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## **The silent voices of the migrant domestic workers in the South African metropolitan: An exploratory study**

**Molefi Motsoeneng**

Research associate, Central University of Technology, Free State, Faculty of humanities, Department of professional studies

[smotsoen@cut.ac.za](mailto:smotsoen@cut.ac.za)

**Abstract.** The study's aim is to explore the abuse of illegal migrant domestic workers from Lesotho nationals who do domestic work in the South African metropolitan. The women cross the border to escape poverty back home and to search for better lives for themselves and their families in a better-off neighbouring country. Although this may be beneficial for their families, the female migrants are vulnerable to exploitation. The respondents in this study were 10 migrant domestic workers who are Lesotho nationals working in South African metropolitan illegally without a valid work permit. They participated in an interview process on their experiences of working as illegal migrant domestic workers in the South African city. The thematic content analysis revealed the following themes: exploitation, humiliation, physical and verbal abuse and sexual harassment. They reported because they are desperate for a job they have no choice but to accept the treatment. A proposed mitigation of the abuse is extending the Labour Relations Act of 1995, as amended, to include migrant domestic workers, which should enable them to report infringements of this and related statutory laws for prosecution. This study found that migrants who live with their employer are exposed to more severe forms of exploitation, humiliation, verbal abuse and sexual abuse at different stages of their migration process. The study argues that these migrant domestic workers' stories provide further evidence that legal protections must be put in place for migrant domestic workers in South Africa.

**Keywords.** migrant domestic workers, uBuntu, exploitation, humiliation, verbal abuse and sexual abuse

### **Introduction**

The study is aimed at understanding the silent voices of domestic workers in South Africa. A domestic worker is defined by the International Labor Organization (ILO) as "any person engaged in domestic work within an employment relationship" (Oelz, 2014:153). According to ILO's 2015 report there are roughly 67 million domestic workers around the world (Beri, 2020). Domestic work is one of the oldest and most important occupations for millions of women around the globe (Kodandarama, 2018). Found mainly in metropolitan areas of South Africa, migrant domestic workers in the sector that does not embrace the rights of workers (Baruaa, Haukanesa & Waldropb, 2016). Many domestic workers are mainly illegal immigrants from Lesotho because of its proximity to Free State where the study took place. Kodandarama (2018:1) has observed that "a substantial number of women in the rural areas migrate to the urban areas for the sake of employment due to lack of education and job

skills". Their employment has evolved over the years, with, not only affluent families having domestic workers, but also the middle and lower classes (Ray & Qayum, 2009).

Migrant domestic workers from poor countries migrate more in last few decades to "wealthier countries" for work (ILO, 2013), with Lesotho not being an exception. Migrant domestic workers across the globe work in poor working conditions and are prone to abusive employers and to harassment inside the homes of employers (ILO, 2010 and 2013; Caracciolo et al., 2011). The most reported abuses relate to underpaid, not paid on time of migrant and can be dismissed without following the proper procedure as laid out the employment contracts. These range from not being paid on time, payments that are deferred to the next month, overtime that is not paid, to long working hours and contractual obligations that are not honoured (Figueiredo, Suleman & Botelho, 2018).

These abuses and harassments are rarely reported and are therefore invisible to both researchers and policy makers because the domestic workers reside in their employers' houses, in addition to being undocumented immigrants in the country. The female migrant workers, who live with their employers, perform multiple tasks and are available throughout the day, are found in many African middle class families in South African metropolitan areas.

The study provide an evidence of the dangers of the migrant domestic workers' job, the evidence of which could be assist in the interventions to mitigate the risks. The research question for the study thus is as follows: What are the Lesotho migrant domestic workers' personal experiences of exploitation, humiliation, physical and verbal abuse and sexual abuse with their employers, and why cases are never reported to the authorities. Moreover, the findings from this study would provide indicators for humanizing an otherwise undervalued and disrespected profession.

### **Literature review on migrant domestic work**

The demand for services of domestic workers in in South African metropolitan areas has increased significantly over the years which is then largely met by vulnerable migrant women from poor rural areas who go in search of better lives for both themselves and their families (Awumbila, Teye, Kandilige, Nikoi, & Deshingkar, 2019). Although finding a job can benefit for both migrants and their families back home, but has it also raises a number of challenges to their wellbeings and soured relationship such as employers' violations of labour law, human rights, which highlights a move from authorities to extend labour laws to cover that vulnerable population (Chuang, 2010). An increase of domestic workers is driven by many women opting to pursue their careers instead of being house wives, which has resulted in the employment of uneducated and poor women mainly from rural areas.

