

#METOO AND WOMEN DOMESTIC WORKERS



A participatory action research study with and by women
domestic workers

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INTRODUCTION

Domestic work represents 2.3% of total employment worldwide (International Labour Organization, 2021). ILO Convention 189 (Domestic Workers Convention, 2011) defines it as “work performed in or for a household(s), within an employment relationship and on an occupational basis.”

Domestic employees, in general, are responsible for providing personal and household care. The nature of their work varies: they may cook, clean, care for children, the elderly, and the disabled, tend to pets or the garden, drive the family car, or perform other tasks. The work may be part-time, full-time, or hourly, and they may or may not live in their employer's home.

The ILO (2021) estimates there are at least 75.6 million domestic workers over the age of 15 worldwide, 76.2% of which are women - about one third of female employment across the world. In the coming years, the demand for domestic labour is expected to rise as a result of demographic changes, ageing population, and rising long-term care needs. The number of digital labour platforms in the sector has increased eightfold, from 28 in 2010 to 224 in 2020 (International Labour Organization, 2021).

Even after 2011, since the ratification of ILO Convention 189, little progress has been made in ensuring a minimum wage for domestic workers equal to that enjoyed by workers generally. At the same time, more laws and policies now cover domestic workers, and there has been a slight increase in the number of domestic workers who are legally entitled to fixed working hours and paid leaves.

However, the overall scenario remains the same - legal rights have not yet become a reality for most domestic workers. Only one in five domestic workers enjoys effective employment-related social security coverage (International Labour Organization, 2021).

About 61.4 million domestic workers are employed in the informal sector (International Labour Organization, 2021), meaning that they have no effective means to access social and labour protections available to workers in their countries. Despite their contribution to national economies, domestic workers are situated at the low end of the care economy.

DOMESTIC WORK IN INDIA: AN OVERVIEW

Over 94% of India's working population is part of the unorganised sector, 50% of which are women. Women also account for almost 51% of the total construction labor force in India and are almost exclusively engaged in unskilled, casual, manual labor. Domestic workers comprise a significant part of the workforce in informal employment and are among the most vulnerable groups of workers.



Official statistics place the number of domestic workers employed in India at 4.75 million (of which 3 million are women). However, the ILO states that this is a severe underestimation and estimates the true number to be between 20 million to 80 million workers.

According to an analysis of labour legislation in India in 2014, domestic workers are not included in the scope of several labour laws because of constraints in the definitions of the “workman”, “employer” or “establishment” (SEWA, 2014). In other words, domestic workers are employed in homes, which are considered private spaces, excluding them from labour legislation that guarantees personal security and job safety. Despite their inclusion in social security benefits, including the Minimum Wages Act of 1948, the lack of regulation of domestic work in India prevents them from accessing their rights as workers.

Further, the employment relationship of domestic workers is mostly disguised, ambiguous and not clearly defined. Because they work for private households, they often work without clear terms of employment. Anecdotal evidence from the Network for the Rights and Voices of Domestic Workers - Delhi NCR suggests that the lack of identity proof as workers (none of the domestic workers working with the Martha Farrell Foundation have Labour Cards or contracts), impedes domestic workers' access to any state-sponsored schemes, an impediment they faced even during the COVID-19 pandemic.

In most cases, domestic workers are migrants and either equal partners or the sole breadwinners for their families. The work they do is often seen merely as a performance of household chores, given little importance, and considered unskilled labour and “women’s work”. Economic duress and such attitudes towards their work leaves them with very little bargaining power with employers, and prevents them from enjoying safe, discrimination-free workplaces. To date, many households bar domestic workers from using toilets, and separate utensils and cutlery are kept for their use. Against this backdrop, domestic workers, specifically women domestic workers, are rendered extremely vulnerable to sexual and gender-based violence, in their homes, in public spaces, and in their world of work.

#METOO AND INDIA'S DOMESTIC WORKERS

When the #MeToo movement began in India, it was somewhat restricted to formal workplaces, among students, and within the labour force that had access to the Internet and were able to engage in conversations on social media. A few voices from marginalised communities and civil society spoke on behalf of informal workers in social media spaces to highlight their vulnerability to sexual harassment in the workplace, but the conversation was far removed from on-ground experiences.

A domestic worker leader working with the Martha Farrell Foundation was quoted in the Human Rights Watch report of 2020 on the poor enforcement of the anti-sexual harassment law in India, saying, “For women like me, what is #MeToo? Poverty and stigma mean we can never speak out. There is no place safe for women like us - not our workplaces, nor our homes, and not the road we take.”

India's anti-sexual harassment law, the Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act was passed in 2013. It recognises that sexual harassment results in the violation of a woman's fundamental right to equality under Articles 14, 15 and 21 of the Constitution - equality under the law, prohibition of discrimination on grounds of religion, race, caste, sex or place of birth, and protection of life and personal liberty. The Act provides protection against sexual harassment of women at work and outlines procedures for the prevention and redressal of complaints of sexual harassment in the workplace.

The Act uses the definition of sexual harassment that was laid down by the Supreme Court of India in *Vishaka v. State of Rajasthan* (1997), and is seen as an important step in addressing gender-based discrimination in India.

It includes both formal and informal workers, and is one of the few legislations that defines domestic work as ‘labour’ (Section 2). The Act recognises that the safety of women in the workplace is the employer's responsibility and a gender challenge, and mandates the constitution of a Local Committee (LC) at the district level, where nodal bodies are tasked with the redressal of cases of sexual harassment in the workplace. Complaints of sexual harassment faced by informal workers, including domestic workers, are redressed in the Local Committee.



The Local Committee is composed of five members - a Chairperson, who is an eminent woman from the field of social work in the district; one female member working in the block, taluka, tehsil or municipality; two members (of which one is a woman) working in a non-government organisation or association committed to the cause of women or familiar with the issue of sexual harassment; and an officer from the Women and Child Department or Social Welfare Department of the district is a member by default (*ex-officio*). In addition, the Act mandates the District Officer to appoint one nodal officer in each block/taluka/tehsil/ward who acts as first point of contact for aggrieved women, to receive complaints of sexual harassment in the workplace among informal workers across the district and forward these to the LC.

For domestic workers in particular, the Act mentions that the redressal mechanism is not carried out by LCs. Once the complaint reaches the LC, it has to be forwarded to the local police within seven days, and a complaint is to be filed under Section 509 of the Indian Penal Code, 1860 (word, gesture or act intended to insult the modesty of a woman). Beyond this, the Act does not mention the procedure or role of the police in carrying out the investigation.

The ambiguity in the redressal process for domestic workers under the Act is just one of the impediments to their ability to seek justice for such experiences. Despite the law being in place for over nine years, women and women domestic workers are regularly subjected to sexual harassment in the workplace.

As a part-time domestic worker shared during a discussion led by the Martha Farrell Foundation in Mukherjee Nagar (West Delhi), “Even if we complain, nothing happens. When we protest against an incident, the police pressurise us to be silent.”

There are also several questions surrounding the presence and accessibility of Local Committees. Between 2016 and 2017, the Martha Farrell Foundation and PRIA filed RTI (Right to Information) queries to find out about LCs, their composition, and their work across the country. After the non-receipt of replies from the District Administrations, subsequent RTI queries were filed with state departments of Women and Child Development. Out of 655 districts in the country, only 29% replied to say that they had formed LCs, 15% had still not formed the LC and 56% of the districts chose not to respond to the RTI query. Based on these RTI findings, a study was conducted in 2018 by women domestic workers and the Martha Farrell Foundation, which found that out of 11 districts in Delhi, only 3 had formed LCs.

Additionally, there was the issue of recognition by the women domestic workers as to what constitutes sexual harassment. Out of the 45 women domestic workers surveyed, 36% said they had experienced sexual harassment in their workplace. However, most women did not identify visual and verbal forms of sexual harassment for what it is and were unaware of them being violations under the law. Supported by MFF, domestic workers who participated in the study held a consultation with Delhi's then Deputy Chief Minister, and with the support of art-based research, they presented a *sari* (traditional Indian garment) with their experiences of sexual harassment stitched onto it. It served as a key advocacy tool, ultimately leading to the setup and activation of Local Committees in districts of South Delhi, in 2018.



Institutional challenges go beyond the establishment of mechanisms alone. Domestic workers face caste- and class-based discrimination at the hands of authorities, causing them to feel fear and suspicion, and discourages them from filing complaints.

