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**NOUVELLES DYNAMIQUES MIGRATOIRES: ACTIVITES
REGULIERES ET IRREGULIERES SUR LE MARCHE DU TRAVAIL
EUROPEEN**

***NEW MIGRATION DYNAMICS: REGULAR AND IRREGULAR
ACTIVITIES ON THE EUROPEAN LABOUR MARKET***

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Migrations et travail domestique : entre État et employeurs

Migration and Domestic Labour: Between State and Employers

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Battles in Time: the Relation between Global and Labour Mobilities

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Résumé / Abstract

How is it that migrants, among the most highly controlled groups of the population, provide such de-regulated labour? This paper argues that rather than a tap regulating entry, immigration controls are a mould constructing certain types of workers through the requirements and conditions of immigration status. In particular state enforced immigration controls, themselves a response to global mobility, give employers greater control over labour mobility. Migrants both manipulate and are constrained by immigration status. An analysis of migration and labour markets must consider matters of time: length of period in a job; the impact of working time on retention, length of stay, changing immigration status etc. Attention to these temporal dimensions is particularly important in theorizing the relation between immigration status and precarious work.

Introduction

Examining the relationship between precarious work and immigration in the UK one is immediately struck by a contradiction. Migrants are often portrayed as at the sharp end of de-regulated labour markets, working in sectors such as hospitality, construction, sex, agriculture and private households, in jobs often characterised by low wage, insecure employment and obfuscated employment relations. These kinds of workers provide hyperflexible labour, working under a range of types of arrangements (not always “employment”) available when required, undemanding when not. But if immigration control is a tap, regulating the flow of labour and skills to the UK labour market, it is a very rusty tap, bureaucratic and demanding of employers and workers alike, and non citizens, particularly new arrivals, are among the most highly controlled and surveilled of the population and their access to the labour market is ostensibly highly regulated. How is it that such a highly controlled group of workers can provide such flexible labour?

The UK Home Office response is “illegality”: migrants working illegally are a pool of flexible labour, highly vulnerable to exploitation at the same time as undermining employment conditions. The policy solution is to make illegality harder,

requiring heightened surveillance, increased entrance controls, post entry controls and employer sanctions. The thoughts of then Home Secretary John Reid are worth citing:

That is why the time is now right to tackle the exploitation underpinning illegal immigration. We have to tackle not only the illegal trafficked journeys, but also the illegal jobs at the end of them. We need to make living and working here illegally ever more uncomfortable and constrained.

Foreword to Enforcing the Rules Home Office 2007

In this paper I will argue that such approaches are simplistic, and overlook the dynamic inter-relationship between immigration controls and precarious labour. In practise rather than a tap regulating entry, immigration controls might be more usefully conceived as *constructing* certain types of workers, and facilitating certain types of employment relations, many of which are particularly suited to precarious work. I'll begin by considering the term "precarious" and go on to examine how immigration controls shape workers in terms of the requirements and conditions they place on them and the additional mechanisms of control they hand employers, particular over labour mobility. I will also examine how migrants both manipulate and are constrained by immigration status and how immigration controls interact with other labour market factors and labour characteristics.

Precarious Work

The term "precarious" has not been particularly prevalent in the UK literature (though it has in other European states, particularly France, Germany, Spain and Italy). Rodgers and Rodgers (1989) defined precarious work as related to:

- a) the degree of certainty of continuing work;
- b) the degree of control over working conditions, wages, pace;
- c) the extent of protection of workers through law or customary practice
- d) income.

« the elements involved are thus multiple: the concept of precariousness involves instability, lack of protection, insecurity and social or economic vulnerability.... It is some combination of these factors which identifies precarious jobs, and the boundaries around the concept are inevitably to some extent arbitrary »

While it has been developed and refined this basic definition still stands. It should be noted that precarious work cannot be equated with either so-called “non-standard” employment {Vosko, 2003 #55} nor with informal employment {Samers, 2004 #37. While many of these arrangements (depending on national legislation) may limit workers’ access to certain benefits and employment protections and rights, their growth or decrease should not be necessarily equated with a growth or decrease in ‘precarious’ work

Recently we have seen the rise of the term “vulnerable worker”, defined by the Department of Trade and Industry as someone working in an environment “where the risk of being denied employment rights is high and who does not have the capacity or means to protect themselves from that abuse” The concept of “vulnerable worker” does seem to provide an opportunity to mainstream concerns about abuse of workers and poor conditions. The Trades Union Congress have clearly seized on this apparent patch of common ground with the DTI with their Commission on Vulnerable Employment. While their delineation of the broad categories of vulnerable groups (agency workers, migrants, informal workers and home workers) certainly overlap with groups that tend to be in precarious employment, the term “vulnerable” has distinct implications from “precarious”. “Vulnerable worker” emphasises the worker, “someone”, rather than the political, institutional context within which these relations are forged. It risks leaving structures and relations untouched in favour of pursuing “evil” employers. This enables the argument that while:

A worker may be susceptible to vulnerability... that is only significant if an employer exploits that vulnerability

Notably it is the worker’s vulnerability that is “exploited” rather than the worker themselves. Moreover, unlike “vulnerability”, the term “precarious” captures well the first point in Rodgers and Rodgers definition “the degree of certainty of continuing work” i.e. its insecurity. Precarious is “not safe or firmly fixed”, “likely to fall”. The association of precariousness and insecurity draws attention to the sub-contracting of risk to workers by employers. An employer, or perhaps better “labour user”, since often, as with agency workers, there is not a direct relation between

labour users and workers, can finesse the exact period of time that they require labour, pay for that period, and that period only. Thus they can meet fluctuations in demand, providing round the clock cover, and use fixed assets more efficiently etc through having access to “just in time labour”. Time matters, both in terms of the period of employment (temporary or permanent) and the hours of employment (how many; sociability); and for both these aspects the issue of regularity and predictability are crucial. Unfavourable hours (anti-social, too many, too little) may be tolerated when work is insecure. Temporary workers may feel that they cannot refuse certain jobs for example, or join a trades union, because they may lose the opportunity to work in the future.

Precarious work is a key part of the “insecurity and uncertainty about tomorrow that testifies to the return of mass vulnerability” . Arguably it is the precarious work that helps creates vulnerability. It limits opportunities for planning: any chance to work must be grabbed for it may not come round again. It is this that risks “hyperactivity” (the imperative to accommodate constant availability), “unsettledness” (continuous experience of mobility) and “affective exhaustion” (emotion as element of control of employability and multiple dependencies) . Chaotic and unpredictable working times can undermine other social identities. Here we have the flipside of the celebration of the “Work-Life Balance” where one’s economic productivity becomes the overwhelming, the only priority.

«Precarity means exploiting the continuum of everyday life, not simply the workforce. In this sense, precarity is a form of exploitation which operates primarily on the level of time » {Tsianos, 2007 #46}

However, from the employers’ point of view loosening the relations between labour user and worker so that effectively they can hire and fire at will, may have the concomitant effect of increasing labour mobility. In general the rise and rise of flexible labour markets has ostensibly increased mobility opportunities as employment relations become diluted and confused. The worker is presented as a “consumer” of workplaces, and will move on if not satisfied . This may be negative for employers, as labour turnover costs money. Thus while it may be that employers wish to have ease of hire and fire, they nevertheless want to be able to hold on to

workers for the time that they need them – i.e. they want to be able to control the length of time for which the worker works; for workers on the other hand, while they want security of employment, they also want to be able to leave if they have a better offer . Highly de-regulated labour markets highlight the question, intrinsic to capitalism of *who controls labour mobility*. It is in this context that one should consider employers' praising of migrants' "reliability" for example, evident in many of the recent submissions to the House of Lords Inquiry into the economic impacts of migration

(http://www.parliament.uk/parliamentary_committees/lords_economic_affairs/eaffwrevid.cfm)

An analysis of migration and labour markets must consider not only mobility across borders but mobility within labour markets. This requires us to consider matters of time: length of period in a particular job; the impact of working time (shifts, length of day etc) on recruitment and retention; length of stay. Time has received little attention in research on migrants. But immigration status is not static, and an individual's or group's status may change. A group's status may alter when the state changes sets of categories, or the laws or rules governing those categories, or moves people within existing categories, as was the case when the EU enlarged or, more generally, under any regularization exercise of illegally resident migrants. A migrant's immigration status may also change because of the migrant's actions rather than because of changes in the state's laws and policies. Examples include migrants who naturalise, who overstay or who switch permits. Attention to temporal dimensions of migration, and of labour migration in particular, can enrich our analyses of migratory processes, and their relation with labour markets.

Mobility Across Borders: immigration policy and the shaping of workers

Immigration and poor working conditions, insecurity and lack of protection tends to be associated with "illegality" and with working informally. Certainly the image of the "exploited illegal immigrant" "vulnerable and often desperate" who is taken advantage of by "abusive employers" who thereby give themselves an unfair advantage over more seemly competitors, is a trope of government policy documents.

This presents illegality and consequent precarity as an aberration, outside the immigration system, and as something that can be prevented by immigration controls.

But while legal status is often used as if it were a characteristic attributable to individuals – “She is ‘illegal’, he is ‘legal’ – this obscures its inevitable relational nature. Migrants are not “illegal” until they are constituted as such by their border crossing, and for many not until well after they have crossed the border. Immigration statuses are not a natural set of categories but are created by the state. Illegality is “produced” by state laws and policies . The law is not a neutral framework through which we can categorise legal and illegal but is itself productive of status. The law itself creates legality and its obverse. With selection and rules come exceptions, rule breakers, grey areas. To have a completely documented, well ordered population is a utopia or a dystopia that requires powers beyond the state – much like open borders, but unlike open borders this is a chimera the state is willing to pursue.

In one rather narrow sense the role of immigration controls in constructing a labour force is broadly recognised. It is a given that immigration laws and rules can require particular categories of entrant to have certain skills and experience, that is they can be used to filter out certain groups and allow in others. Indeed is actively harnessed as part of “making migration work for Britain”.

TABLE 1 (?)

As is apparent from the above table while *work* permits generally require particular types of experience, other types of permit effectively emphasise life stage (age, educational stage, dependants). Moreover, just because a visa category effectively ‘permits’ the applicant to be married or have children does not of course mean that the spouse or children are eligible to enter the UK. The “problem” of dependants – a labour market drag since it limits availability, may be further eliminated by making them ineligible to enter, or with no recourse to public funds.

This is uncontentious. However, what tends to be ignored in considerations of how immigration controls shape migrant workers is the issue of conditions of stay . Once non-citizens have entered the UK (legally) they are subject to particular

conditions depending on their visa status. Some may not access the labour market at all as a condition of their stay; others may enter only if they are working. Most non-citizens who are admitted to work have their access to the labour market limited in some way. This is most clear for work permit holders. In this case a visa is granted for a recognised work permit holding employer only, and they may only move to another employer – or job - if that employer successfully applies for a work permit. If for any reason the work finishes – or indeed if the employer claims that the work is no longer available, or if the employer deems the worker unsuitable, the permit is revoked and the worker is no longer eligible to remain in the UK. People entering to work in specific sectors who do not fall under the work permit scheme are limited in different ways. Those holding Seasonal Agricultural Worker visas (SAWS) can change employer, but only to another registered farm or (in practise not easy); au pair visa holders can change host family but are not allowed to “work” or indeed to earn too much for their work inside the home as this might risk them being a “domestic worker” which requires a different type of visa; domestic worker visa holders can move to new employing households, but only if they are “abused or exploited” and the change must be registered with the Home Office on visa renewal.