The literature on domestic workers has demonstrated that the occupation is being looked down upon by the general population (Kontos, 2014). This type of job is associated with people who are uneducated areas (Manzoor, Dua-e-Rehman, Qureshi, & Shahid, 2016), who are forced by their poverty and unemployment to look for employment in the city. Most host countries' laws do not protect female migrant domestic workers against abuse and exploitation by employers (Kaur-Gill, Pandi. & Dutta, 2019). The sector is domestic work is known for its poor working conditions, wherein the domestic workers are denied their basic human rights, such as leave, living wage and lack of privacy (Constable, 2007; Parreñas, 2017). Furthermore do not enjoy benefits such as reprsatation and legal redress in termination of their services (Malhotra, Arambepola, Tarun, de Silva, Kishore & Østbye, 2013; Magalhães, 2017). Exploitation is common which includes long working hours, underpaid, no breaks (Weiss, 2017). In worst-case scenarios, domestic workers endure being assaulted, physical violence and bear the pain of constant humiliation from their employers and their children (Tan, 2001). For many of them

stay in their employers homes and thus available to carry her day to day duties anytime of the day (Malhotra et al., 2017).

The proliferation of migrant domestic workers has not seen many attempts from policy makers to address these injustices and abuses of many migrant domestic workers (Marti, 2019). Thus this sector provides perhaps the cheapest form of labour for employers since having the migrant domestic worker status means that the workers are not protected by law and thus have no legal recourse if unfairly dismissed (Malhotra et al., 2013). While there may be concerted efforts from policy makers to regulate the migrant domestic work, there has been no significant success in this sector (Calleman, 2007). Their employers threaten them with dismissal and this has been their constant behavior in their private homes. Although migrant domestic workers are not under any contractual obligation to stay, they find it difficult to change employers because of their “alien” status. Changing employers and withdrawing their labour until they find a more humane employer could be the only available options to them to escape from the oppression and abuse of a current employer. Moreover the employers only employ people who are referred to them by friends and relatives. A great concern is their safety and of their assets when they are away from home. A careful due diligence take place before another one can be employed, also to find the one who meet their requirement might be difficult. This poses a threat to change employees more often.

### **Theoretical framework**

Ubuntu is used are theoretical framework in the study. The philosophical approach to understand how human beings relate to each other and to acknowledge the humanness in relation to others (Le Grange, 2011; Murithi, 2009). The ubuntu is an approached assist in understanding the type of relationship expected from employers and the domestic workers (Hanks, 2008). The ubuntu is the most appropriate, framework to understand the two way relationship of providing service and be remunerated in return (Hanks, 2008), as the potential to regulate the relationship between the two parties and refrain from abusing the employees (Wilson & William, 2013). “The philosophy embraces the elements of compassion, dignity, respect, and a humanistic concern for employer relationships with migrant domestic workers” (Muchiri, 2011). Being a human being also includes an element of caring about the quality of migrant domestic workers as being other human beings also (Metz, & Gaie. 2010). Ubuntu is a symbolic of the humanness, personhood and morality of the society at large (Johnson, 2015). Being a human being also includes an element of caring about the quality of migrant domestic workers as being other human beings also (Metz, & Gaie. 2010). Ubuntu is symbolic of the humanness, personhood and morality of the society at large (Johnson, 2015).

Ubuntu promotes an equal treatment of human beings regardless of the undervalued job such as that of migrant domestic workers. They also need to be respected by their respective employers, of which employers not ill-treating them, humiliating and refrain from all sorts of threats (Rapatsa & Makgato, 2016; Rapatsa, Makgato, & Mashile, 2016). If the employer upholds all principle embodied in ubuntu all migrant domestic workers’ employers would show empathy, able to listen carefully with and deep understanding of their challenges and able to be supportive to their cause (Metz, & Gaie, 2010). Be able to forgive and forget when mistakes arises in their line of duty (Johnson, 2015). The value of ubuntu, when applied consistently to employer/employee relationship, greatly minimizes the conflict in the relationship.

## **Method**

### **Research design**

A phenomenological approach was chosen as an appropriate method most suitable for understanding the experiences of the domestic workers (Friesen, Henriksson, & Saevi, 2012; Spinelli, 2005). In addition to that it assist us in understanding the social phenomena from the immigrant domestic workers' perspective (Ataro, 2020).