Suman (name changed), a domestic worker from Faridabad, shared her experience of going to the police: “I am a domestic worker and I work in the building near my settlement. Once, my employer was not giving me my salary for a few months. I went to the police station to file a complaint. The police officer helped me get my salary but in the end, he asked me to give him 25% of the salary received from my employer. Instances like these make it impossible for us to trust or depend on the police.”

In 2018, 291 women domestic workers responded to a participatory mobile-based survey organised and led by women domestic workers on the issue of sexual harassment at workplace. 84 (29%) women said yes to having experienced sexually harassment at their workplaces. Out of these 84 women, 19% chose to ignore the incident, 15% shared their experiences with friends or co-workers, 13% changed their way to work and 2.3% had to quit their jobs. 17 women complained to the police, but could not share any outcomes of filing a complaint. Only one of the 84 women domestic workers could complain in the building when she was sexually harassed.

The COVID-19 pandemic has made things worse for women domestic workers. A survey of 4,463 women domestic workers in Delhi-NCR by MFF during the second wave of the pandemic (March 2021) found that over 3,424 had lost their employment, against just 1,039 who were working. Among the 1,039 working women, 671 women had retained their jobs in just one home, and 210 were working in 2 or 3 homes, as compared to 5-6 households each in pre-pandemic times. Loss of jobs and income at a time when women domestic workers were still recovering from the impacts of the first wave of COVID-19 has made them more vulnerable in the workplace than ever.

Seeking justice for sexual harassment in their world of work for domestic workers is a complex and unmitigable process at multiple levels. Systemic, cultural, professional, social and legal barriers impede their access to justice and rob them of their fundamental rights on a routine basis.

#मैंभी: OVERVIEW OF THE PROJECT



The project 'Making Workplaces Accountable towards Women Domestic Workers: Effective Implementation of the Sexual Harassment at Workplace Act (2013)' was led by women domestic workers and the Martha Farrell Foundation, with support from the UN Trust Fund to End Violence against Women and Girls, running from 2021 to 2024.

The project focused on the issue of sexual harassment in the world of work of domestic workers, across 13 districts of Delhi-NCR (all 11 districts of Delhi; Gurugram and Faridabad districts of Haryana). The project aimed to create awareness and empower domestic workers to speak up about their experiences, as well as strengthen LCs and police mechanisms to redress complaints swiftly and sensitively, through a co-designed redressal procedure within the ambit of the 2013 Act.

STUDY OVERVIEW

A two-part study was conducted across the 13 districts of Delhi/NCR in collaboration with women domestic workers. The first part of the study focused on creating awareness and collecting data directly from the domestic workers. The second part focused on evaluating the efficacy of systems and institutions (LCs and police stations) in addressing the complaints raised by women domestic workers under the Sexual Harassment of Women at Workplace Act, 2013 (SHWW Act, 2013)

PART 1 - FOCUS GROUP AND SURVEY WITH DOMESTIC WORKERS

There is little to no data available on the experiences of domestic workers with sexual harassment in their world of work. With the collaborative effort of women domestic workers of Delhi-NCR, Martha Farrell Foundation and the Network for the Rights and Voices of Domestic Workers, Delhi-NCR, this study was conducted to establish an understanding of the nature of such instances and their prevalence. The study aimed to:

- **Raise awareness**
 - Raise awareness among women domestic workers about the forms and types of sexual harassment, their rights, and provisions and definitions under the SHWW Act, 2013
- **Facilitate experience sharing**
 - Enable women domestic workers to break their silence and speak up about their experiences of sexual harassment in the workplace
- **Build community**
 - Facilitate community building and a sense of trust and solidarity among domestic workers who have lost faith in the systems and institutions in the aftermath of the pandemic
- **Expose gaps in the law**
 - Analyse the gaps in implementation of the SHWW Act, 2013 and its provisions for women domestic workers in Delhi-NCR
- **Strengthen advocacy base**
 - Build a base of knowledge for advocacy efforts led with and by women domestic workers to strengthen the implementation of the SHWW Act, 2013
- **Analyse the situation of institutions**
 - Map whether LCs have been set up and trained, if nodal officers have been appointed, and if police personnel are aware of their role under the Act

PART 2 - STUDY OF LOCAL COMMITTEES AND POLICE STATIONS ACROSS 13 DISTRICTS OF DELHI/NCR

A baseline study was conducted across the 13 districts to evaluate the response of the LCs and police stations to the complaints raised by women domestic workers and whether they are in compliance with the SHWW Act, 2013

METHODOLOGY

This participatory action research study aimed to understand the experiences of sexual harassment in the workplace, and accessing their legal rights through LCs and police stations in case of an incident. The study was conducted with and by women domestic workers. The data in this report was collected through research conducted over a period of 6 months, between September 2021 - February 2022, across thirteen districts of Delhi-NCR (all 11 districts of Delhi; Gurugram and Faridabad districts of Haryana).

In line with participatory methodologies, the study employed a cascading cyclical model to ensure input and capacity building, knowledge sharing, and data collection took place simultaneously. To ensure the effectiveness and impact of the change-making model of community-based participatory research, advocacy for change occurred concurrently with data collection. While advocacy impacts policy change and improves experiences, the nature of policy change, along with its benefits and challenges, is in turn influenced by further data collection and experience sharing (Figure 1).

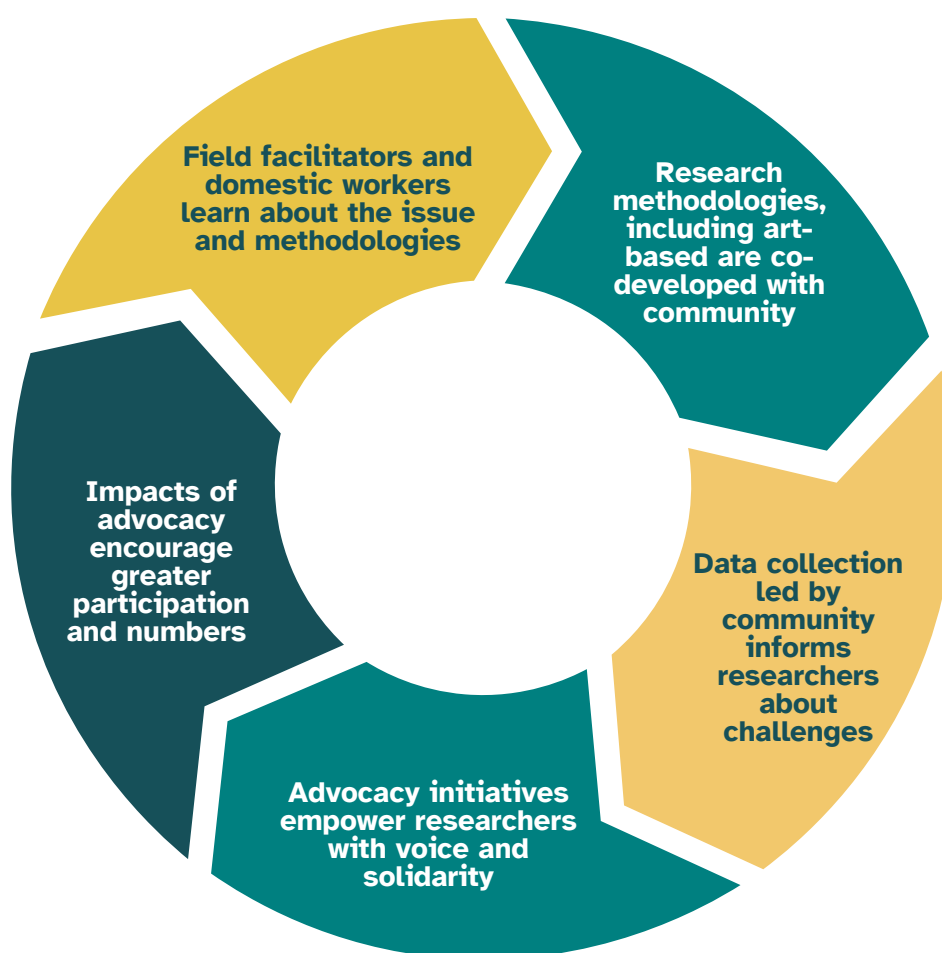


Figure 1: Process of research, advocacy and change making through community-based participatory research

LED BY WOMEN DOMESTIC WORKERS

Six facilitators were identified from among community leaders and champions across the thirteen districts to coordinate and facilitate the research methodology.

Field facilitators were trained on the issue of sexual harassment at the workplace and participatory research methodologies, following which, contextual input and data collection methodologies were employed in each location.