The legality of a migrant’s entry, residence and employment (and legality in one category does not entail legality in the others) depends on compliance with state policies governing admission (such as visa regulations) and, once the migrant has entered a country, with the rules and conditions attached to the migrant’s immigration status. As complexity of conditions of stay increases so does the possibility of people falling foul of the rules – whether by accident or deliberately. That is while illegality is an inevitable product of systems of immigration controls, particular policies may further entrench it. Martin Ruhs and I have argued with reference to UK immigration policy that there are a potentially large number of migrants who are compliant with certain aspects of the law, but not with others. In particular, because of the complex web of rules and conditions attached to the various immigration statuses, there is a potentially significant number of migrants who are legally resident (“i.e. with leave to remain in the UK”) but working outside the employment restrictions attached to their immigration status. We describe situations where a migrant is legally resident but

working in violation of some or all of the employment restrictions attached to the migrant's immigration status as *semi-compliance*. We distinguish this from situations of *compliance*, where migrants are legally resident and working in full compliance with the employment restrictions attached to their immigration status and *non-compliance* which applies to migrants without the rights to reside in the host country (i.e. those "illegally resident"). We demonstrate how the discussion and practice of where and how the line should be drawn between semi-compliance and non-compliance – or indeed between compliance and semi-compliance - is highly politicised or one often resting on a personal judgment . Different actors may draw the line in different places, an example of how illegality is "socially constructed" . While all semi-compliant migrants, that is, those residing legally but working in breach of conditions may technically be liable for removal under the 1971 Immigration Act, they may not all be pursued with the same vigour. Indeed, there are even distinctions when it comes to straightforward illegal residence. For example a distinction is made between overstayers who cause more or less "harm":

From our analysis of detected overstayers, some may be doing so inadvertently, of whom many are thought to be young and from countries with reasonably high GDP per capita and perhaps with high levels of education. Anecdotal evidence suggests that these groups do not intend to stay long term in the UK and require low levels of encouragement to return home. Some groups overstay deliberately as a way of evading immigration controls and some of these may then go on to make an unfounded asylum claim"

Having acknowledged that immigration controls construct non-citizen's access to labour markets it is easier to recognise the space that this offers for migrants' engagement with immigration processes. Immigration controls are not able to discriminate deepest intentions. Thus people can enter on certain types of visa, not because they want to "be" a student, an au pair, a trainee etc but simply because this is for them the easiest way of entry and legal residence¹. Take the case of self employment which as well as indicating a certain type of employment and/or taxation

¹ They may also enter under visas because they facilitate semi-compliance (Anderson et al 2006).

status, is for certain nationals² also an immigration status. This does not mean that all self employed visa holders or applicants are entrepreneurs eager to open businesses and exploit new opportunities in the UK, rather that migrants from certain states who wish to work legally in the UK consider the option of self employed visas because they can reside and work (to some extent legally). This has implications for their employment when they enter the UK. Similarly while some people may be on student visas because they are interested in studying, others may use them because they offer the opportunity of legal residence and limited but legal employment. Students can work in any sector for any employer but they must not work for more than 20 hours a week in term time. The possibilities this offered for residency and employment resulted in a proliferation of “bogus language colleges” offering visas in exchange for money and precious little education. This resulted in the Home office establishing a Student Task Force charged with visiting suspect institutions³ and in January 2005 a Register of Education and Training Providers managed by the Department for Education and Skills. Of 45 colleges visited in 2005 21 were deemed not genuine (Select Cttee on Home Affairs Additional Written Evidence Fifth supplementary memorandum submitted by the Immigration and Nationality Directorate, Home Office) and there continue to be issues around non-enrolment and discontinuation of study. Other student visa holders may indeed be studying, but only in order to ensure the validity of their student visa and the legality of their employment. Thus immigration controls construct workers, but particular statuses may also be strategically used by migrants themselves.

Mobility Within Labour Markets: immigration and shaping precarity

Once we have acknowledged the role of immigration law in producing certain types of worker and, in some cases, certain types of employment relations, the question still remains in what ways do immigration controls produce precarious labour? I will first argue that precarious labour is not restricted to those working

² Explain enlargement and current nationalities

³ Between April and December 2004 1,218 educational institutions were visited of which 314 (25%) were found not to be genuine (Hansard Written Answers 10th November 2005 Andy Burnham Parliamentary Under Secretary Home Office response to John Bercow MP Buckingham Conservative).

illegally; and then examine why it is that non compliant and semi-compliant migrants often work in precarious work, and that this is not simply a case of immoral employers. It will become apparent it is important to consider temporal dimensions of migrant labour, whatever its legal status.

Precarious work and Legal Migration

At first sight to argue that the main work permit scheme may produce precarity seems almost a contradiction in terms. Employment relation and conditions of employment must be clearly established for the work permit to be granted and most work permits are for “skilled work” where vacancies must have been established, that is, the labour is not easily replaceable. However work permit holders are on fixed term contracts that may be terminated at the employer’s discretion, and the termination of these contracts has implications beyond the workplace. They are dependent on the goodwill of their employer for their right to remain in the UK. While permits may be given for up to 5 years (after which a non-citizen may apply for settlement), they are usually given for less. In 2005 out of 91,500 work permits, 40,300 were given for less than 12 months⁴ and immigration instructions favour shorter periods. Renewals must be supported by the employer and in the same year there were 68,980 applications for work permit extensions . (It is worth observing that if the worker’s salary has “significantly” increased since the initial application i.e. above annual increments, the extension will not be granted as it is argued that UK/EU nationals may be more interested in applying for the job.) The combination of temporariness and labour market immobility, both requirements of the work permit, reinforces migrants’ dependence on employers. For migrants on work permits then, not only is their employment mobility limited by the state, but employers are handed additional means of control: should they have any reason to be displeased with the worker’s performance, should the worker not be cooperative or indeed even have a personal grudge against them, they can be removed. The notion of sponsorship of workers by employers, which is being developed in the Government’s new migration

⁴ Of these approximately 15,000 would have been SBS permits and therefore not eligible for extension

policy, risks further increasing this control. Thus compliant workers too may feel unable to challenge employers because of concern about jeopardising their immigration status. In some instances employers may explicitly take advantage of immigration status as a means of exercising control over work permit holders including forbidding union membership . I am not making claims for the extent of such practices, but observing that this does happen, and that those on work permits may be conscious enough of this possibility to police themselves.

The work permit means that employers have powers of labour retention without jeopardising their ability to fire (though hiring may indeed be more cumbersome). When asked why they employ migrants employers have been found to frequently refer to *retention* as an advantage of migrant labour . Other perceived advantages, often racialised by employers, such as reliability, honesty and work ethic must also taken into account the level of dependence work permit holders have on their employers.

Labour mobility tends to be thought of as a particular problem for the employers who require the kind of “skilled” work that the work permit system is designed for. However other “low skilled” schemes also facilitate retention. Research at COMPAS and conducted by COMPAS and the University of Nottingham has found that one of the key advantages employers and host families attach to the SAWS, au pair and domestic workers schemes, all “low skilled”, is *retention*. This is at first sight somewhat surprising as, unlike many work permit holders, au pairs, SAWS and domestic worker visa holders are in theory free to change employer/host family as long as they continue in the same sector and, for SAWS workers, to an employer who permitted to employ SAWS workers. However, agricultural employers themselves acknowledge that there are practical difficulties with finding new employers in rural areas and often described SAWS workers as “tied” by their permit.

migrant workers are an attractive source of labour to UK employers because of their work ethos, efficiency and dependency and because, particularly in the case of the SAWS, they provide a source of labour that is guaranteed to remain on farm during the crucial harvest period. {National Farmers Union, 2007 #81}

Non SAWS workers in contrast can “easily move between jobs” or “simply move on to other work”. In practice au pairs are more likely than SAWS workers to change families. However host families and agencies identify a clear difference between au pairs who are visa holders and those who are working as au pairs but who are not required to have visas. The latter were considered far more likely to use au pairing as a “stepping stone” to other forms of work, staying with a family a few months until they found their feet, and then moving on to another type of employment. Those on au pair and domestic worker visas were more likely to stay and provide the kind of stability required for childcare .

However, while the work permit system may have advantages to employers in terms of retention, it is not particularly flexible. It requires employers to submit documentation within tight deadlines, to anticipate demand, and to take on employment responsibilities, in some instances even accommodation responsibilities, for workers. They risk tying themselves tied into obligations that are not necessarily profitable. For highly flexible workers employers must avoid being tied into sponsorship and other obligations, and turn to labour already in the UK. These workers may or may not be UK nationals, but if they are not, they are rarely work permit holders and are not necessarily entrants on schemes. It is here we see the imagined distinction between “migrant worker” and other type of migrant , migration for employment and mobility, start to break down, held together only by the administrative rules and practices that claim to describe rather than form them. These are groups that may work and indeed are not restricted to named employers or to sectors, but are not principally constructed as workers, including working holidaymakers and students. In 2005 284,000 students were given leave to enter, and 56,600 working holidaymakers – that is the numbers are not insignificant when compared with the numbers of work permits granted.⁵ In these instances while immigration status does not ostensibly restrict them to particular sectors, the restrictions on time are important. Students for instance may work 20 hours in term

⁵ There were also 13,200 dependants of students, 45,500 dependants of work permit holders and 41,600 spouses. More details needed to determine eligibility to work.

time and 40 hours a week in the holidays; working holidaymakers⁶ may work for up to 12 months of their allotted 2 year stay⁷. That is, if they want to work legally they may only work part time or temporarily.

“Fire at will!”: Immigration status and constructed illegality

The construction of a category of people who are residing illegally is in part an inevitable function of any form of immigration control and nation state organized citizenship. Those workers who are “illegal” are generally recognized to be highly vulnerable to exploitation and abuse. However a proportion of those who are “illegal” are working on documents which are false or belong to other people. They may therefore be working conforming to certain immigration requirements to protect this false status. Those who are “illegal” and who are not trammelled by working on false documents are in theory highly mobile and can leave employers if they are given a better offer. Of course the problem is, as is frequently pointed out, that employers can use their lack of legal status to threaten and control them, and in practice they may be grossly over dependent on their employer . Curiously the contradiction between state condemnation of such ‘abuse of vulnerability’ (threats of reporting to the authorities which in some cases may amount to the heinous crime of ‘trafficking’), and state enforcement of the employers’ threat, has not been challenged. Indeed in October 2007 Home Secretary Jacqui Smith while condemning trafficking as a “shocking” form of “modern day slavery” said that those rescued from abuses might nevertheless face deportation as to do otherwise might be to encourage a “pull factor” . Employing migrants without permission became a criminal offence in 1996 twenty five years after the offence for migrants of working without permission was introduced. In 2004 there were 1098 successful illegal working operations, and 3,332 illegal migrant workers detected . There were 11 prosecutions under the 1996 Act for employing a person subject to immigration control and 8 convictions – though we don’t know whether these prosecutions were brought as a result of the illegal working operations.

⁶ WHM granted visas before 8 February 2005 could work in the UK without restrictions on the type or amount of work they can do throughout their two year visa.

