means of implementing these rights to workers". From her research conducted in Europe, Anderson (2000:31) concluded that it is easier to establish rights for domestic workers when they are formally recognised as workers and are covered by employment contracts rather than quasi-familial relationships.

The employer and domestic worker participants I interviewed appeared to know very little about employment law in Fiji. Three employers knew that there was no minimum wage for domestic workers and two mentioned that they thought domestic workers had no legal protection. Five workers said they knew nothing about employment law and

one said she knew "not much". The workers and employers were asked whether they thought domestic workers should have similar basic entitlements. Most workers thought that this was a good idea:

> *"In some ways, yes. Holidays would be a good idea". (Litiana)*

> *"We should get public holidays and we should get weekends off because everyone needs a break". (Sera)*

> *"That would be good. Because it is their children we are looking after and their life and death is in our hands. We are practically raising their children for them. That is something with Fijians - we love children. Most of them [nannies] don't have good relationship with their employers but children are holding them there". (Emele)*

Timiama thought that establishing similar entitlements would be difficult because the role varied from employer to employer. However, she still supported some similarity in conditions:

> *"The jobs are very different but a minimum wage could be good. Same type of hours of work and for overtime, we should get paid for this". (Timiama)*

Sandra thought legislation establishing domestic worker rights and entitlements would be beneficial:

> *"Yes, some law that protected them". (Sandra)*

Kate was also supportive of this approach, although she thought that standard conditions should be negotiable:

"I think so. Some basic employment conditions and some guidelines on what these should be and that are negotiable depending on your personal circumstances". (Kate)

Conversely, Penny thought that it would be difficult to establish standard conditions because each employment situation is different:

"I don't know how they would do it [make terms and conditions the same]. It's a very personal thing about what the house requirements are". (Penny)

These responses highlight the debate over minimum entitlements for domestic workers. The employers all come from countries[118] where minimum employment conditions are addressed in legislation, including minimum wages, collective bargaining, and sick, maternity and annual leave. The employers believed that establishing basic conditions for domestic workers would undermine their control of the employment relationship and impose too high a burden. Kate concluded:

"It's hard. A tough question because if we had the chance to pay more allowance wise, we would pay it. [...] But the higher you make the wages the less [sic] people will be employed. You try to do the best you can in the circumstances that you've got. There should be basic employment conditions and guidelines on what employment should be that are negotiable depending on circumstances". (Kate)

Penny cautioned against regulation of the domestic service. She said:

"There is a danger because there is a social good that government should replicate. We feel we pay above award rates and give perks. If it were regulated, then we wouldn't do that". (Penny)

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[118] The employers are Australian, New Zealanders, American or British.

When asked what form of regulation could be introduced to assist domestic workers, the employers identified minimum wages, training and employment contracts. Sandra was in favour of introducing a minimum wage, although noted that this may have the unintended consequence of fewer expatriates employing domestic workers if the minimum wage was set too high:

> *"It would be nice if they had more legal rights that would force everybody to give a month's notice, medical etc. Some law that protected domestic workers. It's hard to tell with minimum wages as you don't want to put people out of a job by asking too much. It would be good if there was a minimum wage. I would just have to budget it in". (Sandra)*

Anna was also in favour of a minimum wage:

> *"Give them more money. A minimum wage would be easier. I don't think they would understand a contract". (Anna)*

In addition to introducing minimum standard entitlements, Penny thought that training would be useful:

> *"Perhaps, basic training for childminders. And maybe minimum standard terms and conditions as well". (Penny)*

Ofelia also thought that a formal qualification in childcare would help improve working conditions because it would provide formal recognition of the skills required, thereby recognising domestic work as a skilled occupation:

> *"I think we should get a certificate [in housework or childcare] - that would help [get us better wages and working conditions]". (Ofelia)*

Emele, on the other hand, did not think that training would be beneficial because the work, especially childcare, came 'naturally' to the workers:

"A training centre is not necessary because most of the nannies, it comes naturally, most have their own children". (Emele)

The employers acknowledged that employment protection was a difficult area. They were unsure whether regulation would achieve a solution that was desirable to both employers and employees. As Rachel put it:

"I'm not sure if minimum wages make a difference. Even informally we could do something, like have contracts available that has things she should care about and that we should care about". (Rachel)

I also interviewed the Community Liaison Officer from the Australian High Commission to get her view on employment conditions of domestic workers[119]. She described her personal view as:

"A minimum wage would be tricky because in reality people [expatriates] who work at the USP [University of the South Pacific] can't provide the rare conditions that Australian High Commission staff can, for example. A minimum wage raises other issues such as tax and giving people [domestic workers] clothing. It is also tricky because it creates a dual system between expats [expatriates] and locals. And how do you accommodate expats on local wages?" (Pamela)

She believed that introducing labour laws would create difficulties for local employers of domestic workers. They would not be able to comply with the laws, and would find it difficult to recruit domestic workers easily because expatriate employers would provide more favourable conditions. She thought that labour laws would exacerbate the current situation where *"a lot of housegirls wait for Europeans to work for".*

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[119] The majority of expatriates in Fiji are Australian. The Australian High Commission employs a Community Liaison Officer to assist Australians who have contracts with the Australian Government in Fiji. I interviewed the Community Liaison Officer in June 2003.

Most domestic workers I interviewed favoured the establishment of a minimum wage and a wages council[120] to set wages because they believed that currently pay rates varied markedly. They thought that because there was no minimum wage, some employers exploited workers by paying very low wages and that workers were not in a position to negotiate a better deal.

The domestic workers considered that the establishment of a trade union would help them obtain better working conditions:

> *"Sometimes I used to think of that, join the union, to help housekeepers cry for their needs, whatever they need". (Litiana)*

> *"I have heard that we should get a union. I think it is good that they can fight for us. A union would help us get better conditions. I have talked about a union with other nannies and they feel the same way". (Ofelia)*

> *"A union is a good idea as they can get good pay for the job. And for Fiji National Provident Fund [superannuation]. At play group I said they [domestic workers] should do something about the pay - join a union so they can be paid properly". (Timiama)*

Laisa felt that a trade union would make the employment of domestic workers unaffordable because minimum conditions would be better than conditions workers currently had. She supported the idea of a union for domestic workers, although thought that if she was a union member she might lose her job:

> *"One time this [forming a union] came up and the government said they didn't like it because if we have a union, most bosses won't like*

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[120] Wages Councils are constituted by the Wages Act to provide minimum wages and conditions of employment for certain industries (e.g. hours of work, overtime, meal allowances etc).

housegirls. Their wives can do the housework. But I think a union is a good idea". (Laisa)

Although most domestic workers supported a union, when quizzed further most admitted that they did not understand the purpose of unions. As Ofelia said *"I don't know what a union is and I wouldn't know how to start one".*

Sera was most enthusiastic about the trade union concept, however noted there could be difficulties getting other domestic workers to join:

"I am thinking about talking to Fiji Women's Rights Movement. The Fiji Women's Rights Movement can get our voice heard for us. I have tried to get the ladies [domestic workers] to join a union but the ladies are a bit scared because some bosses are not good. They [domestic workers] are not well educated so don't have the urge to get something better". (Sera)

Fear of the consequences of union membership is not unfounded. The early experience of unionisation of garment industry workers in Fiji demonstrates some of the disadvantages of establishing a union, particularly where there is a ready supply of unskilled and semi-skilled people desperate for jobs[121].