For the duration of the study, field facilitators attended four in-depth training sessions to build their skills and to support them in leading the community based participatory research. The training sessions encompassed the following topics:

- Sexual Harassment of Women at Workplace, the 2013 SHWW Act, and women's rights to safety in the world of work
- Women's rights, labour rights and research strategies
- Participatory research methodologies
- Advocacy strategies
- Documentation and collectivisation for future planning

ARTS-BASED METHODOLOGIES

The field facilitators, most of whom belonged to the community of domestic workers in some capacity, were supported in adopting a mixed-methodology research approach with women domestic workers across thirteen districts of Delhi-NCR. Various art-based methodologies, applied across different communities and geographies, informed the research. The use of art-based methodologies influenced the effectiveness and ease with which field facilitators received responses to the mobile-based form, and initial analyses of the data guided the methodologies and advocacy strategies employed throughout the process.



SURVEY

The research methodology at each location included focus group discussions and participatory safety audits through safety mapping. Additionally, a survey form was completed by consenting participants at all locations. The survey questions were prepared by women domestic workers themselves, in partnership with programme staff from MFF and the field facilitators. The form was hosted on Google Forms, and using mobile phones, field facilitators were able to support domestic workers in filing out the responses. As this study is one of the first of its kind to highlight data related to domestic workers and their world of work, women domestic workers participated in the survey willingly, as they were eager to bring their work into the mainstream and remove the invisible status attached to it. As suggested by women domestic worker champions (who prepared the questionnaire) all the questions in the Google Forms were mandatory. The form was created in English, Hindi and Bangla.

FOCUS GROUP DISCUSSIONS AND PARTICIPATORY SAFETY AUDIT

At all locations, field facilitators conducted focus group discussions to understand the perspectives of women domestic workers on what constitutes sexual harassment and their understanding as to which aspects of sexual harassment were covered under various laws. These discussions enabled more informed data generation.

The focus group discussions also led to gathering of subjective information about experiences of sexual harassment in the workplace, enabling participating women domestic workers to empathise with one another and begin building bonds of trust and solidarity.

A domestic worker shared:

"When I used to mop the floor of the house, my employer used to sit in his underwear. He never used to lock the washroom door when he went inside. I told his wife that I do not like this behaviour. She refused to acknowledge that her husband was sexually harassing me. I told them to pay me for the days I worked that month and I left that job. They threatened me saying they won't let me enter the society ever again."

The discussions highlighted that women domestic workers were facing sexual harassment in the larger world of work - while travelling to their workplaces, in community corners, lifts, society, roads. Following the discussions, women domestic workers decided to conduct a participatory safety audit to underline the challenges and bring out nuanced, community-specific data.

A participatory safety map of the communities was created by women domestic workers after a transect walk, during which many participants were able to see their whole community, sometimes for the very first time. The map represents the status of safety of domestic workers in their world of work.



Discussions that domestic workers participated in during the map-making process added perspectives and insights on the depth of the issue:

“Our houses are surrounded by little tracks that lead to the bigger track surrounded by jungle. This one connects to the main road or the highway that we take to reach the buildings. This track is the most unsafe for all of us. There are no lights during the night and men often get drunk here. For the same reason, we don’t even let our children take this route at night.”

In locations such as Noor Nagar (South east Delhi), while drawing the map of the community, women domestic workers began a conversation, and raised their concerns about the increasingly exorbitant rent to be paid for their jhuggis (makeshift homes). A few participants also shared that they have bought their small jhuggis by spending all of their earnings. It was also discovered that a fire had started in the community in 2021, leading to widespread damage as the concerned authorities did not provide immediate help to the families living there. Participants came to terms with their economic situation and its linkages with their safety status.

In many locations, participants shared that women and girls feel most unsafe when they defecate in the open, because of the absence of any community toilets that can be used. While discussing the routes they take to their workplaces, women domestic workers marked the entrances of the community as ‘unsafe’—evidenced by the fact that several participants shared that they had been harassed by drunk men standing near the entrance of the communities.

INTERVIEWS WITH LOCAL COMMITTEES AND THE POLICE

Given that these institutions are the first point of the justice delivery process for women domestic workers, a baseline study of both in each district was conducted using the interview method. A set of questions was prepared in consultation with women domestic workers in each district, to be asked to each institution. The programme staff and field facilitators went to the District Magistrate’s office (where LCs are supposed to sit) and police stations in the districts to evaluate how easy or difficult it was for women domestic workers to file a complaint of sexual harassment in the workplace.

PARTICIPANT DEMOGRAPHICS

The survey was conducted with women domestic workers from across Delhi-NCR, and their demographics are as follows:

1,939

DOMESTIC WORKERS

20-68

YEARS OLD

11

DISTRICTS OF DELHI

- New Delhi
- Central Delhi
- South Delhi
- West Delhi
- North Delhi
- East Delhi
- South West Delhi
- South East Delhi
- North West Delhi
- North East Delhi
- Shahdara

2

DISTRICTS OF HARYANA

- Faridabad
- Gurgaon



KEY FINDINGS AND INSIGHTS

PART 1 - FINDINGS FROM SURVEY DATA

EDUCATION STATUS

The survey revealed that 32% participants had completed their education till Class 5, 15% had studied till Class 8, and 4% had completed high school. However, the majority of participants (48%) were uneducated (Figure 2).

Discussions with participants revealed the reasons for their lack of education. Some women said they were married very young, while others said they had to drop out of school to perform household chores.

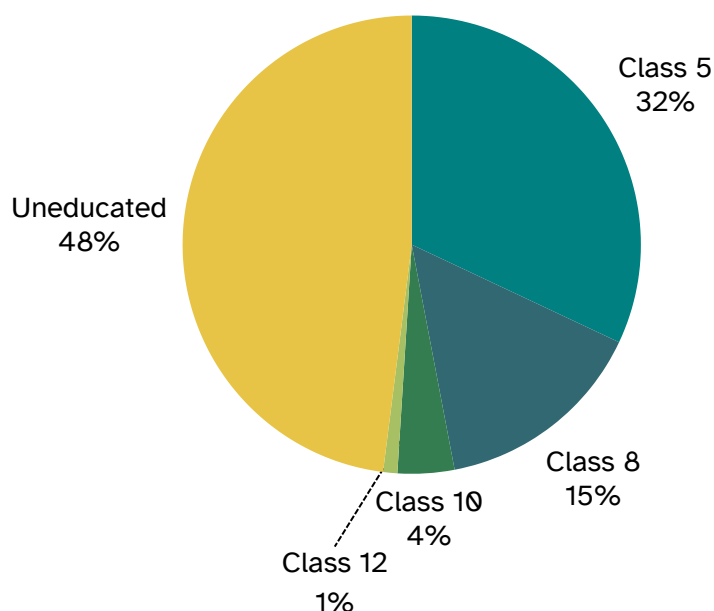


Figure 2: Education status of the women domestic workers surveyed

ECONOMIC STATUS

Women domestic workers and their families are still recovering from the severe economic duress they faced during the first and second waves of the COVID-19 pandemic. Many said they had lost their jobs during the pandemic, and most of the domestic workers were not given fair and due compensation during the lockdown. About 34% of the participants said they were sole breadwinners in their families, whose incomes sustained 2-4 family members on average.

Uma (name changed), a domestic worker from Raghbir Nagar, West Delhi, shared, “My husband left me during the lockdown, because he lost his job. I have been trying to make ends meet, and feed my children, all by myself. It is hard for me to speak up against sexual harassment at the workplace, even if I face it. I can’t afford to lose my job.”

MIGRATION STATUS

Most women domestic workers living in Delhi-NCR were migrants who had come to live in the city in search of employment opportunities. At 33%, the largest number of participants had migrated from the state of Uttar Pradesh, while 24% had migrated from Bihar and 23% from West Bengal. The remaining 20% of domestic workers belonged to Orissa, Jharkhand, Madhya Pradesh, Tamil Nadu, the North East, Rajasthan, Punjab, Haryana, Chhattisgarh and Himachal Pradesh.

Several contributing factors led domestic workers to migrate from their states. The largest percentage of participants (62%) had come to the city in search of employment. 26% of participants said they moved to the city because their partners had found employment here, while 12% participants said they had moved to secure their children's education and future (Figure 3).

Most of the women said they had faced challenges because they lacked domicile proof in Delhi. Another major challenge faced by the women was the language barrier. Additionally, they also lacked Ration Cards (for subsidised rations), and were unable to avail of state sponsored relief, even during the pandemic.