⁷ ; spouses of work permit holders and students who have more than 12 months leave to stay in the UK have no restrictions on employment

We do know that the courts “continue to impose fines far below the maximum, although account is taken of the defendant’s ability to pay the fine and admission of guilt” . Of the 10 fines listed as imposed 2004-2005⁸ the lowest was £60 and the highest £2,050. However, the risks and sanctions for migrants of being caught in an illegal employment situation are substantially greater for they may be summarily “removed”. Unlike employers, there is no likelihood of any account being taken of their particular circumstances.

One of the weaknesses of current UK employment law enforcement is that it relies mostly on the workers themselves making Tribunal claims or testifying. Currently only migrants working legally are able to access such processes and even then this may expose them to the risk of dismissal and possible removal. However the problem for those working “illegally” is not just one of access. They are covered by the doctrine of illegality which holds that a person should not profit from their wrongdoing. Thus even if they have an employment contract, this cannot be enforced, and neither can any statutory rights, nor indeed statutory protection against discrimination . Precarious work for this group of workers is structurally produced by the interaction of employment and immigration legislation.

For employers to take explicit advantage of immigration status requires knowledge. However the distinction between knowing and not knowing is unclear: one can know, strongly suspect, wonder, choose not to know, choose not to find out etc. While this is scarcely unique to the employment of migrant workers, this is structurally reproduced by immigration law most particularly in the statutory defence against a charge under 1996 legislation as long as employers have carried out specified document checks and retained copies of these documents. Moreover, the relation of semi-compliance to precarity potentially lies in the scope for ‘turning a blind eye’ and in exploiting the grey area between knowing and not knowing. Iskander describes how semi--formal employment arrangements or “hybridized forms of informality” can be preferred to undocumented migrant labour, with employers preferring to have “employment arrangements with one or more facets that are

⁸ Dates were not specific and the document was published in June 2005, so it is not clear whether this is an annual figure

declared and above board” (cited Samers 2004). That is semi-compliance may result in part from a lack of fit between flexible labour markets and the supply of flexible labour including that provided by migrants. It is difficult for employers for example to police the numbers of hours students are working in term time or how many months working holidaymakers have been working given the possibilities for multiple job-holding and high turnover. As with straightforward apparent “collusion” between employers and workers working illegally immigration status potentially gives the employer increased powers of retention and dismissal and an additional means of controlling and disciplining the workforce. Blind eyes easily regain their sight if workers become unnecessary or too demanding.

It is also worth considering the ways in which precarious work may “produce” semi-compliance. While it might be argued that some people may select certain types of visa because they facilitate “semi-compliance” as they never intended to keep to the conditions of entry, others may “slip into” semi-compliance. If one is not committed to being a student, self employed, or an au pair in the first place, but is simply concerned with ease of entry and legal residence, then breaking the rules attached to these forms of immigration status arguably becomes more likely. Moreover, if work is insecure and unpredictable then the likelihood of a student visa holder for example taking the opportunity to work above the allocated 20 hours a week surely increases.

Migrants: unexceptional precarity

Immigration controls matter, but they interact with other social and labour market factors. Migrants are not the only precarious workers, and migrants who are not subject to immigration controls may also be in precarious work. Consider the case of “A8 nationals” those migrants who are citizens of states that joined the EU in the 2004 Enlargement. They are no longer subject to immigration control other than the registration requirement. They are not tied to employers through work permits and have no restrictions other than a requirement to register for 12 months with the Workers Registration Scheme (WRS). Yet there are many press reports of the kinds of exploitative employment conditions that tend to be associated with “illegal” migrants.

The suggestions are not purely anecdotal. Of the total number of A8 nationals who had registered⁹ up until June 2007, 77% were earning minimum wage and the registered top 15 occupations all “low skilled”. While 97% were working “full time”, this is defined as 16 hours or more a week, and includes multiple job holding. Crucially many of these registrants are agency workers, archetypally precarious. Over 40% of those registered were working in administration business and management, and the compilers note that the “majority of these” are agency workers working in a variety of occupations. A survey of registered Polish and Lithuanian workers conducted for the TUC (found that working for an agency clearly increased chance of reporting problems¹⁰. Not surprisingly one of the most notable differences related to problems to do with the erratic and insecure nature of their work.

While emphasizing the role of immigration controls in creating a group of workers trapped into precarious work, or particularly susceptible to precarious employment then we must not miss the overall. The state does not just regulate immigration, but also sets the framework for employment laws and protections. Certain visa holders may be more likely to be agency workers, and while recognizing the particularity of the situation of those subject to immigration controls, any analysis of their employment situation must be related to the positions of agency workers in general. Similarly the employment of student visa holders must recognise the significant overlaps with student employment more generally in the UK. Student employment is now recognized to be an extremely important and growing segment of the UK youth labour market particularly in retail and hospitality, where it is now recognized as a structural feature . These are both sectors where non standard forms of employment have always been a feature and are increasing. Flexibility, in particular availability to work unpopular shifts, has meant that students who are combining study with employment constitute a useful pool of labour for hospitality, but also for retail, where extended trading hours have had a significant impact. Employers employ students because they provide a high-quality as well as a flexible labour force . This

⁹ WRS give caveats about WRS stats

¹⁰ 65.4% (n=68) of those working for agencies reported problems at work, compared to 49.7% (n=187) of those with other employers.

has parallels with employers' rationale for employing migrants . Much research remains to be done on the impact of the growth of student employment on other types of workers – there is some evidence that currently students are working in jobs that previously were taken by unqualified young people . Student (and arguably working holidaymaker) visa holders need to be situated within these broad patterns of employment¹¹. The experiences of migrants on self employed visas need to be situated within the context of a steady increase in self employment in the UK with an increase of 8.9% in the single year September 2002-2003. This increase has continued steadily if less dramatically. It is particular noticeable in construction where “false self-employment” has resulted in widespread loss of employment rights, social rights and has serious implications for health and safety in one of the country's most dangerous industries . The concentration of nationals from Central and Eastern Europe, the only group eligible for self employed visas, in the construction sector must be analysed within this light. Particularly since, as migration scholars such as Massey have demonstrated networks of employment and immigration have their own dynamic over time. Once networks have become entrenched in particular sectors they may continue to function even if the legislative framework shifts.

Migrants are not the only precarious workers, and just because one is a migrant does not mean that one is not young, female or Black. People with certain personal characteristics are more likely to be precarious workers. Age for example affects tenure with 52.4% of 16-19 year olds in April-June 2006 having left their last job in 2005 as compared to 12% of 50-54 year olds. Youth and lack of dependants help make flexible workers insofar as they are more likely to tolerate irregularity and unpredictability and are available to work anti-social hours that those formally typically in non standard forms of employment are not – women with young families for example. In this respect then the favouring of youth and limitations on dependents placed by schemes helps encourage the legal migration of a population prepared to accept flexible working. We must not forget too the importance of physical

¹¹ Small scale survey of Central and East European migrants suggested that those of the sample on student visas were more likely than other groups (apart from dependents) to be working for agencies, with 10 out of 44 saying that they worked for an employment agency in their main job.

characteristics of embodied labour, how race and ethnicity are stratified through immigration controls for example, and the role of these factors in demand for labour . Immigration controls must be understood as working in conjunction with other factors.

Conclusion

The relation between immigration status and precarious employment has been insufficiently theorized. Examining the relation between mobility across borders and labour market mobility as it is constructed by the state and experienced and manipulated by employers and by migrants can offer new perspectives on labour migration. The temporal dimensions of migration and of labour markets and their interaction enrich our analyses of both: their intersection with life stage, the changing nature of immigration status over time, the struggle for control over labour mobility, the institutionalization of insecurity through immigration controls. Such an approach draws attention to practical and political questions too: if immigration controls inevitably illegalize how can precarious work be “regulated out” without attention to immigration as well as employment? If workers actively seek labour mobility how can they protect themselves against insecurity? What is clear is that immigration controls on their own cannot act as a mechanism for protecting low wage labour markets, neither are they a means of protecting migrants from exploitative employment practices.

Table 1: Examples of types of permits to enter the UK (October 2007) and their requirements

| Characteristics required | Student | Work permits (not incl SBS and entertainers) | Sector Based Scheme | Seasonal Agricultural Worker (Bulgaria/Romania) | Seasonal Agricultural Worker (non EEA) | Working Holidaymaker | Au Pairs |
|--------------------------|----------------|--|--------------------------------------|---|--|-----------------------------|---|
| Skills/experience | No requirement | NVQ level 3 equivalent | No requirement | None | None | None | None |
| Age | No requirement | No requirement | 18-30 | Over 18 | Over 18 but must be student | 17-30 | 17-27 |
| Country of origin | No requirement | No requirement | Since 2007 Bulgaria and Romania only | 40% of quota Bulgaria and Romania. | 60% of quota 60% non EEA | Commonwealth countries only | Must be on designated list of countries |
| Dependent | No | No | No | No | No | No | No |

| | | | | | | | |
|----------|-------------------|-------------------|---|-------------------|---|--|-----------------------|
| nts | requirement | requirement | requirement | requirement | requirement | children aged 5 or older | dependants allowed |
| Marriage | No requirement | No requirement | No requirement (but may not accompany) | No requirement | No requirement (but may not accompany) | Single OR married to a WHM who will accompany you | Unm arried |

Closing the Gap: Feminist perspectives on policies affecting immigrant labor in the domestic services industry in Europe

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Who could have foreseen that at the dawn of the twenty-first century, paid domestic work would be a growth occupation ?

Pierrette Hondagneu-Sotelo

Résumé / Abstract

Many scholars have noted that there exists a gap between government immigration policies and actual outcomes in the labour market. For a variety of reasons, laws are not enforced and policies are not adjusted to reflect the new realities of employers' demand for labour. This tacit acceptance of the inflow of undocumented workers perpetuates the invisibility of these immigrants with regard to labour policy, and it denies immigrants important safety and security protections granted other workers.

This gap between immigration law, government policy and outcomes is perhaps most pronounced with regard to domestic workers, most of whom are women. Female migrants have little access to formal sector jobs, and therefore take on informal sector jobs, typically those derived from traditionally delineated gender roles. These jobs include what Bridget Anderson calls "the three C's": cooking, cleaning and caring. Given ongoing globalization and concomitant disparities in income between rich and poor nations, women will continue to migrate from developing countries, traveling to Europe to find work in other people's homes.

The European Union has recently pledged to harmonize efforts among its member states to combat irregular immigration, but these provisions do little to standardize informal sector labour laws and policy enforcement between member states themselves, and therefore have yet to close the gap between policy and outcomes. The purpose of this research is to apply feminist theory to improve our understanding of this policy gap in the case where labour activity is carried out in the private sphere, dominated by familial relations and paternalistic traditions.

Using a comparative framework, we apply feminist theory to the case of undocumented domestic workers in various European countries to analyze this gap between government policy and outcomes. As the unit of analysis, we take a set of countries that have similar experiences with immigration today, but that vary with regard to their immigration history. Countries that have long been “receiving countries” (e.g., France, Belgium, Germany) for immigrants from the developing world have had more time to adjust their policies to close the gap. Countries that have traditionally been considered “sending countries” (e.g., Portugal, Spain, Ireland), but have become “receiving countries” in the past two decades, have less experience carrying out immigration policy, and therefore may be expected to have a wider policy gap.

We find that the policy gap persists in both new and old destination countries, partly due to the private nature of the domestic work environment, but that trade unions are more active in older destination countries, indicating that some progress toward protecting domestic workers rights can be made through collective action.