7.4 OVERALL PERSPECTIVE ON THE EMPLOYMENT SITUATION

The participants were asked if they wanted to provide a final comment on the employment of domestic workers by expatriates. The employers talked about how difficult they found being employers. They thought this was because of the lack of information on how to employ a domestic worker and little guidance on what are reasonable terms and conditions.

For Rachel, coming into a post-colonial environment where expatriates belong in the upper-class was an unusual experience:

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[121] When garment workers formed a union, the employers hired non-union workers in their place. See Storey (2004).

"It's really strange. I feel I have come in as part of the system and have tried to fit in as part of the system. I wouldn't be upset if it [the system] was changed in some way. It is weird being 'upper class' here". (Rachel)

Sandra thought that expatriates often exploited this status in their relationship with their domestic worker:

"There are lots of different views on housegirls - some employers quickly adopt a superior position, some are much more understanding. I probably wouldn't have kept [domestic worker] if I was working because I wouldn't have trusted her to do everything properly". (Sandra)

Penny and Clare spoke about the difficulties being a first time employer with no knowledge of how to be an employer:

"You constantly have to ground the issues because it is the childcare that is important not the housework. I have never employed someone to do the housework before [...]. My husband and I had no knowledge of being an employer. But I think we pay her well, higher than the usual going rate". (Penny)

"When you arrive you are a bit concerned about whether you overpay or underpay. It is so very confusing because of the different situations with housegirls. When we arrived they [her own employer] said look at what the others pay. You can't pay too high because this will cause unrest with others. It's very hard for domestic workers who come from villages with no running water when some employers expect the house to be sparkling clean". (Clare)

Julia, Anna and Kate all thought that employers of expatriates should provide guidelines on employing a domestic worker as this would ensure

domestic workers were given better working conditions and were less likely to be exploited:

> *"It's a relationship of trust and it would be a lot easier if there was a statutory or legal framework. It is open to abuse and I have seen a lot of cases of abuse. The Forum Secretariat, University of the South Pacific etc should build knowledge of employment law into their personnel requirements. There is no guidance when you first arrive. It's all word of mouth – you talk to your friends". (Julia)*

> *"There are pretty horrendous living conditions [for domestic workers] here in general. Housegirls haven't had much chance to see what diplomatic families are like. Local wages are so low and there is no social security. Probably employment is something [her own employer] needs to show us when we get here". (Kate)*

> *"There were no guidelines when we came which made it hard for some of the customs, like funerals - we didn't know we should give mats. I think if [domestic workers are] with expats [expatriates] then they are lucky. A friend advertised for a housegirl and got 60 calls. You are giving people employment, which is good but on a personal level I would rather have a couple of mornings a week to myself. It's hard having to cope with the situation. If I had grown up with maids and servants then perhaps I wouldn't be so uncomfortable". (Anna)*

The domestic workers talked about their own particular job, with Litiana, Emele and Timiama all expressing their enjoyment of their current employment:

> *"I enjoy [the interview] because most of my working and housegirl conditions I never ever had somebody to come and ask me about this [sic]. [...] Why don't housegirls have a union because they work long*

hours too? Few months ago garment workers had their hours changed". (Litiana)

"I just love this work - probably because I have a good relationship with my employers. With new employers if things didn't work out I would just leave". (Emele)

"I really do enjoy my work and enjoy this family. We can talk. I tell them straight and they can tell me. If anything comes up we can talk about it. I tell nannies that if they don't like something you talk straight to them [employers]. But some find it hard to talk straight. I think they are ashamed or shy to talk about it or worry they might lose their job". (Timiama)

Sera, on the other hand, was not happy with her current employer and felt her employer took advantage of her. Her final comment reflects this dissatisfaction with her job, however she also offered advice on how expatriates could be more considerate of domestic workers:

"Just ex-pat [expatriate] families seem to think we are servants but we are at home doing "their" work. We should be treated fairly and not be seen as a servant. Just to sit down and talk about it, if there is something that doesn't fit expectations. More understanding of us". (Sera)

Ofelia and Laisa did not provide a final comment as they thought their views and experience had been covered fully through the interview questions.

7.5 REVIEWING THE OPTIONS

Hondagneu-Sotelo and Slazinger (cited in Meagher 1997:3) describe how domestic workers and their employers regulate the occupation in the absence of any enforced occupational guidelines. These studies demonstrate that collective action and/or institutional reform by domestic workers can change the privatised, isolated and

therefore particularly exploitative organisational structure that other writers claim defines the occupation.

Hondagneu-Sotelo's study on Mexican undocumented immigrant domestic workers in the United States showed how domestic workers use their social networks to regulate their jobs. These social ties enable them to share information about "how to negotiate pay, how to placate employers and how to get the job done in the most expedient manner" (1994:60). Workers use this information when negotiating working conditions with their employers. Hondagneu-Sotelo concludes that through these networks "women are developing a particular set of values, practices and collective advice that, in the absence of any enforced occupational guidelines, is shaping the character of the employer-employee relationship" (1994:61). What is not clear from Hondogneu-Sotelo's research is whether employers also develop social networks to share information about working conditions and if so, whether this has any effect on the employment relationship.

From my own observation, expatriate employers and the domestic workers in Fiji, to a certain extent, do form social networks and use these networks to share information on domestic worker employment. This is particularly so for domestic workers who attend children's playgroups, who work in an area where many expatriates have their homes or who work in an expatriate housing compound where domestic worker premises are provided. Because the expatriate community in Suva is relatively small and expatriates tend to work for the same organisations, new arrivals seek information from other expatriates before employing a domestic worker. Most employers I interviewed said that they had talked to other expatriates about engaging a domestic worker and used this information when establishing their own arrangements. As noted in Chapter 5, all except one of the domestic workers had talked to other workers about their employment conditions. However, unlike Hondagneu-Sotelo's findings, the domestic workers I interviewed do not appear to use this information to ask their employers for better conditions.

My research participants identified other options for ensuring that domestic workers receive better working conditions. The establishment of a trade union was favoured by the domestic worker participants, however many researchers have identified that the isolation of domestic work employment makes it difficult for workers to organise

collectively for the common good. In addition, establishing and running a union in Fiji is relatively time-consuming[122]. Domestic workers would need support from a third party to establish and sustain a union. Trade unions however, have not been particularly effective in recruiting and protecting the most vulnerable workers in Fiji. Employer behaviour towards union workers and the limited sanctions available to enforce compliance has meant unions have not been overly effective for these workers. Garment industry employees are an example of this failing. Like their garment worker counterparts, domestic worker union members could isolate themselves from the domestic services market if employers were unwilling to employ union labour.