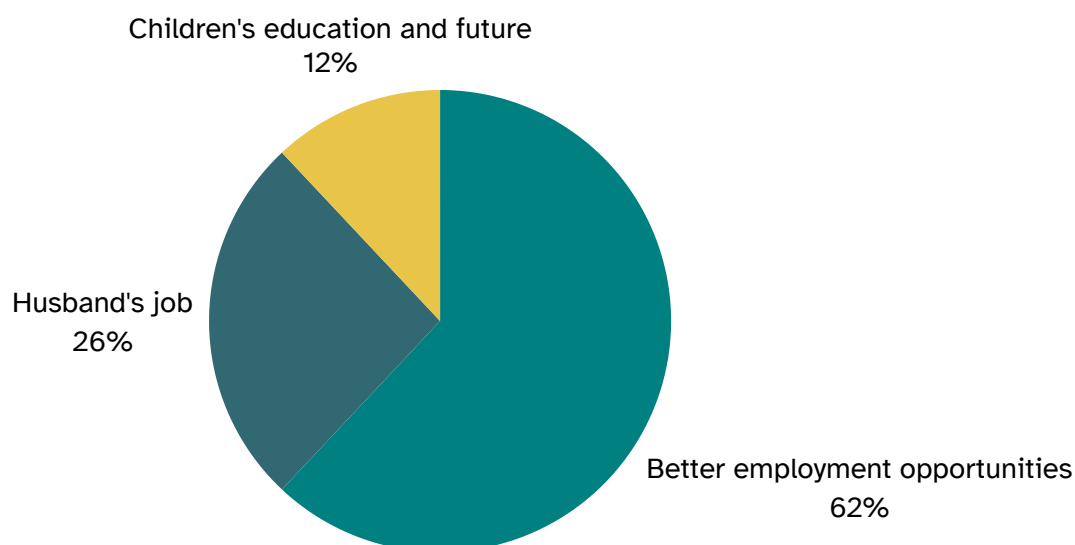
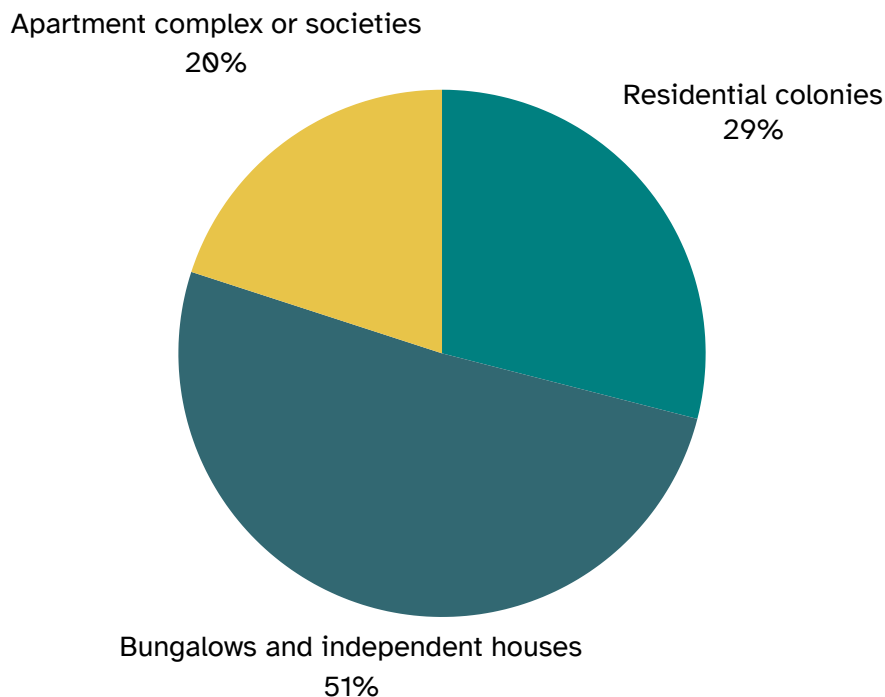


Figure 3: Reasons for migration

WORLD OF WORK

51% of women domestic workers who participated in the survey said they work in bungalows and independent houses, while 29% work in residential colonies and the rest 20% work in apartments or societies (Figure 4).

The type of workplace that women domestic workers work in heavily contributes to their feelings of safety or lack of safety while working.



For instance, the participatory safety audit conducted by women domestic workers in Faridabad found that while there were residential apartments in the society they worked in that they felt safe inside, the way to and back from the residential complex itself was marked extremely unsafe.

Figure 4: Type of workplace

Rani (name changed), a 20 year old domestic worker who worked in a bungalow shares her experience: “I used to do cleaning in a house in a building. Whenever I used to mop the floor, my employer used to stay in his underwear and never locked the bathroom door while he was in. I did not feel comfortable so I complained to his wife. She did not believe me so I left that place of work.”

Out of 1,939 women domestic workers, 26% said they worked in only one household, 41% worked in two households, 20% worked in three households, and 13% worked in more than three households (Figure 5). Due to the pandemic, many domestic workers were let go from their jobs and thus were working in fewer houses than before, further increasing their economic strain, and impacting their ability to speak up against violence in the workplace.

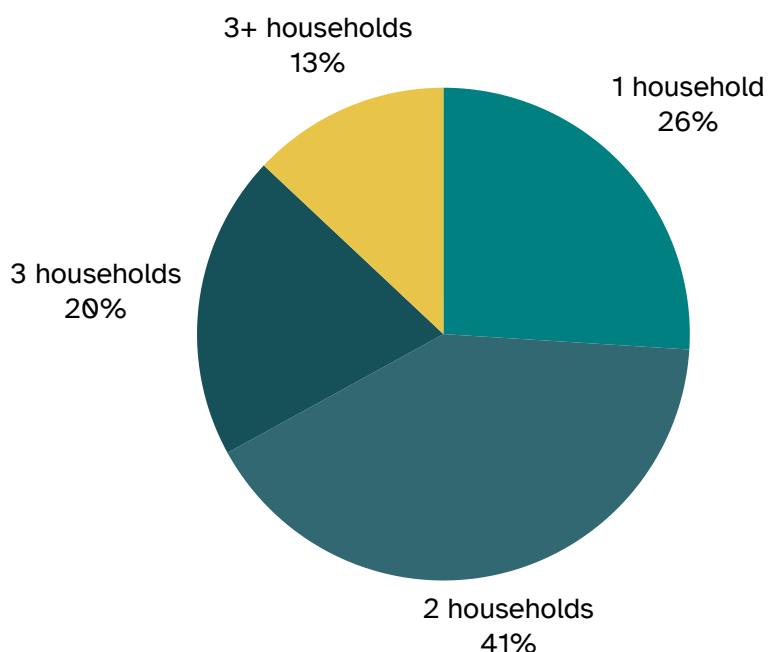
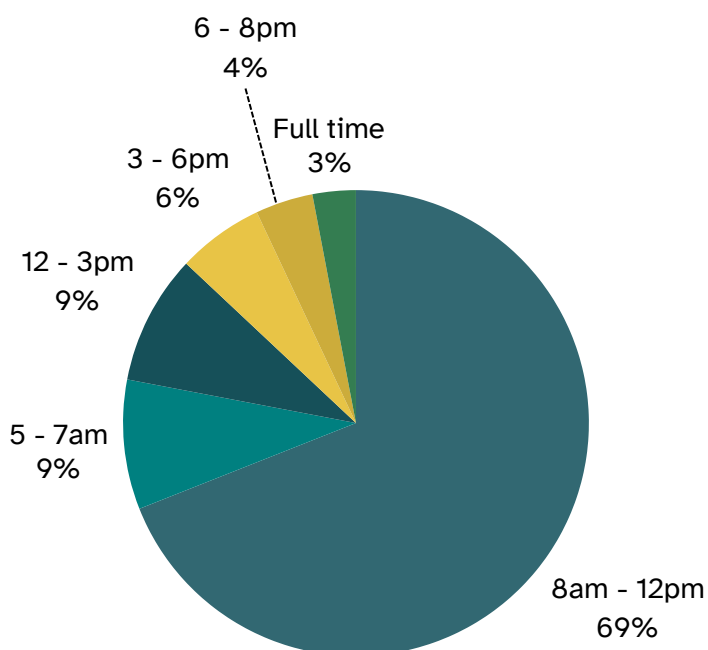


Figure 5: Number of households in which domestic workers are employed

Participants also spoke about their work timings and how that related to their safety in the world of work. While women domestic workers in Harijan Basti, Gurgaon were used to working late hours, those in Gadhakhori Basti of Faridabad could not risk doing so as their settlement is hidden in a forest area and very dangerous after sunset. This impeded the women's ability to take up more work in order to make ends meet.