### **Participants and setting**

They were only 10 respondents who formed part of the study. Their inclusion was informed by falling in targeted category of the age group 25-55 years, an average of five years working experience as a migrant domestic worker in South Africa. The respondents were purposeful convenience sample selected from the population of migrant domestics' women from Lesotho migrant domestic working in South African metropolitan.

The questions to the respondents were mainly on their experiences of working as migrant domestic workers in South African metropolitan. They were asked the following research questions: Has your employer exploited you at any particular stage? Have you been humiliated, abused either verbally or sexually by your employer?

The words were analyzed verbatim by the researcher and four themes emerged. They are as follows: exploitation, physical and verbal abuse, humiliation and sexual abuse. The themes are supported by the respondents' own words.

### **Data collection instruments and procedures**

Ethical clearance for this study was approved university ethics committee. The consent form was thoroughly discussed with the respondents. The respondent were informed of their rights of participation, which is voluntarily in nature and have no obligation to participate if they feel uncomfortable. They were also assured that the information that they shared with the researcher would be kept confidential and their identity secret. Efforts were made to make informants participate freely, to feel comfortable and to open up about their experiences of abuse as migrant domestic workers.

The informants were interviewed in person at a place and time convenient to, and preferred by, them. The interview took place far away from their employers' residences. The interviews centered on their personal experience and the relationship with their female as well as male employers. The interview was limited to 1 hour.

### **Data analysis**

The interviews were audiotaped and transcribed verbatim by the researcher in the respondents' own words the process ensured the data is trustworthiness and authenticity at all times (Holloway & Wheeler, 2013). The interviews were conducted with the respondents' mother tongue which in this case is Sesotho. A thematic content analysis of the data was then conducted as described by (Green & Thorogood, 2004). The process begins with identifying themes, from audiotapes and check against the ones recorded for accuracy. The researcher arranged with respondents to verify the themes. The themes to report were decided by the researcher after a careful analysis of themes that recur in the data more than once. The direct words of the respondents are used to support the results of the study. The respondents own words were reported in the findings.

### **Results and discussion**

Four overarching themes, namely; exploitation, humiliation, verbal abuse and sexual abuse emerged from the data analysis.

To recapitulate, the aim of this study was to investigate the abuse of migrant domestic workers from Lesotho by their employers. The themes of exploitation, humiliation, physical, verbal abuse and sexual abuse are discussed below, as found in the interview data.

#### **Theme 1: Exploitation**

The migrant domestic workers were very bold to declare that their employer are exploitative. Their job is very physical and they work long hours without overtime compensation. They described their working conditions as follows:

*“I am working seven days a week my day starts at 4 a.m. I bath the children and prepare their breakfast and lunch boxes for school. I work all day without rest. I go to sleep at 8 p.m. after washing the dishes. In some instance I have to attend to children when they are not well. Because of the living arrangement, I am available even on weekends when they either go to town or visit friends and I must look after the children. I also do washing, cooking and ironing for the entire family. I also clean the house. I do not have off days to visit friends. Worse still, I have to ask for permission to visit my children over the weekends.” Respondent # 6*

*“Because I live with my employers there is no time for time off. I am expected to be a security when they go on holiday, which is usually during the December holidays. I do not have an opportunity to spend Christmas with my children. When they come back, I must do the washing for the entire family. This family does not care to give me leave days so that I could go and spend time with my children. My little daughter, who is ten years old, is not allowed to visit me during school holidays. Respondents # 2*

*“I do everything for the entire family. I have to follow them around to clean their mess, take they dishes when they are done, warm their food and bring them food to the table. I must be on standby when they need either water or juice. The kids cannot even stand to wash the dishes; I am called to wash them when they are done eating.” Respondent # 3*

The data above reveals that the Lesotho migrant domestic workers are exploited. The live-in further experience more exploitation because they are call to work even after hours (Byrd, 2010). The women are drowned into sorrow and easily become more emotional with their current situation with their working arrangement. It emerged from them that their employer took advantage of their lack of education as a barrier to getting a better job. Their employers mocked them with painful words such as: ‘*you stupid foreigner. Who do you think can employ you except me.*’ These acts makes them feel like their relationship with employer is that of a master and slaves. The experiences of the Lesotho migrant domestic workers in South Africa and of migrant domestic workers elsewhere in the world is one of oppression and disempowerment (Bernardino-Costa, 2014).

The life of a domestic worker is a very lonely life because domestic workers are not integrated into the families of their employers. They live in a separate room outside and away from the employer's family, and without as much as a television. For the principle of Ubuntu to be upheld the two parties, especially the employers, should start treating each other with respect and should be generous to those in need (Tshoose 2009). When some of the migrant domestic workers narrate their suffering, it is so emotional that they can only cry instead of speaking. One of them had this to say, *"If I do not stay, my children back home will have nothing to eat. I came here to work for them."* As human beings, migrant domestic workers are also entitled to spending time with their loved ones.