Houseworker organisations have been suggested in place of trade unions as an effective approach for assisting domestic workers. As with trade unions, the establishment of non-government organisations requires a commitment from organisers, who are often unpaid. These organisations typically struggle to access a secure source of funding, often meaning that their efforts to assist workers are hampered by the time commitment required to identify and apply for funding streams. It is not unusual for these organisations to find it difficult to survive. The establishment of a houseworkers' association in Fiji would require a more supportive environment than currently exists and therefore is probably not a viable option at present. An earlier attempt to establish a houseworkers' organisation is evidence of this.

Household service agencies have been proposed as a mechanism through which domestic worker employment conditions can be standardised and improved. Meagher (2002:56, 62-63) concluded that domestic workers were able to more effectively control their working conditions by involving a third party. An agency provides a buffer between the client and the worker, thereby removing the private arrangement between the worker and employer. This provides clearer work boundaries, clearer expectations of performance and standardised working hours and pay. However, Mendez (1998:114) concluded that private employment relationships "offer workers more options and greater potential for negotiating wages and control over the work process than do the

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[122] Interview with Abdul Khan, Publicity and Education Officer, Industrial Relations Office, Fiji Trade Union Congress, 20 May 2003.

[...] household service agencies", because of the low pay, part-time hours and lack of benefits that characterises agency work.

In the Fiji context, a household worker agency is unlikely to be a feasible business option. The small population could mean that there is little demand for agency services, except from some expatriates or wealthy indigenous Fijians and Indo-Fijians. Given the current labour surplus, an agency approach could also be detrimental for some domestic workers. Workers not employed by an agency might offer their labour at reduced cost if they feel that any income is better than no income. This would place them in a weak negotiating position and in a potentially vulnerable situation. In addition, establishing 'agency workers' could result in a new social class of domestic worker, bringing with it issues of access to what are likely to be highly coveted jobs.

Saget (2001) explored the relationship between minimum wages, and employment and poverty in developing countries. She questioned whether there was any effect of the minimum wage on the level of employment. Earlier studies concluded that where the minimum wage was set at a low level, employers were more likely to comply with the law, resulting in a greater proportion of the working population receiving the minimum wage (Lustig and McLeod 1997 cited in Saget 2001:237). However, these studies also showed that minimum wages were not easy to enforce in the informal sector (and are therefore only weakly enforced, if at all). Given the high number of new jobs that are created in this sector, particularly in developing countries, the minimum wage was not meeting the needs of the workers it was designed to assist.

The introduction of a minimum wage in the formal sector has been described in neoclassical economic models as having a twofold impact: a decrease in formal sector employment as employers hire fewer workers due to the increased cost[123] and a decrease in informal sector wages due to previously employed formal sector workers flooding this market. Introducing a minimum wage was therefore seen to create unemployment and have a detrimental impact on the poorest population groups. From her research however, Saget (2001:266) concluded that minimum wages "may bring positive results in poverty alleviation by improving the living conditions of workers and their families"

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[123] This assumes that the minimum wage is higher than the lowest wage currently paid

although "minimum wages in developing countries do not affect the poorest population groups, but rather the upper levels of the low-income population". She also noted that the introduction of a minimum wage has consequences beyond an impact on employment and poverty levels, including on working conditions and incentives for employers to provide training (2001:267).

The domestic workers that Anderson (2000:21) interviewed thought that there was no such thing as a fair wage for the work they did. This makes it difficult to place a value on domestic work and to set a minimum wage. It is impossible to predict the impact of the introduction of a minimum wage for domestic workers in Fiji. A minimum wage would ensure that all workers have the same starting point, however there are disadvantages in this approach. While workers employed by local people might benefit, it is less likely to benefit workers employed by expatriates. This is because the minimum wage would probably be set at a level lower than these employers currently pay. In this situation, expatriates might pay the minimum wage rate or just above the rate, rather than the amount they currently pay, which is based on their understanding of the market.

Setting minimum wages through a wages council could act to keep the wage level low, as garment factory workers have experienced. If the minimum wage was set at a relatively high level, this may reduce the number of jobs available. Competition for jobs would increase and many workers would be left searching for other forms of employment in an already tight labour market. A domestic work minimum wage would be difficult to enforce given the isolated nature of domestic work, and enforcement costs would be high. For these reasons, further investigation is required to assess the costs and benefits of a domestic work minimum wage before recommending this approach as a viable option.

Some of my research participants mentioned formal training as a means of recognising domestic work as a skilled occupation. While training might provide some benefit, particularly for those providing childcare, the cost of training would probably be prohibitive for workers. Most of the workers interviewed had received no further training beyond secondary school and some mentioned that the cost of further training required for more desirable occupations such as required for kindergarten teachers was a barrier for them. Unless the workers were paid to attend, and the courses did not attract

fees, it is unlikely that the uptake would be high. Establishing a training course would therefore require ongoing financial commitment from government, businesses and employers.

Domestic workers who completed the training might find the employment market restricted if they demand higher wages than workers who had not received training. It may however, also work in their favour as some employers, perhaps expatriates in particular, would be prepared to pay higher wages for the comfort of knowing that the worker had undergone formal training. Further analysis is required to determine the consequences of establishing domestic worker training, including whether there is a sufficient job market for the numbers anticipated to undertake the training, how the costs associated with training would be covered and what are the other consequences of establishing domestic worker training.

To preserve a relationship of respect Meagher (2002:60) proposes that employers and workers enter what she describes as a "contract for service [...] in which the boundaries around the job and the relationship are well-defined and mutually agreed upon". Written contracts between employers and employees were also mentioned by the participants in my study as a method of clarifying expectations of both parties. Contracts would not necessarily provide domestic workers with similar conditions, however it would encourage employers to state entitlements and would provide a starting point from which workers could negotiate. Contracts could serve to establish minimum entitlements, as these could form the basis of a standard contract. The literacy rate in Fiji is fairly high and therefore domestic workers' understanding of a written contract should not be a significant issue. A written contract would not, however, fundamentally change the nature of the relationship between employers and workers.

Contracts, however, also have limitations, including issues of status and enforcement. To be effective it would be desirable if there were agreement across the organisations employing expatriates on the minimum conditions for domestic workers the contract should cover. This would require a level of coordination and cohesion across these organisations that does not currently exist. There is also the potential for the introduction of a standard contract to stifle employment negotiation. The employers

could present the contract as their final offer while workers may not necessarily feel that they can or should be able to bargain given the high social status of expatriates in Fiji.