Work timings, therefore, varied by location and economic stresses faced by the women. 69% of the participants said they leave their houses between 8 am to 12 pm for work, 9% would leave early in the morning between 5 am to 7 am, 9% in the afternoon between 12 pm to 3 pm. 6% leave in the evening between 3 pm to 6 pm and 4% leave between 6 pm and 8 pm. 3% were full-time employees (Figure 6).

Figure 6: Time of travel to workplace

71% of women domestic workers would walk to their place of work, 16% would cycle and 13% would take a bus or other form of public transport. Across locations, domestic workers shared the challenges they faced while travelling to and back from work. Particularly among the women who would walk, instances of sexual harassment while travelling were found to be higher.

Suman (name changed), a domestic worker from Gopalpur, North Delhi shares, "I was walking to my place of work during the day when I noticed a man following me. He stopped on the side of the road and started urinating while looking at me. This made me very uncomfortable but I did not tell anyone."

Reeta (name changed), a domestic worker from Faridabad shares, "I cannot remember the number of times I have been sexually harassed in a moving bus while going to work. This has been going on for years and we have learned to ignore it."

The kind of tasks that women domestic workers are expected to perform - with or without pay - also puts them at increased risk of sexual harassment.

Nagma (name changed) from Shahdara, Delhi shares, "Once, I was asked to massage my male employer. I was massaging his feet when he asked me to touch his genitals. I refused to do it. When I told my madam, she did not listen to me."

Out of 1939 women domestic workers, 59% do cleaning as their main job, while 27% do cooking, 11% are involved in performing caretaking jobs, 2% are involved in dog walking and only 1% do washing clothes ironing (Figure 7). During the survey, women domestic workers shared that apart from their regular jobs, most of them are asked to do additional work without any pay.

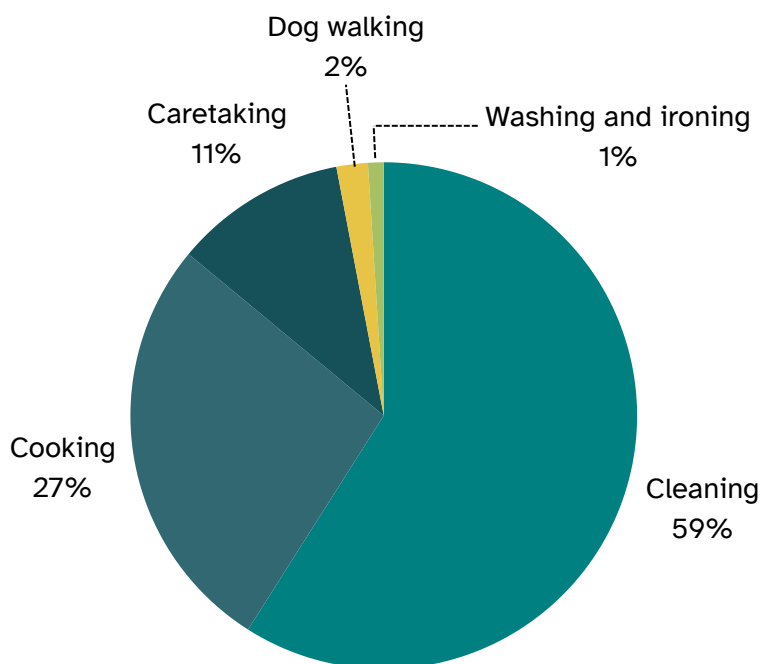


Figure 7: Tasks undertaken by women domestic workers

UNDERSTANDING OF SEXUAL HARASSMENT

Out of 1939 women domestic workers, the majority of the women - 84% - did not know about the SHWW Act, 2013. 16% said they were aware of the law against sexual harassment at workplace (Figure 8).

Out of the 310 (16%) women domestic workers who knew about the SHWW Act 2013, only 8% knew about the existence of the Local Committee in their district and only 2% know about their district's Nodal Officer. There was very little knowledge about the procedure of filing a complaint in the Local Committee - only 6% said they knew where to go and file their complaint.

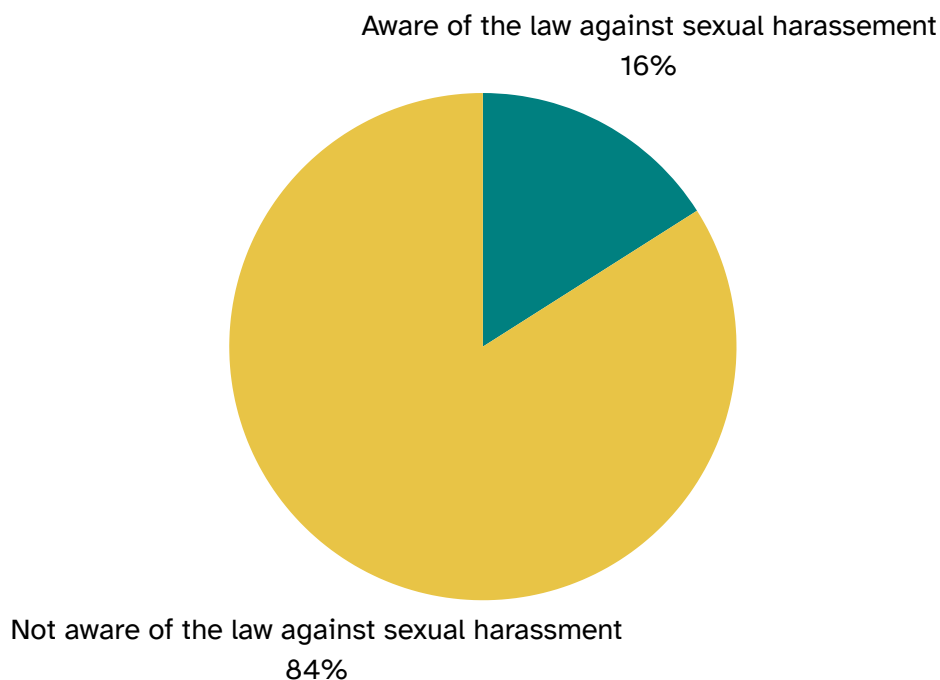


Figure 8: Knowledge of SHWW Act

Further, 48% of participants identified only physical form of sexual harassment as a form of sexual harassment in the workplace. Other forms, such as verbal comments, inappropriate expressions, and showing or sending inappropriate photos and videos were recognised by 12%, 9% and 9% of participants as workplace sexual harassment, respectively. 22% were not aware about the behaviours which constitutes sexual harassment at the workplace (Figure 9).