Introduction.

In the past few years, the immigration policies of governments across Europe have come under fire from within. Heads of State in France, Germany and Great Britain have all taken an increasingly tough tone in their public pronouncements, using “immigration reform”—meaning, anti-immigrant policies and border-closing strategies—as a key part of election campaigns. Their harsh rhetoric has apparently found an echo in public opinion in each country: in a Financial Times/Harris Poll from February 2007, a majority of those surveyed in Great Britain, Italy, Spain and Germany said that their countries contained “too many people from foreign countries.”¹ In that same poll, a majority in each European country surveyed agreed with the statement that their government should “tighten up its border controls to stem the flow of workers immigrating from Central and Eastern Europe.” The poll asked broad, philosophical questions about the acceptability and propriety of current immigration trends. However, the poll shied away from asking questions that were specific to the lives, and quality of life, of middle-class Europeans. For example,

¹ Only 43% of those surveyed in France agreed that there were “too many foreign people in France,” while a majority (54%) of Americans surveyed answered that there were “too many foreign people in the US.” Results for the other European countries are higher: Germany 59%; Italy 61%; Spain 62%; Great Britain 66%. 19 February 2007, Harris Interactive, accessed 15 October 2007, available,

<http://www.harrisinteractive.com/news/allnewsbydate.asp?NewsID=1179>.

It seems important to note that not all “foreign people” need be illegal immigrants; in fact they need not be immigrants at all, as the backlash against US “Hispanics” suggests.

respondents were not asked, “Do you approve when someone hires an *au pair* from Poland?” Nor did they expect respondents to answer the question, “Would you hire a house cleaner from Bulgaria?” The survey highlights the xenophobia immigrants often face, but also points out the disconnect between government policy and economic and social reality. Are middle class professionals really prepared to clean their own houses, care for their own children and elderly parents, shoulder the burden of reproductive labor on a household by household and day-to-day basis? And what would happen to productivity, and to labor-force participation, if they did?

Rhetorical calls for tighter borders make little sense, and will have little effect, when restrictive laws are not enforced and administrative policies are not adjusted to reflect the new realities of employers’ demand for labor. This tacit acceptance of the inflow of undocumented workers perpetuates the invisibility of immigrants with regard to labor policy; it denies immigrants important safety and security protections granted other workers.² But it also perpetuates (and is perpetuated by) the invisibility of women in the receiving countries as professionals and full participants in the labor force, and sustains (and is sustained by) the social silence about what Arlie Hochschild has called “the stalled revolution in the family.”³

In keeping with the conference theme, our paper examines the current immigration “policy gap”: the combination of restrictive policies with the fact that those policies do not work, because they are unenforced and perhaps unenforceable. Our first level of finding (which is hardly new) is that restrictive policies are at best irrelevant to the flow of workers across borders to take low-paying jobs in the “shadow economy” of domestic work. We want to suggest further that restrictive policies may have the opposite effect from the official intentions of receiving governments. What the policy gap does is to keep wages low and workers vulnerable, thus ensuring that they will be attractive to employers. Given the persistence in North-South income inequality, women in developing countries will still migrate to do domestic work. The policy gap is thus self-perpetuating.

² Increase in undocumented work over time may also weaken the labor movement and erode those protections for all workers, as has happened in the United States.

³ Arlie Hochschild, *The Second Shift* (New York: Viking, 1990).

Feminist analysis is crucial, we believe, because it can help us better understand the demand or “pull factors” within the receiving countries. At this point, what is needed is an analysis of the gendered structure of work within the receiving countries that will look at both economic and ideological factors, and at the inextricable synergies between those two sorts of factors. Domestic work is different from other sorts of labor because it occurs within the so-called “private sphere” of the family, which is both an economic and an ideological formation; and thus it participates in the complexities, contradictions, and mystifications about gender and power which feminist theory has long identified there.

We argue also that an “intersectionalities” analysis, which sees gender relations as crucially structured by differentials of race, nation, and ethnicity, is needed to understand the roots of the current situation. Domestic work (whether paid or unpaid) has long been socially defined as “women’s work”; that paid domestic work is increasingly defined by national and racial distance and difference between employer and employee is no accident. In other words, the demand which drives (and is driven by) the policy gap is not simply for workers who are willing to accept low wages and poor conditions, who just *happen* to be immigrants because of economic differences between receiving and sending countries (though that does help explain why such workers are available and willing to move). Rather, the demand is specifically, and crucially, for *foreign* women to do these sorts of work, and it arises within a web of economic and ideological factors.⁴

What is needed, then, is attention to domestic labor markets in both senses of the word “domestic”—attention to housework, childminding, and other related forms of care that occur within the private sphere and are mainly associated with, and done by, women; but also attention to domestic, as opposed to foreign or international, labor markets, and to the changing gender structure of the citizen workforce.⁵ Official government policy toward immigration can have little relation to labor market

⁴ Bridget Anderson (2007) finds that employers of domestic workers are looking for “foreign” women who are migrants of particular nationalities, and that they sometimes prefer undocumented status because they have more control over the migrant workers in that case.

⁵ A rhetorical analysis of the confluence between these two senses of the word “domestic” would be quite interesting.

outcomes unless and until it addresses issues of production and consumption facing the non-immigrant workforce and, in particular, until and unless attention is paid to the gendered nature of women's work in both official and unofficial sectors.

Domestic work is always needed everywhere. So, domestic workers ought to be very mobile, like nurses or computer programmers. And they are indeed very mobile. But unlike nurses or computer programmers, they are not in a good position to negotiate high wages and good working conditions. Why? In part this is a function of racist immigration policy—it is almost as if the state colludes with the employer, not to prevent migration (which is impossible) but to keep wages low. But racism alone can't explain this; there is something peculiar about domestic work that requires a gender analysis. At the same time, it is clearer than ever that appealing to some vague notion of women as held responsible for "reproductive labor" and as therefore having some form of oppression *in common* really will not work. So we join Chandra Mohanty in calling for an "intersectionalities approach" (the term originated with Kimberley Crenshaw): the gender analysis doesn't "work" without the race-and-nation based analysis, and vice versa. The two forms of disadvantage are not additive, they are inextricable: they "mean" together, so they must be "read" simultaneously.⁶

⁶ Chandra Mohanty, "Cartographies of Struggle," in *Feminism Without Borders* (2003). The intersectionalities approach also curves back in the other direction: for instance, Mohanty also argues (following R W Connell) that "contemporary liberal notions of citizenship are constitutively dependent on and supported by the idea of the patriarchal household" (65) and "British nationality and immigration laws define and construct 'legitimate' citizenship—an idea that is constitutionally racialized and gender-based. Beginning in the 1950s, British immigrant laws were written to prevent Black people (Commonwealth citizens from Africa, Asia, the Far East, Cyprus, and the Caribbean) from entering Britain, thus making the idea of citizenship meaningless. These laws were entirely constructed around a racist, classist, ideology of a patriarchal nuclear family, where women are never afforded subject status but are always assumed to be legal appendages of men. For instance, the 1968 Commonwealth Immigrants Act, in which ancestry was decisive, permitted only Black men with work permits to enter Britain and assumed that men who were "heads of families" could send for their "wives," but not vice versa." (69)

The Policy Gap and the Gender Gap.

The irrelevance and impotence to date of both conservative and progressive rhetoric in this sector can be illustrated by a brief comparison to the US situation. Despite the fact that the US has been labeled a “nation of immigrants” with the cheerful metaphor of a “melting pot” describing the first 200 years of the nation’s history, immigration policy has always revealed political dissensus about race and class. Current paranoias demonstrated by politicians and publicized in the mass media carry on the tradition of conflating “national security” with economic self-interest. Nightly news programs describe misdeeds by “illegal aliens,” with commentators urging government action to fix “our” “broken borders.” According to the National Conference of State Legislatures, all 50 states introduced legislation affecting immigrants in the first half of 2007, with forty-three state legislatures adopting 182 bills that became law. (Faiola, 15 Oct 2007) All indications are that this trend toward fragmented regional and local enforcement of tougher immigration laws will continue, fueled by racism and by paranoia about “security” (manipulated by a government increasingly desperate to outsource its responsibility for an increasingly dangerous world). But an attempt to get comprehensive immigration legislation through Congress failed in June 2007, despite bipartisan support and a strong presidential endorsement. In part, this legislation failed because it was incoherent (thus, in the end, satisfying no one). It was also uninformed by economic analysis of demand or “pull factors.” It made little sense to encourage the immigration of foreign-born professionals, by privileging educational credentials, while discouraging the family-based “snowball” immigration that has always provided the very people who are needed to staff available jobs.⁷

Scholars studying immigration policy have often noted the discrepancy between the apparent intent of official state policies and the outcomes of these laws

⁷ Pannell (2007) argues that the governments of the US and European countries are striving to implement immigration policy that reduces the cost of immigrant integration. It is an open question as to whether these new policies are also an attempt to break up or weaken immigrant social networks.

and regulation regarding the volume and type of immigration.⁸ This disparity between aims and effects of immigration policy has been variously attributed to poor planning and complex circumstances that produced unintended results (Martin, 2004; Hollifield, 2004), intermixed with “spotty enforcement” (Calavita, 2004, 376). But the underlying reasons for this combination of unattainable policy goals and slack enforcement in a wide range of countries lie in the contradictions arising out of interest group politics, domestic and international institutional structures, and the underlying social and economic forces that generate migration pressures.⁹

For the US case, legal scholar Peter Schuck suggests that having a policy gap may in fact mask ambivalent feelings Americans have about undocumented workers.¹⁰ (Brettell and Hollifield, 2000, 7) And intricate laws and administrative regulations on immigration can obfuscate the interest groups desiring continued entry of flows of undocumented workers.

Domestic migrant labor provides an excellent illustration of the idea that immigration policy may be intentionally vague or arbitrarily enforced because many people (and governments) don’t really desire change.

Amid the complexity and lack of policymaking transparency, immigration policy toward domestic workers, typically women working in other people’s homes, can perhaps be viewed as having the biggest policy gap: because the work is “hidden” in the informal sector and in the private sphere, it hasn’t been properly addressed by policymakers. Until recently, governments hadn’t addressed migrant domestic labor as part of an overall migration management scheme.¹¹

Female migrants have little access to formal sector jobs, and therefore take on informal sector jobs—what Bridget Anderson calls “the three C’s”: cooking, cleaning

⁸ Schwenken (2005) uses gap analysis to argue that there are more opportunities for political action since there are multiple levels of EU and national government bureaucracy.

⁹ See Massey (1990) and Cornelius and Rosenblum (2005) for good overviews of the social and economic forces behind migration.

¹⁰ In towns across the US, it is not uncommon to hear things like, “We have to get rid of these illegal aliens, but it’s OK if the ones that serve me enchiladas at Mi Ranchera stay.”