Organisations that employ expatriates to work in Fiji could do more to support better working conditions for domestic workers. Often these organisations provide an allowance for the domestic worker's salary to encourage their employees to engage a domestic worker. However, they provide no guidance on how to be a good employer. One suggestion is that guidelines are developed and provided to newly arrived expatriates who wish to employ a worker. While this does not change the nature of the private employment relationship between the worker and the employer, it would assist expatriates when considering what to provide their worker. Guidelines could also provide some context about the employment environment in Fiji, an area of frustration for the expatriates I interviewed.

The Australian High Commission has previously provided information to its employees on domestic worker employment, however this is now outdated and no longer in publication. Organisations such as High Commissions and Embassies, expatriate women's networks and sporting clubs could have guidelines available for expatriates that cover reasonable expectations of the employment relationship. The development of any guidelines would have to be done in consultation with domestic worker representatives and would also require agreement between organisations that employ expatriates as, to have any value these guidelines would need to be consistent. The disadvantage of introducing guidelines is that domestic workers employed by local people are unlikely to benefit.

While these options may have merit and possibly could be further explored, the first step in improving the rights of domestic workers in Fiji is for the government to formally recognise the work of domestic workers and to provide them with the same basic rights as other workers. Romero (1992) and Mendez (1998) both come to the conclusion that the transformation of employment relations from a private arrangement to a contractual relationship does not in itself do enough to change the status of paid domestic work or to improve the situation of workers. Mendez believes that "changes in work arrangements must be accompanied by changes in the material work conditions of the occupation – fair wages, sick pay, health insurance and enforced labour legislation".

Currently domestic workers in Fiji are invisible to the government. This does have some advantages for the workers and their employers as, for example, they are not currently required to pay tax and there is no government intervention in negotiating the employment relationship. However, the absence of statutory basic entitlements places domestic workers in a vulnerable position, as they are reliant on the goodwill and integrity of their employers. In a country where there is an oversupply of unskilled and semi-skilled workers, and a high percentage of the population living in poverty or very close to the poverty line, it is easy for unscrupulous employers to take advantage of the absence of employment rights. The passage of the Employment Relations Bill has the potential to change the nature of paid domestic work but putting it into a formal employment context. It remains to be seen whether setting basic entitlements through legislation does much to impact the working conditions of domestic workers.

7.6 SUMMARY

This chapter examined the participants' perceptions of labour rights and domestic work. The employers found that their inexperience of being an employer and their lack of knowledge about employment conditions in Fiji made it difficult to be a good employer. Therefore, most expatriates supported some standardisation of domestic worker conditions, although there was no clear view on what entitlements should be standardised or how this might be achieved. The domestic workers were also generally in favour of establishing similar working terms and conditions. Most workers thought that a trade union would assist them, despite having little understanding of the role or purpose of a trade union. While the domestic workers thought their working conditions could be improved, most enjoyed their current job, both in terms of the tasks that they do and in their relationship with their employer.

Whether or not mechanisms such as a minimum wage, establishment of a trade union, a wages council or commercial household service agency would provide benefits for domestic workers requires further research. The first feasible steps might be to encourage employers and workers to enter into written contracts or for organisations employing expatriates to provide guidelines on the employment of domestic workers.

The position of domestic workers in Fiji is set to change with the passage of the Employment Relations Bill. They will be officially recognised as workers, however it is

unknown if this will substantially change their working environments. Too much regulation of domestic work and fear of sanctions for non-compliance may impact negatively upon domestic workers. Compliance costs for employers may make the employment of domestic workers a luxury and therefore result in fewer employers being able to afford to engage a domestic worker, particularly on a full-time basis.

The situation of domestic workers is representative of the fundamental issue for informal sector workers, and particularly women, in the developing world. The key question is how these positions can be effectively assessed and regulated without having a negative impact on the jobs and informality that is currently characteristic of this employment market.

Chapter 8: Conclusion

8.1 INTRODUCTION

This case study aimed to gather information about the working conditions and labour rights for domestic workers in Fiji, and to assess whether domestic work provided economic opportunities for domestic workers. This research was designed to explore whether the absence of labour rights in Fiji has impacted on the working conditions of paid domestic workers, and in particular, whether this has lead to unreasonable working demands by employers.

Seven female expatriate employers of domestic workers and six female domestic workers were interviewed as part of this research. The interviews were designed to draw together information to answer the key research questions. These were:

- What are the employment conditions of domestic workers?
- What are the similarities and differences in employment conditions between domestic workers?
- How do employers and domestic workers feel about the employment conditions of domestic workers?
- What characterises the relationship between employers and domestic workers?
- How do employers and domestic workers view their relationship with each other?
- What are some of the means of addressing any inequalities in employment conditions between domestic workers?
- Is domestic work a source of economic opportunity for workers?

This chapter summarises the findings of the research, first by considering the research questions posed and, second, by considering the policy implications of strengthening

labour rights for the informal sector. Opportunities for further research are also identified.

8.2 SUMMARY OF THE RESEARCH RESULTS

The case study approach used people's stories to construct a picture of paid domestic work in Fiji within the larger context of labour rights and employment conditions in the informal sector. What did this study find about the employment conditions of paid domestic workers and the similarities and differences in these conditions? What was the nature of the relationship between employer and employee, and how did they view this relationship?

The study, which focused solely on paid domestic workers employed by expatriates, found that these domestic workers generally enjoyed 'good' working conditions and that these conditions did not vary greatly from employer to employer. That is, all of the workers interviewed received a salary for their work and did not work excessive hours. Most of them also received paid annual holidays, public holidays and sick leave. There was also similarity in terms of the tasks that the workers were required to do. Most workers did not have an issue with the tasks associated with their jobs, although the amount of work was an issue for workers who had responsibility for both childcare and housework.

However, wage rates did vary considerably, which is perhaps surprising given the small expatriate community that exists in Fiji. This variance is probably reflective of the different rates of pay and financial assistance for domestic workers that the expatriate employers themselves received. While some of the workers did have issues with the amount of pay they received, the hours they worked and their workload, most were satisfied with their overall working conditions.

The similarities in employment conditions for the workers reflect the expatriates' own employment experiences. While most of the employers and workers did not establish a formal contract at the beginning of the employment relationship, employers seemed to be reasonably consistent in their application of working conditions. This demonstrates that expatriate employers apply their understanding of being a 'good' employer (that is the values and norms of their home societies) to these informal employment contracts.

As such, the employers are reasonably self-regulating despite the absence of external labour requirements and obligations.

The absence of formal labour rights in Fiji for domestic workers therefore does not appear to have had a significant impact on the employment conditions offered by expatriate employers. For example, the absence of a minimum wage for domestic workers has meant that employers have applied their own knowledge of the market to set wages for their workers. This has appeared to benefit the workers more than if a minimum wage applied. The setting of minimum wages by industry in Fiji (through wages councils) has not always benefited workers. In the garment industry, for example, it has been shown that the Wages Council has worked to suppress wages for these workers in order to make the industry more attractive for foreign investment (George 2004:29). In contrast, domestic workers do not experience government intervention in their employment relationship, meaning that potentially they have more flexibility in negotiating their working terms and conditions.