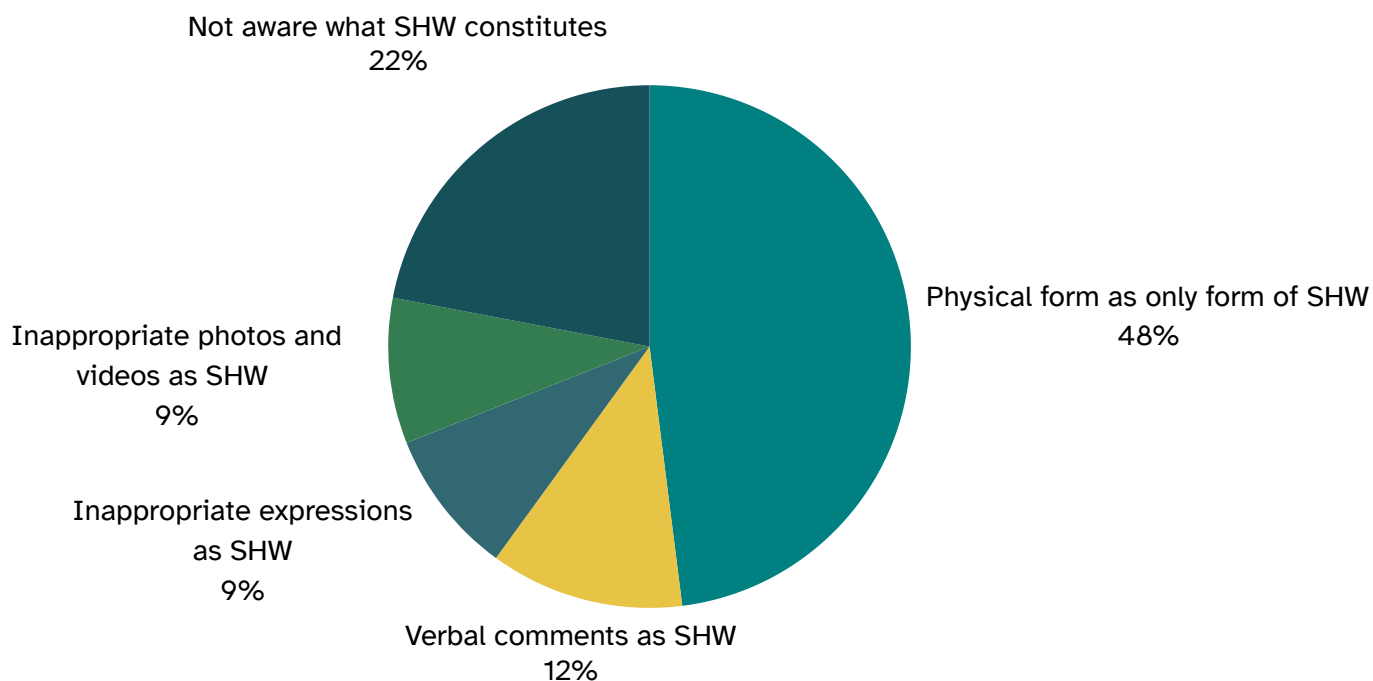


Figure 9: Knowledge of types of sexual harassment

EXPERIENCES OF SEXUAL HARASSMENT

The survey form was also designed to draw out data on the experiences of sexual harassment that women domestic workers faced in their world of work, including the four forms (physical, verbal, non-verbal and visual) and two types (quid-pro-quo and hostile work environment).

Initial attempts at collecting this data was challenging for field facilitators, as women were unaware, hesitant or afraid to open up about their experiences.

Sarita Devi, field facilitator from Harijan Basti, Gurgaon, said, “Before I went to my friend’s place with the mobile survey form, I talked to her informally about sexual harassment and her experiences. She told me a few incidents that she had faced. But while asking her the questions from the survey, she did not agree that she has faced these issues at her place of work.”

A mix of activity and art-based participatory approaches to data collection empowered women domestic workers with an understanding of the issue, awareness of the SHWW Act, and enabled them to open up while answering the questions.

Out of 1,939 women who responded to the survey questionnaire, 1,512 (78%) said they had faced at least one form of sexual harassment (physical, verbal, visual and non-verbal) in their world of work (Figure 10). This means, over three-quarters of surveyed domestic workers had been survivors of sexual harassment.



78% FACED AT LEAST ONE FORM OF SEXUAL HARASSMENT IN THEIR WORLD OF WORK

Figure 10: Faced sexual harassment at the workplace

Out of the participants who said they had faced one or more forms of sexual harassment in their world of work, including on the way to and back from work, 22% said yes to being inappropriately touched at their workplace. 25% of women domestic workers said they had been bothered or stalked on their way to work. 23% faced inappropriate faces or gestures made by their employers or other individuals (drivers, guards, etc.) in their world of work. 9% said they had heard inappropriate songs or seen inappropriate films on the television while they worked. 7% said they had received inappropriate messages on their phones by their employers. 11% participants said they had been promised benefits in return for sexual favours at some point and 3% said they had been shown inappropriate photos or books by their employers (Figure 11).

21% of women domestic workers also said they had heard about instances of sexual harassment in the workplace happening to others.

Most women who answered the questions expressed a fear of backlash if the information reached their employers.

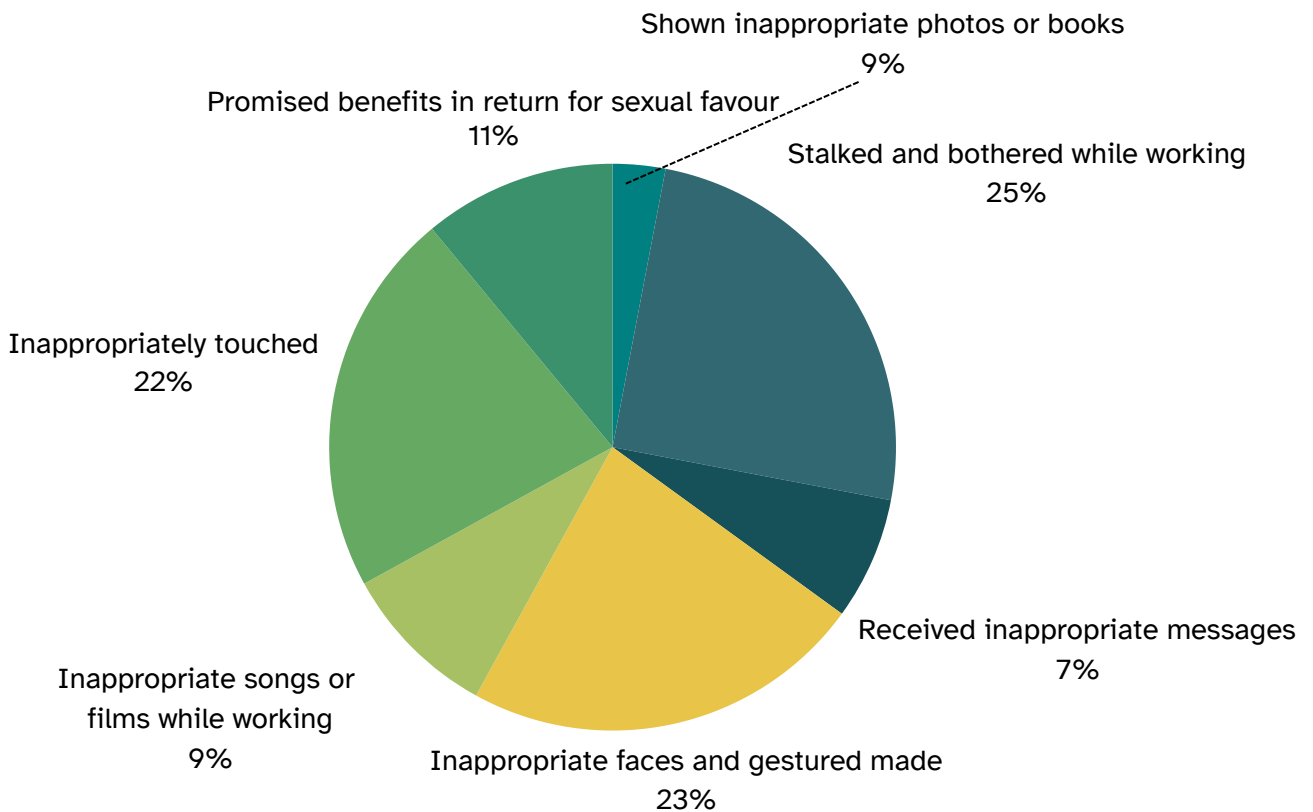


Figure 11: Types of sexual harassment faced by the women

Reeta (name changed), a domestic worker from Gautampuri, South East Delhi was looking for a new job when she experienced sexual harassment. On being asked to share her experience, she narrated her story:

“I migrated to Delhi a few years ago in search of work. I took up residence in Gautampuri and took up a job in a high rise apartment across the road from where I live. I was also looking for other opportunities in the same building to add to the meagre income from the house.

Other domestic workers had told me that I could approach the security guard in the building to look for a job, so I did just that. He told me there was a house in the building that had a vacancy. When I went to the house to ask about the job, a single man of about 35 years opened the door.

He asked me if I knew how to do housework, and I replied that I could clean and dust. I took a look at the house, and told him the salary I was expecting. What he said to me made me very uncomfortable. He said, ‘Don’t worry about the money.’ Before I realised what he was implying, he showed me his phone, which had an inappropriate picture on it.

I immediately left, and refused to work in that house. When I told my husband, who was working as a guard in the same building, we decided to go and confront the man. When we went, he threatened police action and said he would get our entry into the building banned.”

Out of the 78% of women domestic workers who had said they had faced sexual harassment in their world of work, 24% have experiences quid-pro-quo type of sexual harassment and 54% have worked in a hostile and unsafe environment (Figure 12).

Ratna (name changed), a domestic worker from Sanjay Camp shares, “I used to work for my employer who lived alone some years ago. One day, he offered to take me out shopping and then asked me to stay the night with him. He showed me a wad of cash and said that he will increase my salary. I fought with him and left that place of work.”