¹¹ In particular, see the UN Report: “Specific Groups and Individuals: Migrant Workers.” [http://www.unhcr.ch/Huridocda/Huridoca.nsf/0/0032d58d2667f0b9c1256e700050f77f/\\$FILE/G0410237.doc](http://www.unhcr.ch/Huridocda/Huridoca.nsf/0/0032d58d2667f0b9c1256e700050f77f/$FILE/G0410237.doc), accessed 15 Oct 2007, available. Also note the policies dealing with domestic workers, but not interrelated with migrant policy.

and caring—typically those derived from traditionally delineated gender roles. (Anderson, 2000; Ehrenreich and Hochschild, 2002). Migrants will be more able and willing to “live-in” since they have fewer in-country private relationships or personal connections outside the home (Akalin, 2007) or simply because they are economically and practically desperate. And iffy immigration status makes migrants even more vulnerable and dependent on their employers. (Anderson, 2007) Moreover, “foreignness” or being ethnically “other” gives employers reasons for hiring migrants over existing local workers: employers may feel morally superior for helping out someone from a poor country or may feel more comfortable having someone not of their own race in a market transaction carried out in their own home. (Anderson, 2007).¹² In particular, this may address, or at least mask, socially induced anxieties among professional women about whether they are also adequate *mothers* (and thus adequate women): if the tasks of caring can be done just as well by someone else, what remains of the maternal role and identity? But a paid caregiver whose difference from the child is ethnically marked is less likely to be mistaken for the child’s “real” mother by outsiders (or indeed by the child). Or in other words, the worker needs to be somehow marked as “Other” so that “women’s work” can be distinguished from

¹² Ideas that in-migrant groups, or different races, have an incompatible gender structure, ideology, or a “different” family, may also serve as an excuse for unconcern about who is looking after the childminder’s children or cleaning the housekeeper’s house.

This becomes even sharper in cases where multiple ethnicities, or perhaps it would be better to say multiple racisms, collide, for instance when two different ethnic groups or countries of origin are represented in a single household, two women working for the same professional woman who is also a mother. Akalin (2007) cites examples in Turkey where the cleaning duties are carried out by a Turkish cleaning woman who lives outside the household, while the caretaking is done by a live-in migrant worker who becomes part of the family. The young immigrant caretaker, likely from Central Asia or Eastern Europe, is then trained in wifely duties, running the household, and having her private life subsumed by the family for whom she works.

Having two domestic workers from different countries may also provoke power struggles despite the fact that roles may have been spelled out by the employer. A situation in a Spanish household where a young African American au pair felt that she had been relegated to the bottom of the household hierarchy by the long-time Polish cleaning woman created unsustainable tension between the employees. The au pair complained, “But she doesn’t even speak Spanish or English, so she chews me out in Polish!” Yet the American au pair’s sense of how the power relationship should be structured seemed to be built on monetary compensation. Despite her education and the important role that caring for children played in her identity within the household she reasoned that the Polish woman: “makes almost nothing,” and consequently the Polish woman should not have been “ordering her around.” The complexity and nuance of the working relationship in this example demonstrates the intricacy of problems faced by both domestic workers and middle-class employers.

“woman’s role,” and so that educated women may free themselves from the burden of the former without paying the social costs of being seen to abandon the latter.

Migratory domestic labor has been of particular interest to feminists for a variety of reasons. First because (like sex trafficking) it puts certain women *as women* in positions of social disadvantage and serious risk; but second because, given that domestic labor as such remains ineluctably *gendered*, it appears to put different groups of women at odds with each other, with the upward migration (so to speak) of women in host countries dependent on the geographical migration of women incomers.¹³ A rise in income levels, and public status, for some women appears to depend on keeping other women poorly paid and invisible. On this account, professional women need caretakers for their children (and sometimes their parents), along with housecleaners to carry out domestic chores in order to compete with men in the workplace¹⁴; hiring unauthorized migrant workers as domestics is cheap, with penalties for doing so rarely imposed on employers; in addition, an aging population increases the demand for home health care workers (and the erosion of the welfare state and social responsibility for care makes this situation worse). In the US a few high-profile scandals in the 1990s raised awareness of this issue,¹⁵ but did nothing to address the underlying causes. It also both revealed and exacerbated an intractable, and apparently cross-cultural, social fact: the problem continues to be seen as a “women’s issue,” because domestic work is “women’s work”; thus the situation is seen as women’s *fault* (and as women’s responsibility to solve within the so-called private sphere).

¹³ A third reason for studying domestic migrant labor is that it may illuminate long-standing, and deep-seated, theoretical wrangles about “women and work,” such as the difficulty of defining “reproductive labor.” But such questions are beyond the scope of this paper.

¹⁴ Freeman and Schettkat (2005) actually argue that workers in the EU should adopt more “marketization of household production” in order to increase their number of hours worked per week.

¹⁵ During the 1990s, several high profile political appointments were derailed when it was discovered appointees had hired undocumented immigrants to work in their homes. (U.S. media named the scandal “nannygate.” Zoe Baird and Kimba Wood were both deemed unacceptable for the position of the highest law enforcement officer in the US, the attorney general, and during the early years of the Bush administration, Linda Chavez, nominated for Secretary of Labor, was caught up in a similar scandal. See http://www.washingtonpost.com/wp-srv/aponline/20010109/aponline172303_000.htm for a revealing, and rather unpleasant, attempt on the part of Chavez to present her violation of labor law as a result of philanthropy and compassion toward disadvantaged women. Such mystifications, even when sincere, are a factor in sustaining the problem, as we note above.

Ideological mystifications of economic factors play multiple roles here. One problem is the lack of awareness of middle-class citizens in receiving countries about how their own economic behavior as employers is in fact driving the migratory trends that now make them nervous. This happens in part because the employers of domestic laborers often do not see themselves as employers. Women, as Pierrette Hondagneu-Sotelo (1994) has argued, see themselves as *consumers* of immigrant labor (as buying services) rather than as employers of immigrant persons; and many if not most men still do not see themselves as involved in the labor circuit of the private sphere *at all*. It is not unusual, and in fact it is economically *rational*, for household budgeting to balance the income of the wife against the cost of domestic work (seen as a “replacement” for the wife’s domestic labor). Given that women in the formal economy are still paid less than men, a decision for the middle-class wife to suppress her own educational capital and stay home might seem like (and indeed might *be*) a purely rational, and purely individual, economic choice, not informed by sexism or indeed by ideology at all. The aggregate effect of these individual choices is however self-perpetuating, as the lower labor force participation of educated women and their segregation within certain occupations keeps the wages of all women low.

However, as levels of household consumption rise (driven in part by a speedup in middle-class demands for luxury goods), a two-income household becomes more a necessity and more the norm (in both the statistical and the ideological senses of that word). The psychological and social costs of women’s confinement to the domestic sphere are also well-known, and many women continue to be unwilling to bear them, despite resurgent propaganda from many quarters (including, sadly, from feminists).¹⁶ So a rational and economically practical offset needs to be found.

Availability of low-cost foreign labor to take over what used to be conceived of as the wife and mother’s “natural” role, and is still almost always conceived of as

¹⁶ The problem was analysed some years ago by Rosalind Coward, *Our Treacherous Hearts: Why Women Let Men Get Their Way* (London: Faber and Faber, 1993) and more recently in Linda R. Hirschman, *Get to Work: A Manifesto for Women of the World* (NY: Viking, 2006). Barbara Kingsolver’s otherwise progressive argument for a “sustainable” lifestyle includes an argument for women “staying home” that may point to larger tensions among the left. *Animal, Vegetable, Miracle: A Year of Food Life* by Barbara Kingsolver, Camille Kingsolver, and Steven L. Hopp (Harper Collins, 2007).

her functional role and responsibility, can enable a middle-class couple to paper over what would otherwise be a naked conflict of interest. As Hochschild (1994) suggests, families (and broader social groups) create “gender strategies” to manage the disconnect between economic realities (which are rapidly changing) and psychosocial attitudes (which are not).

What this suggests to us is the need for a mixture of economic and ideological analysis, which we hope this paper begins to exemplify.

Restrictions or Regularization? European Destinations for Women Migrants.

As Pierrette Hondagneu-Sotelo has observed, the “New World Domestic Order,” entails paid domestic work becoming, surprisingly, a “growth industry,” based on migration fueled by economic inequality both within the U.S. and European countries and between different countries, leading to what Arlie Hochschild has called “global care chains.”¹⁷

Women entering the professional ranks in rich countries have fueled demand for domestic workers, thereby pulling in women from around the world to clean, care and cook. Table 1 below shows the growing proportion of women in the labor force in various European countries that coincides with women being more likely to work and earning more per hour on average. Education levels were rising as well during this time, with over half of women in the 25-34 age group having tertiary/university education by the year 2000.¹⁸ In the highest education category, European women tend to have very high employment rates, ranging from 74% in Spain to 93% in Portugal. (Pissarides, et al, 2004, 73) Many of these women were likely in high income, dual-earner households, the type that would be most likely to hire domestic workers and/or nannies. Not only do these trends explain the persistence of income inequality within European countries, but they also point toward the reasons that paid domestic work has been a growth industry: the combination of increased education

¹⁷ Hochschild, A. R. (2000) “Care Chains and Emotional Surplus Value,” in Hutton, W. and Giddens, A. (eds) *On The Edge: Living with Global Capitalism*. London: Jonathan Cape.

¹⁸ See Pissarides, et al. (2004, 74) This result is true for all the European countries with the exceptions here are the UK, with 46.8% and Germany, with 45.8% of women ages 25-34 having higher education.

and higher employment rates as women become a larger percentage of the overall labor force indicates the source of strong demand for domestic service workers' labor.¹⁹

Table 1: Women as a percentage of the labor force, 1980-2004 (in %)

| Countr y/Year | 1980 | 1990 | 2000 | 2004 |
|------------------|------|------|------|------|
| Ireland | 28 | 34 | 41 | 42 |
| Spain | 28 | 34 | 39 | 41 |
| Italy | 33 | 37 | 38 | 40 |
| Portug al | 39 | 43 | 45 | 46 |
| Germa ny | 39 | 40 | 44 | 45 |
| France | 40 | 43 | 45 | 46 |
| UK | 41 | 44 | 46 | 46 |

Source: World Bank data, 2006.

From the “supply” side of the equation, we know that there are various family pressures and social forces that may encourage women to migrate: a lack of good job opportunities at home is only part of the issue.²⁰ In recent academic literature, much has been made of migrants' use of social capital to help them make migration decisions. (Massey and Aysa, 2005) Leblang, et al. (2007), find that social networks lessen the risks of migration, with large loose networks helping to provide migrants with useful information and smaller, tighter networks providing better support.

¹⁹ As noted earlier, the kind of competitive consumerism that has taken hold of the US and much of Europe contributes to these demand-side forces. Reduction in household tensions that might arise in the battle over who does the housework can also generate part of the demand for domestic workers. In addition, Anderson argues that economic forces don't fully explain the “pull” of migrant workers because the status involved in hiring someone to clean one's house is not accounted for in the economic models. (2002, 106)

²⁰ For example, see Anderson (2000), Parreñas (2001), Akalin (2007).

Ethnic social networks can also assist immigrants in integrating into the host culture or generate ethnic enclaves, where integration into the larger society is not necessary in order to function as a domestic worker. While these networks may be more or less active in various places, it is clear that these networks commonly enable domestic workers to migrate. (See, for example, Anderson, 2000.) As such, the operation of these networks affects how and whether government policy has the intended effect. For example, if the government decides to restrict the number of asylum seekers and limits their ability to work, migrants are more likely to choose to enter illegally with the help of an ethnic network and work in someone's home, rather than get government assistance as a refugee. The shadow economy serves as an escape valve when other avenues of migration are cut off.