This finding is in direct contrast to the conclusions drawn from most previous studies on domestic work. These studies emphasise the inherently exploitative relationship between domestic work employers and employees, and paint a picture of an oppressed domestic worker having little or no influence in employment negotiations with a dictatorial employer. While this situation is undoubtedly true for some domestic workers, and for migrant domestic workers in particular, it appears that this has not eventuated in the expatriate employer/indigenous Fijian domestic worker environment in Fiji because of the expatriates' socialisation into and experiences of employment in their home countries. The expatriates' expectation of their own working conditions has had a direct impact on the conditions that they offer their employees. Further research would be necessary to determine whether this is a general characteristic of the expatriate employer/indigenous Fijian worker relationship in Fiji or was characteristic only of the relationships examined in my study.

This finding may be isolated to Fiji as the greatest proportion of the expatriate community in Fiji come from Australia and New Zealand, where domestic workers do not occupy the same subservient position as they tend to in societies which traditionally have always had domestic work as part of the employment market. The inexperience of these expatriates of working in a post-colonial society may also have contributed to the

more egalitarian attitude they display towards their domestic workers. Another factor may be that the workers were tasked with childcare and the employer therefore wanted to provide an environment that benefited their children's welfare.

In line with Kidder's study (2003) on expatriate employers and domestic workers in India, which showed that the relationship between the employers and the workers cannot be characterised simply as one of domination and subordination, this case study showed that domestic workers exhibit a degree of control in the employment relationship. However, my reasons for reaching this conclusion are different to those of Kidder.

Domestic worker control over the relationship in my study was particularly apparent for those workers who 'came with the accommodation' but was also true for the live-out domestic workers as well. According to the employers, it was difficult to instruct the workers in new or different ways of doing the job and therefore most employers were resigned to living with the job that the worker did. If they wanted more work done or the work done differently, the employer would do it themselves, although it is difficult to believe that the domestic workers were incapable of learning new tasks or the requirements of the new employer. The workers also demonstrated their influence through becoming the organisers of the household (e.g. determining what tasks were done, placement of household items). In this way, domestic workers constructed the job and, to a lesser extent, the organisation of the house to suit themselves and allowed the employer to have little influence over how the job was done.

This construction of the job mirrors Hondagneu-Sotelo and Slazinger's findings that domestic workers find ways to regulate their occupation in the absence of any enforced occupational guidelines. Through this self-regulation the workers maintain their self-respect, one of the characteristics of paid domestic labour that Meagher (1997) identified. Expatriate employers exhibited a degree of powerlessness in the employment relationship and tended to let the worker just get on with the job, due to their worker taking control of the job tasks and the employer's perception that having a worker in the home resulted in a loss of privacy. None of the employers interviewed mentioned that they enforced quality standards by monitoring or supervising the domestic worker

closely, cutting pay or effecting the worker's dismissal in an attempt to take control over the type of work done or how it was done.

However, while the domestic workers may have had control over the tasks that they did and how they organised the household, the employers maintained control over the hours, payment and entitlements, and therefore over the employment relationship as a whole. Expatriate employers' control was firmly established by virtue of the status of expatriates in the post-colonial setting. Most workers viewed their employers with at least a degree of reverence, in part because they were an employer but mainly because they were expatriates. The workers tended to ignore their grievances for the honour of working for an expatriate, although the relatively high wages and more flexible employment conditions also contributed to this view.

Overall, the employers found the relationship with their domestic worker both rewarding and frustrating. They identified communication problems and loss of privacy as the two main issues that caused the most annoyance. Rewards came in the form of learning more about the country they were in, feeling secure and feeling that they were contributing to the local economy. The relationship with their domestic worker was therefore one factor that contributed to the employer's enjoyment of their time in Fiji, although this was more the case for some employers than others. For the workers, an important aspect of the relationship was that they believed their employer respected the work that they did. Most of them valued the relationship that they had with their employer and believed that the employer thought that they did a good job. None of the workers viewed themselves as being 'part of the family', an aspect of domestic work that has been criticised by other researchers who believe that this concept only serves to justify low wages and erratic working hours.

Both the employers and the workers tried to interact positively with each other because they wanted the relationship to work. In reality, however, both expressed an element of frustration about the state of the relationship. Much of this appears to be due to the lack of communication. The employers believed that if the worker had any issues they would raise it with them directly, while the workers believed that the employers should initiate performance review discussions. These views have meant that few of the employers or workers had discussed the working conditions since the engagement of the domestic worker. The employers also seemed to genuinely believe that the workers did not have

the ability to learn new tasks or were wilfully refusing to learn them, which was another source of frustration that most employers spent the time of their contract trying to accept.

Does paid domestic work provide domestic workers with economic opportunity? Domestic work was certainly a source of economic opportunity for the workers in my study. Not only did the workers and employers believe that they received higher incomes than domestic workers employed by local people, but some employers were also keen for the workers to explore other employment opportunities and were prepared to assist the workers financially to achieve this. For the workers, employment in the informal sector as a domestic worker provided them with more freedom and choice than they had encountered in the formal sector. The domestic work pay rates were higher and the working conditions more flexible than they had previously experienced. While the workers were reasonably happy with the type of work they currently did, most said that they did not view domestic work as a long-term option. However, given the relatively high pay rates and the flexible working conditions most experienced, and their lack of other qualifications, it is difficult to see the domestic workers moving into another employment role unless forced to do so.

This case study points to the need for further research in this area because there is still no comprehensive picture of domestic workers in Fiji. In particular, there is no information on Indo-Fijian workers or employers or indigenous Fijian employers. There is little benefit to be gained and a real risk of unintended negative consequences if strategies aimed to assist domestic workers are designed and implemented before a thorough investigation of issues around paid domestic work in Fiji is undertaken. Once this additional information is available, only then can labour rights policies and strategies aimed at improving the working conditions of domestic workers, and perhaps other informal sector workers, be rigorously assessed.

8.3 IMPLICATIONS FOR LABOUR RIGHTS IN THE INFORMAL SECTOR

Given the findings of this study, are formal labour rights necessary to empower informal sector workers and, in particular, domestic workers? This research has shown that the informal employment system can work reasonably well in certain circumstances. The informality of the sector is fundamental for sustaining the system and making it easy for employers and workers to negotiate the employment contract. However, the advantages

of informality must be balanced against the need to protect workers from unscrupulous employer behaviour. This study has shown that the absence of labour rights can work as long as employers are knowledgeable about and prepared to provide decent working conditions. Problems occur when employers are not willing to do this and do not consider that they need to because of the oversupply of labour.