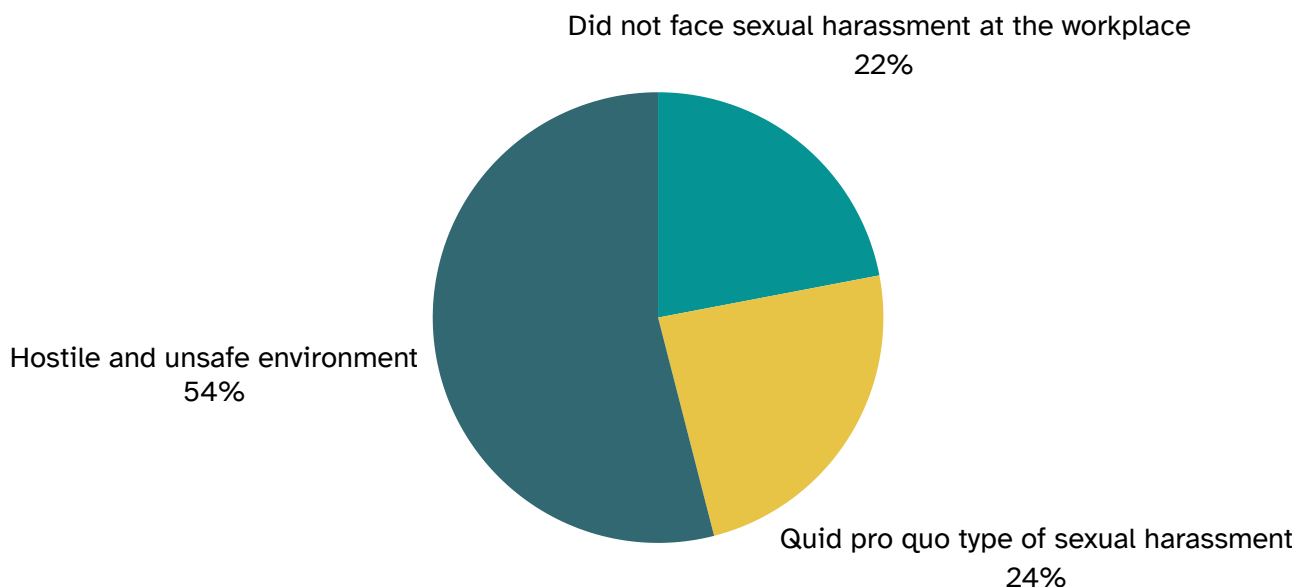


Figure 12: Nature of sexual harassment experienced by the women domestic workers

The domestic workers were asked whether they complained about their experiences of sexual harassment and to whom they complained if they did so. 85% of them reported that they did not complain about their experiences while only 15% reported that they did. Among the 15% women who could actually complain, 13% said they were accused of lying, while 2% said they were asked to ignore the issue and move on. None of the participants who had complained knew if any action was taken by their employers or the police (Figure 13).

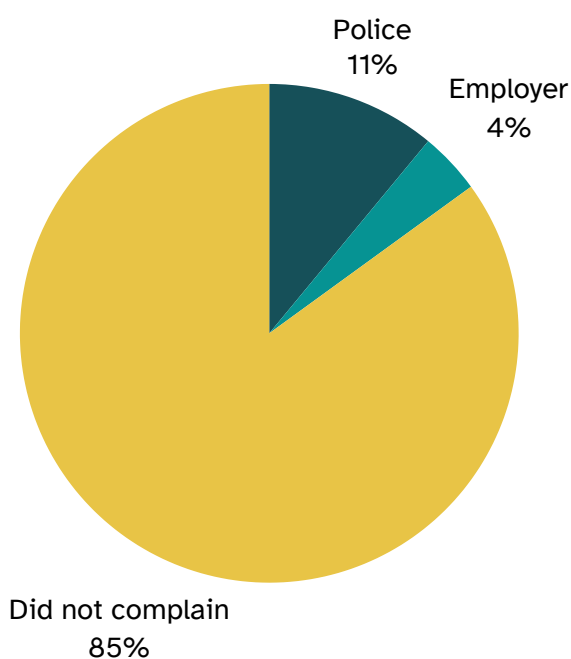


Figure 13: Whether and where complaints were raised

Meera (name changed), a domestic worker from Devli, South Delhi, shares her experience with the police, “Years ago, my friend faced sexual harassment at her workplace. I went to the police station to help her out. But the police did not listen to us. We stayed at the station for hours but the harasser did not face any consequences.”

Preeti (name changed), a domestic worker from Gurugram shares, “I think that going to the police station is completely useless. The harassment that we face there is worse than keeping quiet about sexual harassment at workplace.”

The experiences of lack of trust, backlash and victim-blaming at the hands of employers and police have deeply impacted women domestic workers. During group discussions, most women expressed that they felt it was futile to complain. The additional harassment they face from law enforcement is a strong deterrent to their motivation to seek justice for the violations they have endured.

92% of the women domestic workers surveyed, reported that they did not have any knowledge or training about the Local committees and how to approach them.

Overall, the findings suggest that not only is there not enough awareness about the SHWW Act among the women domestic workers surveyed in Delhi/NCR, most of them they do not understand the different types of sexual harassment they can be exposed to and are protected against under the Act. Even if they recognise the incidents of sexual harassment, they lack knowledge of and trust in the systems and institutions in place to protect them.

PART 2 - FINDINGS FROM BASELINE STUDY WITH LOCAL COMMITTEES AND POLICE

DATA FROM VISITS TO DISTRICTS TO CONTACT LOCAL COMMITTEES IN 2021



Out of 11 districts of Delhi only 1 district provided information related to LCs (as of 2021) that are accessible to the women working in the informal sector, despite the legal mandate in force since 2013. After continuous advocacy by the women domestic workers and Martha Farrell Foundation, all the 11 districts in Delhi had constituted Local Committees (as of December 2023).



There is no information available about Nodal Officers that are supposed to be assigned in every block, tehsil and municipality in any of the districts.



No training sessions have been conducted in any of the districts to raise awareness about workplace sexual harassment or to provide information on the Local Committee and the process for filing complaints.



One Stop Centres, that are supposed to be set up in each district to provide immediate support to women facing gender-based violence, are responsible to have information on the Local Committee. When the field facilitators and programme staff reached out to them, they were also not aware about the address/contact details of the LCs.



No information on complaints registered by the informal sector on sexual harassment at workplace was received from the three existing LCs

INVISIBLE LOCAL COMMITTEES?

The above data reveals that, in 2021, out of the 13 districts across Delhi/NCR, only 3 have formed a Local Complaints Committee (one from Delhi, and one each from Faridabad and Gurugram). It was almost impossible to find information on the Local Committees and contact information of members of the Local Committees in most of the districts. Most of the visits to the SDM or DM office were futile, as field facilitators and programme staff could not find out about the existence or contact information of the Nodal Officer.

Additionally, the process of reaching the DM (District Magistrate's) or SDM office was full of impediments. Basic infrastructural inadequacies and lack of connectivity to convenient public transport underscored how difficult it would be for domestic workers to access justice with the relevant authority under the SHWW Act, 2013.

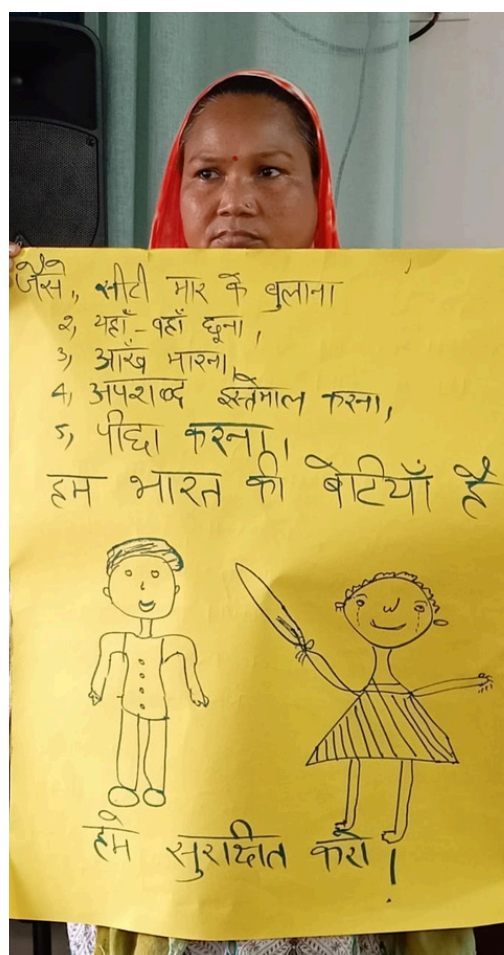
A field facilitator shared, "I had to travel kilometres to finally reach the SDM Office of my district. Things were not smooth inside the office, as it is almost impossible to get someone to talk to. You can easily tell from their behaviour whether they are aware of the Local Committee or the Law. If I faced so many difficulties, I can only imagine how hard it is for domestic workers to access the Local Committee."