Given the private nature of the work, hard data (even reasonably good estimates) on the total number of domestic workers are difficult to come by, but it is safe to say that at least several million migrant women are working in domestic service around the world.²¹ As a country with one of the largest emigration flows of women, Parreñas (2001, 1) argues that from the Philippines alone there may be more than two million female migrant domestic workers spread around the globe. Overall worldwide flows are large, but what is necessary here is to show what is happening in Europe—that this phenomenon is important in a range of European countries that have differing immigration policy. The use of the data here has to be more subtle because of the lack of availability of definitive data. But this notion that domestic work is a growth industry can be seen in the evidence showing that a larger share of the world's migrants are going to developed countries, including those in the European Union, and that an increasing proportion of them are women. Since a

²¹ Papademetriou “guesstimates” that there are perhaps 7-8 million irregular migrants in Europe. (See <http://www.migrationinformation.org/Feature/display.cfm?id=336>, “The Global Struggle with Illegal Migration: No End in Sight.” September 2005. If 53.4% of those, as the UN estimates, are women, then there may be 4 ¼ million irregular women migrants in Europe. So a “guesstimate” of 1 million irregular domestic workers in Europe is not far-fetched. The United Nations estimates that there are 175 million migrants worldwide, about half of them women. That means roughly 85 million women migrants, to estimate on the conservative side. If 20% of those are doing domestic work, then a rough estimate might be 17 million migrant women worldwide doing domestic work. If that proportion is more like 30%, then we could guess that the total number of migrant women in domestic services is closer to 25 million worldwide. Of course some of these would be “regular” in that various countries (from Canada to Singapore) have permit programs designed for workers that clean, care and cook.

greater proportion of female migrants are going to Europe, it is likely the case that a greater proportion—both increasing over time and a greater share than to the rest of the world—of domestic workers are going there as well.

Worldwide as of 2005, 3% of the total population is estimated to be migrants, and women are now nearly half of the world's migrants: 49.6%. But where Europe is concerned, the proportion of women migrants is more than half. (See Table 2. Data for the World and Europe as a whole are included for comparison purposes.)

Table 2: Female Migrants to Select European Countries, 2005 (in % of Total Migrants)

| Coun try/year | 19 80 | 19 85 | 19 90 | 19 95 | 20 00 | 20 05 |
|------------------|----------|----------|----------|----------|----------|----------|
| Germ any | ... | ... | 44. 5 | 44. 8 | 46. 7 | 48. 3 |
| UK | 50. 3 | 51. 1 | 51. 9 | 52. 7 | 53. 5 | 54. 3 |
| Franc e | 47. 3 | 48. 3 | 49. 1 | 49. 9 | 50. 7 | 51. 6 |
| Irela nd | 50. 6 | 50. 4 | 50. 3 | 50. 2 | 50. 1 | 50. 0 |
| Spain | 51. 7 | 51. 6 | 51. 6 | 51. 4 | 50. 3 | 47. 4 |
| Portu gal | 52. 5 | 52. 2 | 52. 2 | 52. 1 | 52. 1 | 52. 0 |
| Italy | 56. 8 | 56. 6 | 56. 4 | 56. 2 | 56. 2 | 55. 8 |
| Euro pe | 48. 1 | 48. 9 | 52. 8 | 52. 7 | 53. 4 | 53. 4 |
| Worl | 47. | 47. | 49 | 49. | 49. | 49. |

| | | | | | | |
|---|---|---|--|---|---|---|
| d | 2 | 2 | | 3 | 7 | 6 |
|---|---|---|--|---|---|---|

Source: Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, Trends in Total Migrant Stock: The 2005 Revision.

An interesting pattern emerges in the data. “Old” immigration countries that tend to have more restrictive policies (Germany, UK, and to a lesser extent France) have continuously rising proportions of female migrants since 1980, whereas the more recent countries of immigration (Ireland, Spain, Portugal, Italy) have falling proportions of female migrants over time.²² This trend, more pronounced in recent years, is partly due to the fact that more men are migrating to countries that have booming economies.²³ The construction industry, in particular, which hires mostly men, has been strong over the past several years in Spain and Ireland.²⁴ But this trend has lasted longer than the construction boom and the latest period of strong economic growth. What is more important here, we believe, is that the overall convergence of these countries to a European proportion for women migrants that is greater than one-half in an era when the demand for domestic services is on the rise. In addition, the variation among these countries in the percentage of women migrants in 2005 does not show any particular pattern with regard to the restrictiveness of immigration policy.

Combining the impact of forces of “demand” and “supply” for migrant domestic workers, it is easy to see that restrictive policy may not have the intended effect. Strong “pull” factors along with more restrictive policies (e.g., fewer work permits available) will simply encourage people to “go underground.” But as undocumented migrants, these women will receive lower pay. From an economic

²² The change in the proportion of women migrants in Ireland and Portugal is quite modest, and so we are less concerned that their proportions are moving slightly away from the European average.

²³ Average annual real GDP growth rates for Ireland were 7.5% between 1990-2000, and 5.2% for 2000-2005. For Spain, the comparable figures are 2.7% and 3.1%. See World Bank data: http://siteresources.worldbank.org/DATASTATISTICS/Resources/table4_1.pdf.

²⁴ On Spain, see “Spain Hit by Property Crash Fears,” <http://news.bbc.co.uk/1/low/business/6592203.stm>. For an overview of the Irish construction situation, see “Warning Signals Raise Doubts on Ireland’s Vibrant Economy,” <http://www.ft.com/cms/s/0/9dde4b46-da40-11da-b7de-0000779e2340.html>.

theory point of view, it is clear that having migrants having legal work permits will receive a higher wage than undocumented migrants—employers include the probabilistic cost of being caught hiring illegally as a penalty for undocumented workers that would otherwise receive the same wage as documented migrants doing the same job. For the US, Borjas and Tiendas (1993) estimated this differential at 30% (i.e., undocumented migrants receive wages 30% lower than documented migrants from the same sending countries.) A more recent study of migrant workers by Mehta, et al, (2002) in Chicago reached a similar conclusion: undocumented Latin American men received a 22% wage penalty relative to their documented counterparts, while undocumented Latin American women received wages 36% lower than documented Latin American migrant women. A greater probability of employers being caught hiring undocumented workers would increase the wage penalty for those workers, but would not do much to reduce the overall supply of migrant workers.

There is no precise way to measure an immigration policy gap, but there are indicators that can give us an idea of how far apart policy and practice are. Cornelius and Tsuda (2004) argue that flows of unauthorized immigrants are one (highly imperfect) measure. Of course unauthorized workers try not to be counted because their ability to stay in the host country is so precarious. Measuring migrant women working in people's homes is perhaps even more difficult than measuring migrant men who may be working in construction or doing factory work. The extent of public outcry over immigration policy is another imperfect indicator because, as Cornelius and Tsuda point out, the populace may not agree with the policy in the first place, and so the outcry may simply reflect people's dissatisfaction with their government in general. But social and economic pressures arising from immigration policy fuels public discontent and may reveal an authentic disconnect between the intent of government policy and what happens as a result of it.

Based on various estimates of irregular migration and on the experience of countries that have carried out periodic "regularizations", we know that the numbers of undocumented workers in European countries is high, with Germany and the UK each having more than 1 million irregular migrants. (See Table 3 below.) It should be noted that these are based on very rough estimates for irregular migrants, and are

conservative relative to Papademetriou's (2005) "guesstimate" of 7-8 million noted earlier. In fact, in a recent interview with Eurasyllum, Hervé Carré, Director-General of Eurostat, the statistical arm of the European Commission, stated that the European Union would not even try to estimate the number of irregular migrants in European countries.²⁵ The main goal of the European Union with regard to migration appears to be gathering data and harmonizing statistical procedures, indicating just how distant a "unified" immigration policy may be.²⁶

Table 3: Estimated proportions of irregular migrants in select European countries, 2003

| Country | Irregular Migrants as % of Country's Total Migrants | Irregular Migrants as % of Country's Total Population |
|----------|---|---|
| Portugal | 42.96 | 0.96 |
| Italy | 30.59 | 0.87 |
| UK | 24.82 | 1.68 |
| Spain | 22.24 | 0.67 |
| Germany | 13.61 | 1.21 |
| France | 6.37 | 0.67 |
| Ireland | 3.23 | 0.25 |

Source: OECD, Overview of Migration Trends in Europe and Central Asia, 1990-2004.

Our original working hypothesis was that traditional host countries would have had long-standing experience with immigrants and immigration policy, and therefore would have smaller policy gaps with more adaptable guidelines and procedures for

²⁵ See Eurasyllum's website for full interview, accessed 15 October 2007, available: <http://www.eurasyllum.org/Portal/DesktopDefault.aspx?tabindex=2&tabid=19>.

²⁶ Ibid. Also see Chou (2006) who delineates changes necessary in the European Union's institutional structure before a comprehensive approach to migration policy will be accomplished.

accepting immigrants that are demanded by employers in the host country. Instead, what we find is similarly large policy gaps in many countries across Europe with regard to unauthorized immigrants based on the fact that the proportions of irregular to regular migrants is fairly high. In addition, countries that have stricter immigration policies (Germany and the UK), do not have significantly lower levels of irregular immigration, nor do they have lower overall immigration as a proportion of the total population than those who have done periodic regularizations (Italy, Spain). (See Table 4 below.) Tighter immigration policy does not appear to mean greater conformity to stated government goals.

Table 4: Stock of Migrants as % of Total Population (select European countries), 2005

| Country | Stock of Migrants (in millions) | 2005 Population (millions, mid-year) | Migrants as % of Total Population |
|---------|---------------------------------|--------------------------------------|-----------------------------------|
| Germany | 10.1 | 82.4 | 12.26 |
| UK | 5.4 | 60.4 | 8.94 |
| France | 6.5 | 62.9 | 10.33 |
| Spain | 4.8 | 40.3 | 11.91 |
| Italy | 2.5 | 58.1 | 4.30 |

Source: UN, Trends in Total Migrant Stock, 2005 Revision; US Census Bureau

Looking at the history of large-scale “regularizations” carried out by the major European migrant destinations reveals a pattern of relative leniency in some countries, and greater restrictiveness in others. Since 1980, Italy has regularized roughly 1.5 million workers in five waves of programs, including one in 2002 designed to target caretakers and dependent workers.²⁷ Over the same time period, Spain has regularized over ½ million workers, while the UK regularized fewer than 1000

²⁷ These data are based on Papademetriou et al (2004), Table 1. In 2002, Italy’s program aimed at domestic workers generated 704,000 applications.

domestic workers.²⁸ Germany regularized about 30,000 workers during the 1990s.²⁹ More restrictive policy does not appear to coincide with reduced flows of migrants, nor of the estimates of migrants with irregular status.

When we started this project, we set out to find striking differences in the immigration policy gaps or outcomes based on different government actions or socio-economic contexts. When compared to traditional “old” immigration countries in Europe (e.g., France, Germany, the UK), we expected to find larger policy gaps for “new” immigration countries (e.g., Ireland, Italy, Spain, Portugal) that recently shifted from sending to receiving immigrants. What we found instead, was different policy strategies that seem to lead to similar results: a policy gap that does not depend much on the various contexts or particularities of the economies involved. This finding led us to agree with Parreñas in her study of Filipina domestic workers in Los Angeles and Rome.³⁰ She expected to find striking differences in these women’s experiences based on “contexts of reception.” Instead, she argues that the reason for their striking similarities “rests largely on their positioning in globalization as part of the secondary tier labor force of the economic bloc of postindustrial nations.”³¹

A Problem for Whom?