There is still an argument for the establishment of labour protection for informal sector workers, as this would provide an acceptable foundation from which these workers could advocate for better working conditions. Having minimum standards included in legislation demonstrates government commitment to providing workers with reasonable working conditions and allows 'bad' employers to be punished. However, establishing minimum standards does not guarantee good working conditions. Ineffective regulation, minimal punitive measures for non-compliance and the influence of the employer in terms of their economic contribution to society can all act as disincentives for employers to adhere to legislative provisions. In the garment industry, some employers prefer to act contrary to the labour laws and accept relatively weak punishments because it is cheaper for them to do so than to provide the stipulated basic worker entitlements. The challenge then becomes how to effectively implement and maintain employment protection so that it remains relevant and effective for the employers and the workers.

Employment in the informal sector presents a dilemma between ensuring employment opportunities and eliminating poor working conditions. One argument is that it is better for workers to earn any wage than no wage at all and that it is wages rather than working conditions that are important for those living in poverty. However, this argument does not recognise that poverty reduction is not just about people receiving wages. Access to and redistribution of resources, and policies that enable people to take control of their lives are two effective poverty reduction strategies. People can only feel empowered if they are treated with respect. Allowing employees to work in substandard working conditions does not show them respect and thereby denies them a sense of empowerment. Clearly then, it would seem desirable that some minimum form of protection exists for workers in the absence of employers being willing to provide appropriate working conditions.

If labour rights policy is going to evolve, policy-makers need to be cognisant of the fact that the informal sector system does work in certain circumstances and that it is the

informality of the sector which is at the core of its success in these situations. In Fiji, both government and non-government organisations need to better understand the informal sector and recognise the benefits that it can provide for workers and employers, as well as its limitations. It is the biggest growth sector in Fiji and makes an important contribution to the economy.

Western models of employment regulations are not directly relevant because developed countries do not have the same experience of informal sector employment as Fiji. New Zealand, for example, has a small informal sector so employment policies in this country would not necessarily provide solutions for employment issues in Fiji with its relatively large informal sector. The flow of workers both ways between the formal and informal sectors should also be considered in any policy analysis because at different times in peoples' lives employment in one sector can offer more benefits than in the other sector.

One of the risks of implementing policies aimed at improving the working conditions of domestic worker is that it creates, or exacerbates, the hierarchy of domestic worker positions and therefore domestic workers by their position. Strategies aimed at regulating the employment of domestic workers by expatriate employers may have the effect of making conditions worse for domestic workers who are engaged by local people. For example, regulation might mean that expatriate employers could no longer afford to employ a worker, thereby causing an over-supply of labour and decreasing employment opportunities. Where there are fewer opportunities, workers are more likely to accept more unfavourable working conditions.

Any strategy designed to improve the working conditions of domestic workers cannot ignore the fact that the paid domestic work sector has a number of different characteristics, some which are applicable to the entire sector and some of which are only relevant for components of the sector. For this reason, it is imperative that further research into domestic workers is carried out so that there is a better understanding of issues facing all workers and employers.

Are formal or informal arrangements better or would hybrid systems or arrangements be more suitable for informal sector workers, and for domestic workers in particular? Leaving the informal sector unregulated in the belief that it will adequately provide its

own employment standards does not recognise the position of power that the employer has in an overcrowded labour market. Such a policy assumes that employers and workers come to the bargaining table on relatively equal terms. For informal sector workers, and particularly for women, this is not the case. A worker's vulnerability is increased by an informal employment contract because the employer can effectively make demands on the worker without proper regard for his or her interests. If the worker refuses a task or makes an error, the employer can act without much fear of the consequences. Should the employee leave or be dismissed, this may cause minor annoyance but with an abundant labour supply, new workers can be recruited and trained with a minimum of time and effort. This points to the need to institute at least minimum entitlements so that the risk of workers in vulnerable situations being exploited is reduced.

On the other hand, full regulation of the informal sector would affect the advantages provided by this sector, including the flexibility that it offers workers in determining their employment conditions and, in particular, their wages. The flow of workers between the formal and informal sector shows that, although this is a necessity for some, other workers move sector out of choice to obtain better employment conditions than what they would otherwise receive. For employers, the advantage of less regulation is reduced compliance costs. For small-scale employers, and for private employers in particular, this allows them to employ workers where they otherwise might find it too expensive. Formalising the informal sector then would probably mean, for waged workers, fewer people employed and greater competition for a reduced number of jobs. In theory, this would increase rather than reduce the number of people living in poverty.

Perhaps then the answer lies is in some hybrid arrangement that enables workers to enjoy the benefits of labour rights without the sort of regulation that characterises the formal sector. Further research and discussion is required to work out what these hybrid arrangements might be and whether they should be applied sector-wide or only to components of the sector. For domestic workers in Fiji it may be too late to work out a new arrangement. Formal labour rights for domestic workers will be established if the Employment Relations Bill, in its current form, is enacted by Parliament. This will clarify the entitlements and working conditions for these workers. However, it may impose too high a compliance cost on some private employers. Other employers might

not comply with the legislative requirements, either through ignorance or because they are not willing to provide these minimum entitlements.

In the absence of any monitoring, it will be interesting to see whether the Employment Relations Bill has any effect on working conditions for domestic workers. There may be little, if any, change for workers employed by expatriates as most experience reasonable working conditions already. Domestic workers who have the most to gain from this new legislation are probably those employed by local employers. The impacts of formalising domestic work might be an interesting area of research in the future as this may point to some of the advantages and disadvantages of taking this approach.

8.4 SUMMARY

It is difficult to assess how labour rights should be applied to wage workers in the informal sector. On one hand, workers should be entitled to minimum standards to ensure that they enjoy safe working conditions, get paid a fair wage for their labour, have reasonable hours of work, and receive other entitlements including sick leave and paid public and annual holidays. On the other hand, labour rights regulation of the informal sector might have high compliance costs for employers that could result in fewer job opportunities for wage workers. The choice is a fine balance between protecting job creation and improving working conditions. This is currently the dilemma facing governments, organisations and lobby groups working to guarantee the protection of workers.

This case study has shown, however, that regulation of the informal sector is not necessary in every situation. Domestic workers in this study were generally provided with decent working conditions without being covered by formal labour rights. I believe that this can be attributed to the socialisation into and experience of expatriate employers of employment laws in their home country. Expatriate expectations of their own working conditions, I believe, have had a direct impact on the conditions that they offered their domestic worker employees. This situation would therefore not be replicated in many informal sector employer/worker relationships. The surplus of labour in this sector and the competition for jobs means that the worker remains reliant on

employer integrity to provide reasonable working conditions. In this environment, workers are at risk of exploitation from unscrupulous employers.

More research is required to determine the best approaches to ensuring that informal sector workers are protected from substandard employment arrangements. This goal could be difficult to achieve, particularly in developing countries, where the informal sector absorbs a significant proportion of the labour force. The challenge then for policy-makers is to find ways of encouraging informal sector opportunities and protection of workers' rights without restricting employment or stifling the essential nature of the sector and its associated benefits.