In some cases, field facilitators were also re-directed to One Stop Centres, which provide integrated support to women who have faced gender-based violence in private or public spaces. The centres function to facilitate immediate, emergency and non-emergent access to medical, legal and psychological support to survivors.

While most centres were functional and relatively easier to access, the field facilitators found that they received negligible complaints of sexual harassment in the workplace filed by informal workers.

If One Stop Centres are receiving complaints of gender-based violence and are better recognised than LCs, the question is why are they not aware of LCs and the channels through which complaints of sexual harassment at the workplace must be forwarded to ensure justice for women?

It is evident from the information received that authorities being aware of their roles and responsibilities under the Act is a dream as of now. The bigger challenge is accessing the LCs in the first place. None of the 13 districts have had any kind of sensitisation training among informal workforces. Sensitisation on the issue of sexual harassment and information on the redressal mechanism for domestic workers is a bleak possibility.



DATA FROM VISITS TO POLICE STATIONS ACROSS THE 13 DISTRICTS

At the police stations, police personnel refused to meet with field facilitators and instead directed them to contact 181 for women-related inquiries. This, despite the fact that they went with the backing of MFF. One can only imagine how much harder it is for women domestic workers to draw attention to their struggles with such apathetic attitudes of law enforcement.



Most of the officers across the police stations had not received trainings on sexual harassment at workplace.



No information was received from police stations in 13 districts on cases filed by informal workers on sexual harassment at workplace.



No link was recognised between the police and the Local Committee as most of them were not aware of its existence and roles.



Women domestic workers cannot access the Local Committees because of their invisibility and find it difficult to file complaints with the police because of overall distrust in the system.

RESPONSES RECEIVED FROM POLICE INTERVIEWS

The following table shows the responses received from police across 13 districts

Location of Police Station	District	Awareness of SHWW Act	Awareness of Local Complaints Committee	Cases of Domestic Workers received from the LCC
Karol Bagh	New Delhi	Aware of the Act but have not participated in any trainings	Not aware	No cases received
Chanakyapuri	Central Delhi	Not aware of the Act and have not participated in any trainings	Not aware	No cases received
Saket	South Delhi	Not aware of the Act and have not participated in any trainings	Not aware	No cases received
Ambedkar Nagar	South Delhi	No information received	No information received	No information received
Sarita Vihar	South East Delhi	Aware of the Act but have not participated in any trainings	Not aware	No cases received
Kapashera	South West Delhi	Aware of the Act but have not participated in any trainings	Not aware	No cases received
New Ashok Nagar	East Delhi	Not aware of the Act and have not participated in any trainings	Not aware	No cases received
Khayala	West Delhi	No information received	No information received	No information received
Timarpur	North Delhi	Aware of the Act but have not participated in any trainings	Not aware	No cases received
Nand Nagri	North East Delhi	Aware of the Act and have not participated in any trainings	Aware	No cases received
Model Town	North West Delhi	No information received	No information received	No information received
Sushant Lok	Gurugram	Not aware of the Act and have not participated in any trainings	Not aware	No cases received
Sector 53	Gurugram	Not aware of the Act and have not participated in any training	Not aware	No cases received
Omaxe	Faridabad	No information received	No information received	No information received

A series of visits to various police stations in the Delhi NCR region not only showed the ground reality of cases related to sexual harassment at workplace but also some mainstream narratives of the State. The prejudices against women filing cases or speaking up against sexual harassment or any kind of gender-based violence influence the process heavily.

LACK OF SERIOUSNESS AND AWARENESS

Most of the police stations were unaware of their district's Local Committee and many of these were not aware of the provisions under the Law. One of the senior police officers said, "In my opinion, all the cases registered on sexual harassment by women are fake."

The mere ease with which he made the statement explains the negligible amount of cases received from the informal sector. The ill-treatment faced by the informal sector on the basis of caste, class, financial and social status adds to the layers of marginalisation that women domestic workers face in the hands of institutions.

Adding to the distrust in the system, the overall effect of already existing power hierarchies makes it even more difficult for women domestic workers to come forward and complain against violence and harassment. When asked about the formation of a Local Committee in a particular district, the police officer went on to say, "What is the need for a Local Committee? Organisations have Internal Committees that are functioning properly. Why would an informal woman worker need to lodge a complaint?"

Another officer says, "The formation of Local Committees is just on paper. There is no real work going on in the field."

TAKING ACTION AGAINST GENDER-BASED VIOLENCE - A WOMAN'S JOB

Police officers across districts constantly asked field facilitators to go to the *Mahila Thana* (women cell) of the district to complain about issues related to sexual harassment. Others suggested turning to One Stop Centres.

It is evident that to date, despite having progressive pieces of legislation such as the SHWW Act, 2013 in place, issues of gender-based violence are still perceived to be 'women's issues' even by law keepers. The fact that police personnel have had no training on the issue of sexual harassment and their role in justice delivery for women domestic workers is an added appendage to the women domestic workers' struggle to seek justice.

A field facilitator shares her experience of surveying a police station, "The senior officer of my locality's police station told me to wait for a woman sub-inspector. He said that all cases related to women go to her. I waited for an hour but did not get a chance to meet her."

CONCLUSION

The data, along with anecdotal evidence and art-based advocacy tools prepared with and by women domestic workers, all point to a need for a two-fold intervention:

- Awareness generation among women domestic workers and sensitisation on their rights and the processes under the SHWW Act, 2013
- The need for building a responsive, efficient, and sensitive redressal mechanism by strengthening institutional mechanisms

The study also highlights the challenges and barriers due to which women domestic workers do not report, and one of the major reasons for not reporting is the mistrust in the existing system of redressal. Women domestic workers recognise sexual harassment in all forms, but they are scared to talk about it because of the stigma attached to it, fear of loss of job, and lack of support from police or other such bodies who are responsible for ensuring safety.

Additionally, the study reveals the lack of accountability among district officers in establishing local committees responsible for the prevention, prohibition, and redressal of workplace sexual harassment within the district. Furthermore, there is a low level of awareness about these committees among district administration officials.

Lack of awareness among the district administration was one of the issues for the effective implementation of the SHWW Act 2013, but the most concerning issue was the lack of commitment towards the issue.

The study also put forward the fact that these redressal mechanism structures are inaccessible, especially for the women working in the informal sector. There is a need to make these structures accessible in order to support women in reporting cases of sexual harassment.

The study points out the gaps in implementation and also puts forward the need to strengthen the mechanism of justice delivery. Awareness among women domestic workers is important in order to understand their rights under the SHWW Act, but sensitisation and capacity building of local committees and other responsible authorities are equally important so that the empowered and aware women domestic workers reach out to them with trust and LCs are equipped to support them in a time-bound way.

REFERENCES

- Bajoria, J. (2021). "No #MeToo for women like us." Human Rights Watch.
<https://www.hrw.org/report/2020/10/14/no-metoo-women-us/poor-enforcement-indias-sexual-harassment-law>
- International Labour Organization (2021). *Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)*. <https://www.ilo.org/publications/making-decent-work-reality-domestic-workers-progress-and-prospects-asia-and>
- Martha Farrell Foundation. (n.d.). *National level consultative workshop on the implementation of the Sexual Harassment at Workplace Act 2013 for domestic workers in India*.
https://www.marthafarrellfoundation.org/uploads/pdf_files/1565330169_National_Consultation_Domestic_Workers_Event_Report.pdf
- Martha Farrell Foundation. (2018). *Who safeguards a woman's right to a safe workplace?*
https://www.marthafarrellfoundation.org/uploads/pdf_files/1555302838_RTI%20Study%20PDF.pdf
- Martha Farrell Foundation. (2020). *Stitching stories: A participatory action research by domestic workers in Delhi-Gurgaon on sexual harassment in their world of work*.
https://www.marthafarrellfoundation.org/uploads/pdf_files/1605516912_Stitching%20Stories_Report%20MFF.pdf
- SEWA. (2014). *Domestic workers' laws and legal issues in India*. WIEGO Law and Informality Resources.
<https://www.wiego.org/sites/default/files/resources/files/Domestic-Workers-Laws-and-Legal-Issues-India.pdf>