Furthermore the two respondent describe the experiences as follows:

*"When its month end, my employer changes and you could see now she does not want to pay you. She will shout at me telling me how useless I am and that I do not pull my weight when it comes to work but that I am number one when it comes to money. She goes on and on complaining until she decides to pay me on the 10<sup>th</sup> day of the month. This woman does not feel anything for my children, whom I have to send money back at home."* Respondent # 4

*"I worked for five employers, with none of whom I negotiated any terms of contract. I was just told how much I was going to earn. You do not have a choice; it is either you take it or leave it. Although I have my own doubts, in most instances I did not have choice because I was desperate for a job."* Respondent # 1

*"I live in a small backroom wherein I bath and eat. I am not allowed to use a heater even when it is cold. "Madam" warned me that if I opted to use a heater, I would have to pay R150 towards electricity from my salary."* Respondent # 7

They described their working and living conditions as unbearable. Their employment contracts not formalized and enforceable in law. Their employers take an advantage of their alien status and working in South Africa without a work permit from their country of origin. Thus exposed them to more abuse by employers and having living with fear or being fired. If the law agency arrest them, they risk blackmail, imprisonment, and deportation (Fernandez, 2010). The employers who have Ubuntu tend to honour their side of an agreement with your employees (Sambala, Cooper & Manderson), for Ubuntu advocates humanness, and a pervasive spirit of caring within the community in which the individuals in the community love one another (Khomba & Kangaude-Ulaya, 2013). The expression you find in the migrant domestic workers is one of shock and not believing that a human can act in this way towards another human.

## **Theme 2: Humiliation**

In most cases these women are humiliated by employers' children, who as young even younger than their children. Their experiences are reported verbatimly as follows:

*"I told my employers my name when I started to work for them, but they choose to give me their own nickname, which they prefer to use. I do not like*



*their name and I have made them aware of that but they keep on using it. The name is embarrassing. How can I be called 'Mampe' (the ugly one)? This is not the name my parents gave me. Everyone in the house knows the meaning except me." Respondent # 10*

*"I prepare supper for them but I have to wait for 'madam' to dish for me. Worse still, I am supposed to wait for everyone to eat and when they are finished, and do not need more, she will dish for me. Then I can have my meal in my room alone." Respondents # 3*

*"I accompany them when they visit friends to keep an eye on the kids. When they are with friends, I must play on the lawn with kids. Now I am being turned into a child who is supposed to play with other children." Respondents # 7*

*"She orders me around when she is with her friends. Every minute she will shout, "Lettie bring me a clean glass!" She shouts "Why are the plates lying on the table when we are finished. Take them and wash them!" Respondents # 6*

The acts of humiliating domestic workers is a habit from employers. Those in the position of the authority maintain the relationship of which a domestic worker must toe the line, they feel humiliated when they rebels against them (Ndayiigiye, 2005), contrary to the principle of Ubuntu, which promotes treating each other with dignity (Hoffmann & Metz, 2017). Ubuntu advances the spirit of the good moral qualities of a person, particularly features like generosity, compassion, tolerance and politeness (van Breda, 2019).

### **Theme 3: Physical and Verbal abuse**

The migrant domestic worker reported that they are more often physical abused when they have forget to do their daily chores:

*"I mistakenly burn her dress while ironing clothes. I reported the incident to her and she was so upsent that she even slap me. She shouted told me that she will deduct from my salary. At end of that month I did not get my full salary, she has deduct her dress prize Respondent # 3*

*"I was assaulted for burning the meat while cooking. The whipping was so serve that I was forced to take a leave, she was shaking thinking that I will lay a charge of assaulted with law agencies. I was taken care of and even bought medication for me. I got an extra R500 on my salary because she said I am good girl I lisiin" Respondent 5*

*"In this house the children do not respect me, they even threaten to beat me if I do not prepare their meal on time. The boy even slap me for not ironing his favorite golf shirt which he wanted to wear on the weekend. When I report the kids to parents they are not even reprimanded. According to them is good that the children to tratea me like thrash. Respondent 5*

In addition to physical abuse many of the migrant domestic workers reported experiencing more verbal abuse. The verbal abuse perpetrators by employers high and some of them experienced being discriminated (such as a separate cutlery for them) and substandard food. The main perpetrators are female employers. They are more often labelled like this:

*“I burnt down a pot of porridge because I was busy in doing laundry. A mistake that can happen to anyone but I was told that I am wasteful because I do not work. She work hard for the food I burn. That evening I know I will starve that is the punishment I get for burning food. The behavior from my employers leaves me powerless, to worse to deny me food it is inhumane indeed.”*  
Respondent # 3

*“If I did not do ironing, and she is looking for her skirt, she will shout as if I am a kilometer way to the extent of telling me that I cannot think and that I am a stupid girl from the farms. She will say to me that she will deal with me if I keep on doing what I am doing. If I keep quiet and do not respond to her she feels offended and instructs me to say ‘Yes Madam’, and saying ‘I am your boss; you seem to forget that I feed you, pay you and even offer a shelter over your head.’”* Respondent # 9

*“My employer does not have mercy on me. I prepare a meal for the entire family but I do not even taste it. They buy a separate grocery for me which has a lot of staple diet. They give me a meat once a month. I do not complain because I do afford to buy myself vegetable for consumption”. Respondent # 7*

Although the prevalence of verbal abuse is more compared to physical abuse but some report an incidents of physical abuse by the employers and their children. With includes like hurling, insults, shouting, and labelling them as stupid (Malhotra, 2013). The perpetrators in most cases were found to be female employers (Jureidini & Moukarbel, 2004). The violence perpetrated by employers goes against the values of Ubuntu (Motsoeneng, 2021). The uBuntu stands for humanity which advocates that conflicts should be resolved through dialogue (Wilson & Williams, 2013). Nine of the migrant domestic workers reported being experiencing more verbal abuse, whereas only 4 reported being physically abused.

#### **Theme 4: Sexual abuse**

Sexual abuse feature prominently in many interviews held with the migrant domestic workers. Of the ten seven reported being sexually abused by their employers’ husband/boyfriends:

*“The male employers would force himself on me and attempt to kiss me while placing another hand on my buttocks. When I pushed him off, warning him that I will tell his wife he will give me R500 and ask me not to tell “Madam”. When I go home, sometimes he would give me R1000 and tell me not to tell madam. This has gone on for some time and I fear that this man would like me to be his mistress.” Respondent # 11*

*“I could see this guy wants to have sex with me, the way he looked at me and the sinister comments he passed when he is with me in the house. He will*

*say, 'I can see you are craving sex, and I am ready to assist a sister in need'. He will ask, 'Do you have a boyfriend?' I feel uncomfortable when I am with him in the house when everyone is not around.'" Respondent # 12*

*"This guy is brave. When his wife goes to the bathroom, he tells me that he likes me. He will give me a pat on my buttocks and tell me 'you look stunning today; you got your hair done. I suspect you are wearing sexy lingerie'. When I tell him that I am married, he told me that my man is lucky to be having 'a good meal.' The way madam behaves, you could sense she is suspicious. She has told me to play far away from her husband or else she will break my neck." Respondent # 8"*

The migrant domestic workers may find themselves having to pledge loyalty to their employers by not reporting the husband's behavior (Fuchsel, 2013). On the other hand, Ubuntu demands respect for life, peace, and the promotion of human life and dignity (Sambala, Cooper & Lenore Manderson, 2020:8). Daily, Africans articulate their stance on respect and the affording of dignity to all human being, thus embracing the principle and values of Ubuntu of kindness and unity (McDonald, 2010). Ubuntu advocacy is about support for the dignity of human life (Peterson, 2016).

### **Conclusion**

This study advances our understanding of the experiences of migrant's domestic workers who work in the private homes of South African families in South African metropolitan as a typical case. The domestic worker market is highly fragmented and difficult to organize since it uses "undocumented" migrant domestic workers who fear being seen with union leaders. The abuse of domestic workers is justified by the employers as a corrective measure for those who transgress the unilateral rules they put in place for the working relationship. They feel that if the measures are not put in place, the domestic workers will eventually take over the households. It is necessary, therefore, and for the employers, to keep the domestic workers on their toes. And since the migrant workers are not protected by laws such as the Labour Relations Act of 1995, they cannot act like their counterparts in South Africa if they have grievances against their employers.

South African families now opt to use migrant domestic workers since they are not obliged to register them. Formalizing their employment means that the domestic workers can refer their dispute to the Commission for Conciliation Mediation & Arbitration (CCMA) where the employers could be compelled by law to pay minimum sectoral wages. In the case of migrant labour, the employers pay whatever they deem sufficient.

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