When we’d gotten this far, we mentioned our project to a colleague in philosophy, who enquired, “Why is migratory domestic labor a problem?” She could see, she said, why sex trafficking was a bad thing (for one thing, it spread disease; for another, one might be morally opposed to prostitution...), but was the same thing true for housework and childcare, and if so, why? In fact, this does not go without saying. If migratory domestic labor is a problem, we need to lay out clearly how, and why, and for whom: and ask at what level solutions need to be proposed. Obviously (we

²⁸ Ibid, Table 1. It should be noted that regularization sometimes involves receiving work permits for a limited period of time (1 year in the case of Spain and the UK, 2 years in the case of Italy), so it is possible for migrant workers to fluctuate in and out of documented status.

²⁹ Ibid, Table 1. Germany and the UK allow more workers to come in as refugees or asylum seekers, but these channels still don’t add up to as many legalizations as in Italy or Spain.

³⁰ Parreñas, Rhacel Salazar. *Servants of Globalization: Women, Migration and Domestic Work*. Stanford, CA: Stanford University Press, 2001.

³¹ Ibid, p. 15.

hope) our concern here is not to help governments design more successful restrictive policies in the interests of racial and national “purity.” And on the face of it, connecting workers who need more money than they can make without leaving home with work that needs to be done sounds like a good idea.

Moreover, the long-range view taken by historians and anthropologists reminds us that migration is normal, has always been part of the cycles of human life.³² Should we regard economic migration as a sign of crisis (in either sending or receiving countries), or can we see it as part of stable systems of exchange, as fulfilling a function for both parties (because otherwise it would not be occurring)? It is possible that those countries that are attempting to restrict immigration are acting from simple racism or even simple fear of change, and they should be told to “get over it.” Especially since in the case we are discussing, the exchange of women across borders actually facilitates, and stays within the model of, capitalism, merely seeking to (partially) extend its benefits to a slightly wider group. Or alternatively, if we see the movement of host-country women into the labor force, and their upward mobility within that labor force, as a good thing (either from the perspective of greater productivity or from a liberal feminist perspective, we could applaud the flexibility of transnational capitalism in easing the social costs of that transition.

However, there is something ethically and politically troubling about the exploitation of women to serve the reproductive needs of capitalism, even if that exploitation can be “outsourced.” Especially when we consider the case of countries like Germany, where full citizenship can never be achieved by migrants or by their

³² On this point, see Lillian Trager, ed. *Migration and Economy: Social and Local Dynamics*. Society for Economic Anthropology: Rowman and Littlefield: Lanham, MD 2005. Introduction: the Dynamics of Migration. “Is migration unusual? Or is it a normal part of human activity and human history?” (2005, 1)

See also P Nick Kardulias and Thomas D. Hall, “A World-Systems View of Human Migration Past and Present: Providing a General Model for Understanding the Movement of People” presentation to Oxford Round Table, July 2007. From the perspective of many millennia, very little about “globalization” appears to be new ... rather, it is the modern nation-state that is the unusual “innovation,” and also, in the view of Kardulias and Hall, the problem. They quote a recent book by Hatton and Williamson (2006):

“There is not now, nor was there ever, too much global migration. The world would clearly be better off with more migration. The problem is not that there is too much global migration, but rather that we do not yet have effective ways whereby the gains from the global migration can compensate the losers.”

children even after several generations of residence, it seems that keeping borders formally “closed” when they are to all practical purposes actually rather *porous* is a quasi-deliberate strategy to maintain this low-cost service to capitalism. What underlies this is a pervasive functionalist approach to women’s position within society, which (as Susan Moller Okin (1989) has explained) asks what women are *for*, rather than seeing them as full social and ethical agents in their own right. The fact that some women escape this, on the backs of others, and that some (from both groups) may even *benefit* from it, does not remove this problem.³³

Like many social issues, the issue of immigrant women “doing the dirty work” of cleaning, cooking and caring presents problems on various levels and for all governments and social groups involved. The feedback effects are key here. First, it relieves pressure on men—they don’t have to do housework because low-paid migrant women do their share and more. This reinforces the idea that is still pervasive in the US and much of Europe that housework is women’s work. Hiring immigrant women to do a family’s domestic work may help marital relations, but at the expense of continuing stereotypes that poor migrant women can only do jobs based on “innate” feminine skills. Second, although the remittances paid back to the sending countries may help those countries, they do so at the expense of the care deficit that Parreñas talks about with respect to the Philippines. Third, allowing immigrant labor to be used flexibly to make up for “shortages” of labor in particular low-skilled jobs only begs Anderson’s (2007) question about why unemployed workers from the home country cannot take the jobs that migrant workers take, especially in European countries

³³ Functionalist arguments about immigration, such as last summer’s very public debate about whether immigration was “good for Britain” are also a bit troubling -- “do They benefit Us” -- though the political reasons for arguing in the affirmative are clear.

The question of whether current levels of migration reflect a crisis, or are part of a stable system, is similar, and related, to the question of whether we are witnessing “a crisis in the family,” i.e. a breakdown of something that once worked well (but for whom?) – or whether the situation described in this way is merely the latest version of an intrinsic dysfunctionality.

where the unemployment rate is still fairly high.³⁴ And finally, while we want to emphasize that it is restrictive policy, rather than lack of enforcement that is the problem, the current situation of migrant domestic labor does present a policy problem for receiving governments, in that it undermines democratic values and leads to dissensus and unrest.³⁵ The concern here is not so much that inflows of workers don't match the levels officially desired by the receiving country, but rather that this institutionalized policy gap prevents acknowledging immigrants, and especially women who migrate to do domestic work, as "real workers" making an essential contribution to the economic health of the receiving countries. Such misrecognition contributes to the cycle of xenophobia and backlash in periods of perceived economic threat and does nothing to address underlying and persistent issues of gender inequity.

Some Bad Answers.

From the supply side, it does not seem either practical, or ethically acceptable to discourage women from migrating to do this work. Plus, as Keely (2000, 58) has argued, the assumption that economic migration is voluntary needs to be problematized.³⁶

And yet from the demand side, it hardly seems acceptable to simply encourage middle-class women simply to return to the private sphere, stay home and clean their own houses while men advance in high-earning occupations and dominate the public world. In fact, "guilt-tripping" and a speed-up in what constitutes acceptable middle-

³⁴ In principle, this extra migration should encourage existing workers to get more education to get higher paying jobs since the lowest segment of the job market is taken by immigrants. But in practice, European unemployment and welfare benefits are high enough that this may not happen. The job rivalry may breed contempt of the sort seen in the Harris survey, but workers in the home country likely see cleaning jobs as "beneath them."

³⁵ As economic growth proceeds (partly due to higher productivity of women in the professional workforce,) pull factors become stronger, meaning countries are likely to see more immigration of this sort. This will lead to some combination of tighter restrictions and more xenophobia from a populace that already has deep resentment toward immigrants.

³⁶ Much fuller discussion of this is needed, but it seems essential to consider and understand refugees, and "economic migrants," together rather than separately, if only because there will be substitution between the categories depending on the nature of government policy.

class mothering is part of what perpetuates the wage gap between men and women of comparable educational attainment. As Hongagneu-Sotelo observes,

an abolitionist program smacks of the utopian, not the feasible. Domestic work should not fall disproportionately on the shoulders of any one group...but putting an end to domestic employment is not the answer. Upgrading the occupation, a change ushered in by systematic regulation and by public recognition that this seemingly private activity is a job—one that creates particular obligations on both employees and employers – is our best chance. (xiv)

It is increasingly clear that the problem cannot be solved through calls for individual voluntarism, for instance by feminist appeals to middle-class women to treat their domestic workers “better.” Except in the case of the worst abuses, it is not even clear what this would mean: some of the ethnographically-based work, which has the great merit of giving voice to the women workers themselves, calls for increased professionalization of domestic labor, with attention (and compensation) based on tasks and schedules. But other ethnographies point to the dangers, and the abusive nature, of viewing care-giving as simply another sector of productive labor; some domestic workers complain of being treated like machines, or laboring animals, and the problem involved when a woman who has had primary responsibility for raising (and loving) a small child is fired and told she may never see that child again.

Some have suggested that things would be better for maids if they were more like “Kelly girls” working for large, impersonal companies, that there is a uniquely awful indignity to intimate oppression in a household (and that private employment is more prone to abuses). There do seem to be advantages to a structured situation with definite, contractual “work rules,” but both employers and employees seem resistant to this approach, something we could explain economically (resistance to paying a middleman) or psychoanalytically (resistance to the outsourcing of affective kin relationships). Moreover Mendez (1998) finds that bureaucratized housecleaning jobs do not reduce the emotional work involved in domestic services for workers.

Ethnographies and narratives of all sorts emphasize the hollowness of assertions that the domestic worker is being treated “like one of the family.”³⁷

³⁷

See Anderson (2000).

At the first level of analysis, the problem is that this is a *lie*, but at a deeper level, the problem *is* the family, and the unique kinds of power differences, manipulations, pressures, what have you, that are naturalized there and made acceptable by the continuing fiction of a separate or different “private sphere.” So insofar as the worker *is* seen as, or sees herself as, a family member embedded in a network of affective relationships rather than a working person with a set of contractual and/or inherent *rights*, her situation is both problematically different from and problematically similar to the women who are “real” family members.

It seems important to recognize the “emotion work” involved in caregiving, and, on some level, perhaps even in “homemaking,” embedded as activities like cooking and cleaning tend to be in relationships which not only mimic, but also *are*, familial in nature. We can agree that domestic workers would be better off if they were paid more reasonable wages, and we can understand that continuing stereotypes about what is, and isn’t, “real work” – stereotypes which now have feminist versions – are part of what keeps wages low and conditions dire. But we cannot simply think ourselves out of this, on an individual basis. We do not disagree at all that men should share, or that the houses of the middle-class do not need to be as large, as luxuriously maintained, or even as clean and tidy, as upgraded standards of consumption now apparently dictate. But by itself this will not address the flows of global capital and labor, any more than walking to work will solve the problem of global warming. Rhacel Parreñas’s label of “the international division of reproductive labor” strikes us as a more satisfying term than “global chains of care,” because it is less sentimental and more materialist.³⁸

What follows from this is a recognition that private agonizing and hand-wringing by middle-class women is ethically as well as practically pointless. The international economic structures we all inhabit enable and constrain us in various ways as members of social groups, and the question for middle-class feminists, as Sonia Kruks has recently pointed out, is less to find therapeutic means to undo our

³⁸ For problems with “care,” see Narayan (1995).

own privilege, but rather to find ways to use the privilege we incontrovertibly possess in productive and progressive ways.

Some Bad Models.

Analysis of women's work in migration runs up against some of the same theoretical tangles in conceptualizing women's work that feminists have been looking at since the 1970s. Where is the boundary between paid and unpaid labor? Do women have "class" in the same way men do, is it more malleable, is it a helpful word at all? Are there some forms of activity that are not work; if so, how should they be compensated, and what should they be called? Does it even make sense to speak of domestic labor as a category? A job description that includes both skilled care of the elderly and washing the paws of the household dog twice a day is unlikely to be a useful tool of economic analysis. What ties the category together is not the type of work involved, but the fact that women (paid or unpaid) are the ones who do it, who are expected to do it. Moreover, there is no way of counting the women (migrants or non-migrants) who stay in bad marriages, or "non-legitimized" dysfunctional heterosexual relationships, on more or less the same terms and for more or less the same reasons as other women migrate to do domestic labor for someone else.