Appendix 1: Interview Guideline (Employers)

Background information

1. Can you tell me briefly a little bit about yourself, including why and how long you have been living in Fiji?

   - nationality
   - marital status
   - children

2. What type of place are you living in?

   - flat, apartment, hotel, house, etc.

3. How many people normally living in your household?

   - number of adults
   - number of children

Housework (general)

1. Do you do any housework yourself?

   - if yes, what housework do you do?

Cooking, childcare or care of other family members or friends, cleaning, ironing, shopping, home repairs, gardening, looking after animals, other:

2. How many hours per week do you spend doing housework (on average)?

3. Why do you do these particular tasks?

   - like doing them
   - can't find someone to do them
   - don't trust anyone to do them
   - can't afford someone to do them
   - other

Domestic workers (focusing just on housework and childcare not gardening)

1. Can you tell me why you decided to employ someone to do the housework?
2. How many people do you employ to do household work?
3. What type of housework do you employ someone to do?

Cooking, childcare or care of other family members or friends, cleaning, ironing, shopping, home repairs, gardening, looking after animals, other:

4. What are the regular tasks that you ask them to do?
5. Is there anything else that you think they should be doing?
    - why?
    - why are they not doing this currently?

6. How many hours per week do you employ someone to do the housework? (on average)
7. Can you tell me why you decided to employ someone to do the housework?
    - don't like doing it
    - everyone else does
    - wanted to help someone earn some money
    - it's cheap

8. How long have you had a domestic worker?
9. Outside of Fiji, did you usually employ someone to do the housework?
    - If not, can you tell me why not?
    - If yes, can you describe the similarities and differences between the type of work you ask them to do?
10. Who in your household is responsible for the domestic worker? Eg. paying wages, supervising work etc
11. How much contact do you have with the domestic worker?

Employment of Domestic Workers

1. How did you find the current domestic worker you employ?
2. Can you describe the process you went through to employ them?
    - interview
    - test or trial period
    - did you check out what other employers of domestic workers had agreed?
3. How easy do you consider it was to find someone you thought suitable?
    - If not, why do you think that was?
    - If yes, why do you think that was?
4. Can you tell me about the terms and conditions that you have employed the domestic worker under (including sick leave, holidays, superannuation, etc)?
    - training, resources, transport, leave, wages and bonuses, hours of work, superannuation, allowances, notice requirements
5. How did you decide on these terms and conditions of work?
    - eg how did you decide on the amount of money that you pay
    - talk to any other employers (expatriate or not) before deciding
    - When you employed your domestic worker, did you base the terms and conditions more on what the standard is in Fiji or in your usual country of residence?
6. Do you review the terms and conditions with your domestic worker?
    - if not, why not?
    - if yes, how often? What is the process? whose idea?
7. What happens if the domestic worker needs to have a day off, or needs to change their day of work?
8. Is there anything that you do or provide for your domestic worker that you would consider to be outside of the 'normal' employer/employee relationship?

- giving them food, helping them get loans etc

9. What do you think about the process you went through for finding the domestic worker or agreeing the terms and conditions? If you had to employ another domestic worker is there anything that you would do differently?
    - if not, why not?
    - if yes, what in particular? What would work better than currently?

Quality of work

1. Would you say that you have particular ways of wanting the housework done?
    - If yes, please describe. What quality would you expect?
    - If no, what quality would you expect?

2. Do you like the work that the domestic worker does?
    - if not, why not? Are you planning to do anything about it? and how?
    - if yes, what are the things that you really like? Do you reward the domestic worker for the work done? Is there anything that the domestic worker could do better? Are you planning to do anything about it? and how?

3. Are you ever at home while the domestic worker is there?
    - If yes, how often? Do you plan to be there while the domestic worker is there? Do you check the work that the domestic worker is doing while you are at home?

4. What do you feel about how much work does the domestic worker do in the time you pay for?

5. Have you ever had any conflict with your domestic worker over issues?
    - if yes, what? Describe what happened

6. Do you think you have a good relationship with your domestic worker/s?

- why, why not?

7. What do you think could be done to improve the standards of work?
    - eg. training, domestic worker employment agency
    - (if relevant) would you be prepared to pay for this

Employment law in Fiji

1. What do you know about employment law in Fiji around the employment of domestic workers?
    - if nothing, then give overview
    - if something, find out what in particular (prompt for superannuation, coverage in legislation, leave etc)

2. What do you think in general of the wages and working conditions of domestic workers?
3. What do you think could be done to improve the wages and working conditions of domestic workers?
4. Do you think that domestic workers should be employed under the same type of general conditions?
    - if not, why not?
    - if yes, what benefit would this give? And to who?

5. Whose responsibility do you think employment conditions are?
    - government, employer, etc

Conclusion

1. Is there anything else that you would like to talk about that I haven't covered?
2. How do you feel that the interview went?

Thank you for taking part

Appendix 2: Interview Guidelines (Domestic Workers)

Interviews were based around the following questions:

Background

1. Can you tell me about yourself?
    - marital status, children, education, age, ethnicity, living arrangements, how long living in Suva

Work history

1. Apart from domestic work, have you had any other jobs?
    - type of jobs
2. What paid jobs do you do now?
    - status of jobs (full time, part time, one-off etc), type of jobs

Domestic work history

1. Can you tell me how and why you became a domestic worker?
    - how long ago?
    - why are they a domestic worker (convenient, flexible, skills, like the work, the people, money etc)
2. Can you tell me how you got your current job/s?

Current Job/s (Type of work)

1. Can you describe what tasks you do in your current job/s as a domestic worker?
2. Is there any part of your job that you think you shouldn't be doing?
3. Is there anything else that you think that you should be doing?

4. What do you think about the amount of work that you are given to do?

5. Would you say that your employer has particular ways of wanting the housework done?

- If yes, please describe. What standards do they expect?
- If no, what standards would DW expect to do?

6. How well would you say that you did your job?

7. Does your employer tell you if they think you have done a good job?

- what happens?

8. What about if they think you haven't done a good job?

- what happens?

9. Do you agree with the standards that the employer sets?

- if not, why not? Are you planning to do anything about it? and how?
- if yes, why?

10. Have you ever had an argument with your employer? If yes, can you describe what happened?

11. Are employers ever at home while you are there?

- If yes, how often? Do you think they plan to be there while you are there? Do they check the work you have done? How do you feel about them being there while you are there?

12. Do you think that you have a good relationship with your employer?

- Why, why not?

Current Job/s (conditions of work)

1. In your current job/s, can you tell me about your working conditions? Things like how many hours you work, whether you get holidays, sick leave, training, how much you get paid etc.

- leave types (sick, annual, parental, domestic, without pay, training, education
- hours of work (standard or when needed, number of hours, flexible - can negotiate with employer)
- paid (per hour, flat rate per day, different for different tasks, how often, how paid, changes or stays the same, paid when employer not there (eg on holiday), ever paid in kind instead of cash, get paid bonus for a good job, pay tax, superannuation)
- allowances (clothing, transport, meals, childcare)
- resources (clothing, equipment, transport on job)
- transport (how, how long, cost)
- notice requirements

2. Before you started your current jobs, did you discuss any of these things with your employer?

- if not, why not?
- if yes, how did this happen?

3. Do you ever discuss any of the above with your employer now?

- if yes, what? How often? Who brings it up first? Does anything change? how do you feel discussing these types of things?
- if no, why not? Would you like to? What in particular would you like to discuss?

4. What happens when you need to change your hours of work? for example, because a member of your family is sick

5. Does your employer give you anything else apart from money to do the job? Does your employer help you with anything else in your life?

Current Job/s (satisfaction with conditions of work)

1. Overall, how do you feel about your working conditions?
   - anything you would like to change? why? how?
2. Do you ever talk to other domestic workers about their jobs?
   - if no, why not?
   - if yes, what do you talk about?
3. Do you know much about the type of work and conditions that other domestic workers have?
   - If yes, how? Are they similar to yours? Does knowing this help you ask your employer for similar work and conditions?
   - If no, would you like to? What benefit do you see in this?
4. If you changed jobs tomorrow, what working conditions would you ask for?
   - If not the same, why would you ask for this?

Role satisfaction

1. Overall, what are the things you like about being a domestic worker?
2. What are the things that you dislike about being a domestic worker?
3. Do you want to stay being a domestic worker?
   - why or why not?
   - if not, what would you rather do? is there anything stopping you doing this? How do you think you would get to do this?
4. If your children wanted to be domestic workers to, would you be happy with this?

Employment Law

1. What do you know about employment law in Fiji?
    - if something, how did you find out about this? what does it mean for you as a domestic worker? Has it helped you at all?
2. What do you think would help you get the working conditions that you would like?
3. What do you think about domestic workers all having the same working conditions (eg same pay, holidays etc?)

Conclusion

1. Is there anything else that you would like to talk about that I haven't covered?
2. How do you feel that the interview went?

Thank you for taking part

Appendix 3: Information Sheet (Employers)

Domestic Workers in Suva: Research

I am a university student from Massey University in New Zealand. As part of my Masters thesis in Development Studies, I am doing some research on domestic workers in Fiji. I would like to talk to expatriates who live in Fiji and employ a domestic worker.

The aim of the research is to find out information about whether there are standard terms and conditions that domestic workers are employed under. I would like to find out from the employers' perspective what about their current arrangements with the domestic workers are, and the nature of the relationship.

I will also be talking to domestic workers to find out their perspective on their jobs and what they think of the current arrangements with their employer. I will not be talking to any domestic worker that you employ.

If you would like to participate in the research, it will take about an hour. It will be a one-on-one interview where I will ask you questions about your arrangements with the domestic worker or workers that you employ.

I will use your answers to write a thesis on domestic workers in Suva for my Masters thesis. What you will tell me will remain confidential. Your name will not be used in the paper and there will be no identifying characteristics of the people who took part so that people who read the paper will not be able to tell who are the people that I talked to. I will not tell anyone the names of any person who talks to me and I will not show anyone the answers that you give me to the questions that I ask you.

If you would like to take part I will ask you to sign a consent form. If you sign this form it means that you have agreed that I have told you about the research. It will also explain your rights. You can decide at any time that you do not wish to take part. You can refuse to answer any question that I ask. At any time after the research and before the paper is completed, you can ask me not to include your answers in the research.

If you agree, I will tape record the interview. I will be the only person who listens to the tapes. The tapes will be destroyed at the end of the project. If you would like a copy of the tape of your interview please let me know.

A final copy of the report will be given to the University of the South Pacific library in Fiji and to Massey University Library at Palmerston North, New Zealand.

If you have any questions at any time, please ask me. Or get someone else to ask me for you. It is important that if you are unsure about anything that you ask me about it.

Appendix 4: Information Sheet (Domestic Workers)

Domestic Workers in Suva: Research

My name is Lynda Duncan. I am a university student from Massey University in New Zealand. I am doing a project on domestic workers in Suva and I would like to talk to some domestic workers about their jobs.

I would like to talk to you for about an hour about what you do at your job. The kind of questions I want to ask you is about what tasks your employer asks you to do, and what you like or don't like about your job. I would also like to ask you about how you found your job. The aim of the research is to find out your current arrangements with your employer, what the arrangements are like and the nature of your relationship.

I will use your answers to write a paper on domestic workers in Suva for my Masters thesis in Development Studies at Massey University. My chief supervisor is Dr Donovan Storey (d.storey@massey.ac.nz).

I will also be talking with expatriates who employ domestic workers to ask them the questions about what tasks they ask a domestic worker to do for them and what rules are set for the domestic worker. I will not be talking to your employer.

You don't have to take part in this research. If you do decide you want to take part you can tell me at any time if you don't want to take part any more. You don't have to tell me why.

If you do take part, what you will tell me will remain confidential. This means that no one apart from you and me will know that you have talked to me, unless you tell them. Your name will not be used in the paper. People who read the paper will not be able to tell who the people that I talked to are. I will try to protect your privacy. I will not tell anyone the names of any person who talks to me and I will not show anyone the answers that you give me to the questions that I ask you.

If you agree, I will tape record the interview. It will only be you and me at the interview. I will be the only person who listens to the tapes. The tapes will be destroyed at the end of the project. If you would like a copy of the tape of your interview, please let me know.

If you decide that you would like to take part and answer my questions about your job, I will ask you to sign a form. This form is called a consent form. The form will ask you to say that I have told you about the research I am doing. It also describes your rights about taking part. The form will say that you can decide at any time that you do not want to take part any more. You don't have to answer any of the questions that I ask you and you can leave at any time. Even after you have talked to me, you can ask me to take your answers out of the research because you don't want them to be used.

The thesis will be given to the university library in Suva and to my university library at Massey University in New Zealand.

If you have any questions at any time, please ask me. Or get someone else to ask me for you. I want you to feel okay about taking part so if you want to know anything about what I am doing, please ask me.

Appendix 5: Occupational Categories

Source: Fiji Islands Bureau of Statistics (1993:74)

Elementary Occupations category includes:

> Street vendors, shore cleaning, domestic workers and cleaners, building caretakers, mess porters doorkeepers, garbage collectors, agricultural fisheries labourer, mining labourers, manufacturing labourers, freight handlers and unallocated occupation codes.

Legislators, senior officials and mangers category includes:

> Legislators, senior government officials, traditional chiefs and heads, senior officers, corporate managers, directors and chief executives, small business managers, production and operation managers and other department managers.

Professionals' category includes:

> Physical, math, engineer, physicist and chemists, mathematicians, computing professionals, architects, health professionals, nursing and midwifery, teaching professionals, business professionals, legal professionals, archivists, librarians, social scientists, writers and creative artists and religious professionals

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