One thing does seem clear: a "human capital" approach is particularly unsuited to this problem. And perhaps it is unsuited to any analysis of "women's work." Because one of the particular features of being a woman in modernity is suppressing, or at least setting aside, the human capital that we have. Strober and Chan (1999) found this to be true for the elite graduates of Stanford and Tokyo University; it is also true for educated women from the Philippines, Latin America, or the former socialist republics, who find they can make more money as domestic workers in prosperous countries than by using their skills, and who choose to do so in large numbers, reminding us that "class" is a terribly slippery thing to apply to women. Once one accepts a certain crude gender configuration, "women" can always be downwardly mobile in ways "men" can't—or perhaps won't: there isn't always construction work available for law graduates, but there are always babies who need to be diapered and toilets that need to be scrubbed; moreover, any woman can (at least

in theory) swallow her pride (or maximize her utility) by cleaning houses or doing sex work.

When we are told that in urban India today, women with first-class degrees command higher dowries than women without them, but *not* because they are expected or expect to continue professional work outside the household, it becomes clear that cultural capital functions differently for women than for men, that it is not meaningless, but works at an angle to what the theory tells us it is supposed to do. There is much more to say about the way the idleness (for want of a better term) of women who have been trained to work functions as an index of male economic prowess; it may be worth looking back at a Veblen-style analysis and rethinking women's human capital as a function of consumption, rather than (or as well as) production.

As we mentioned earlier, it is rather problematic to try to separate "refugees" from "economic migrants," both because conditions of structural violence include economic factors, and (more pragmatically) because people's motivations may tend to be mixed. Mixed motivations also can characterize some of the "choices" made by employers. Again (see above) it is problematic from the point of view of workers' rights to see domestic labor as a "consumer good" *rather than* real work done by real people; but an analysis that sees it as also part of household consumption is not precisely wrong.

What we need is a construction of "agency" that is more flexible and multifaceted than the rational choice of *homo economicus*, who, if he ever existed (which at least one of us doubts) was neither a domestic woman migrant worker in the twenty-first century, nor the mother who employs her.

At what level, however, can agency best be analyzed and measured? Keely (2000, 51) claims that "the new economics of migration...challenged neoclassical theory by moving the decision-making unit from the individual to a family or household units." This seems more realistic, especially given women's problematic agency as individuals in many cultures; but it begs the question of what a "household" is, and can mask power relations within the so-called private sphere.

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Seeing the “unit” of production, consumption, decision-making, as the household or the family rather than the individual, obscures the limited agency women *do* have, obscures class differentials within the family (where, as Christine Delphy has argued, all other forms of economic inequity between men and women have their sources); and it doesn’t allow us to observe very different forms of family structures operating locally in very different ways.

As an analogy that might guide future work, one might compare Hochschild’s *The Second Shift*, which investigated decision-making about domestic labor by studying intact couples and their children, with Anita Geary’s *Weaving Work and Motherhood*, which studied the childcare solutions and negotiations of women (some married and some single) at a wide variety of economic levels, who all worked in the same large hospital. Both approaches are highly illuminating, and both are needed.

Conclusion: Toward Better Answers

The immigration policy gap persists in both new and old destination countries, partly due to the private nature of the domestic work environment, but trade unions and activist organizations appear to be making some headway, indicating that progress toward protecting domestic workers rights can be made through collective action.

The wide variety of employer-employee relationships mean that a single-policy approach may not address all the issues that activists are concerned about in this labor market. On the other hand, increasing the complexity of the legal and regulatory environment surrounding the immigration of domestic labor will undoubtedly mean greater potential for an ever widening policy gap. Furthermore, the cycle of the unintended consequences of restrictive immigration policies could continue if the trends of greater pull forces and global income inequality persist.

This leads us to conclude that it will be most successful to prioritize seeing domestic work as work and domestic workers as workers *first* (and not incidentally) to address problems of sexism within the labor movement that has prevented organizing workers who may be seen as casual, secondary, or “tied movers,” But

there also needs to be an ongoing analysis of the gendered nature of this work, with careful attention to local variation.

Labor regulation, however, is not a panacea in the absence of cultural consensus that the regulation matters and that the laws should be obeyed. As Hondagneu-Sotelo notes,

US labor regulations *do* cover private domestic work—but no one knows about them...domestic workers' wages and hours are governed by state and federal law, and special regulations cover such details as limits on permissible deductions for breakage and for boarding costs of live-in workers. These regulations did not fall from the sky: they are the result of several important, historic campaigns organized by and for domestic workers...[but] It's almost as though these regulations did not exist. (21)

Looser immigration policy is socially and ethically preferable, in that it underscores the acceptance of responsibility for the international inequities that led to the immigration flows in the first place. From an economic standpoint, it is also simply more realistic.

We also call on governments to remember that immigration of men and immigration of women are in some ways separate phenomena, in that the demand or “pull” factors are quite different. Finally, where possible, domestic labor (like trafficking) should be seen through the lens of a human rights, not a civil rights, approach, since (as Anderson and others have pointed out very persuasively) where the legality of work is tied to a particular employer, employee rights are fictional at best, and also since, for reasons that remain to be fully understood, it appears to affect very different women in many places in very similar ways.

It has been a curious irony, in researching this paper, that inputting “domestic labor” to search engines gives two kinds of results: domestic labor as a fancy name for “housework,” and domestic labor markets as opposed to international or foreign markets or trade. But this equivocation points to something serious: a problem about “home” has somehow escaped and is wandering across borders; it can't be fixed by trying to confine it to the private sector; but it is also a home problem, and it needs to be solved there.

Ethically and politically speaking, we face two intractable problems:

- how can we get men to take responsibility for the domestic labor that reproduces them as workers, and as human social beings; and
- how can we get receiving countries to take responsibility for the welfare and the rights of everyone who lives and works within their borders.

They are analogous, but they are also practically related; and they will need to be solved together.

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The changing legal context of migrant domestic work in the Netherlands

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Résumé / Abstract

In the Netherlands, the concept of the male breadwinner citizen has formed an important organisational principle of the post-war welfare state up until the 1980's. Since then much has changed. Increasingly, women have started to take part in paid labour, and social policies and tax laws have been reformed to take the independent earnings of both spouses into account. Until recently however very little has been undertaken by the Dutch state to compensate for the concomitant reduction of unpaid labour in private homes. Anecdotal evidence suggests that work that has previously been performed by unpaid wives, mothers and daughters is presently being outsourced to irregularly employed domestic workers, many of whom are migrants from outside of the EU with few alternative options on the Dutch labour market.

Available empirical literature on the employment of migrant domestic workers illuminates how irregular immigrant status and exclusion from state regulated social security and services can interfere with the normative sphere of intimate family relations to generate a distinct type of labour relationship. In varying degrees, depending on the specific circumstances, the workers involved can find themselves in a dependent and insecure position, making them vulnerable to exploitation and abuse.

Recently, a couple of legal reforms have been launched in the Netherlands regarding the provision of care within the home: a new regulatory regime for care for the elderly and the chronically ill and a new regulatory regime for household services. The first of these projects can be seen as a form of privatization: state sponsored care is to be reduced and replaced by unpaid labour in the informal sphere and/or by a market supply of paid care labour. The second can be seen as an attempt to regularize the irregular labour that has increasingly come to replace unpaid labour in the home.

There are inherent tensions between these two regulatory projects. The first is premised upon the assumption of an abiding supply of unpaid care labour in the home, while the second is premised upon the assumption of an ongoing replacement of unpaid care labour by paid labour in the home. The success of the first is threatened by an insufficient supply of unpaid labour in the home; that of the second by an insufficient supply of paid domestic labour. As suggested above, it appears very likely that precisely this tension is currently being resolved through the irregular employment of relatively inexpensive migrant labour from outside of the EU. It is therefore worth noting that the most recent proposals for regulating labour migration to the Netherlands do not offer any new provisions for the legal employment of non-EU workers in the home.

The purpose of this paper will be to explore the above mentioned regulatory projects and to deduce what they imply for the continued employment of migrant

labour in private homes in the Netherlands. This will be done by examining the legislative proposals and related policy documents, by analysing these in the light of the available literature on migrant domestic work in the Netherlands and elsewhere within the EU, and by discussing initial conclusions with interested parties such as trade union members, policy makers, employers of domestic workers and domestic workers' advocates.

In the Netherlands, the concept of the male breadwinner citizen has formed an important organisational principle of the post-war welfare state up until the 1980's. Since then much has changed. Increasingly, women have started to take part in paid labour, and social policies and tax laws have been reformed to take the independent earnings of both spouses into account. Until recently however very little has been undertaken by the Dutch state to compensate for the concomitant reduction of unpaid labour in private homes. Anecdotal evidence suggests that work that has previously been performed by unpaid wives, mothers and daughters is presently being outsourced to irregularly employed domestic workers, and increasingly to undocumented migrants from outside of the EU with few alternative options on the Dutch labour market.

Available empirical literature on the employment of undocumented migrant domestic workers in European homes illuminates how their lack of immigrant status and exclusion from state regulated social security and services can interfere with the normative sphere of intimate family relations to generate a distinct type of labour relationship. In varying degrees, depending on the specific circumstances, the workers involved can find themselves in a dependent and insecure position, providing scope for exploitation and abuse.¹

October 1st of this year, the present Dutch cabinet, a coalition of two Christian parties and the social democratic Partij van de Arbeid (Dutch Labour Party) presented its women's emancipation policies for the period 2008-2011.² One of the prime goals that this cabinet has set itself, is to increase Dutch women's participation in paid labour. Although the percentage of women in the Netherlands engaged in paid labour

¹ Bridget Anderson: *Doing the Dirty Work? The global politics of domestic labour*. London: Zed Books, 2000.

² *Meer kansen voor vrouwen. Emancipatiebeleid 2008-2011*, Den Haag: Ministerie van Onderwijs, Cultuur en Wetenschap, 2007.

– 66% of those aged between 15 and 65 years – is on a par with the rest of the EU, the number of hours worked by women in paid labour is not. The Netherlands has a relatively high percentage of part-time jobs, and the vast majority of these are occupied by women. On average, female employees in the Netherlands work just under twenty-five hours a week, while male employees average just over 37 hours a week. Women with children, in particular, work few hours: 88% of the mothers with two children, for example, works less than 24 hours a week.³

One of the consequences of the relatively high percentage of women in part-time jobs is that women – and particularly women with children – remain dependent of a male breadwinner. Of all the women in the Netherlands in the age bracket of 15 to 65 years, only 42% earns enough to support herself.⁴ Another consequence is that much potential paid labour (and hence income taxes, social premiums and spending power) remains dormant, which not only the Dutch cabinet but the European Commission as well sees as cause for concern, given the impending retirement of the baby-boom generation.⁵ To ensure a sufficient supply of paid labour in the future, and to reduce the future number of divorced and widowed women dependent of state support, the Dutch cabinet has resolved to motivate women to work more hours.

Like earlier policy documents regarding women and paid labour in the Netherlands, this one too acknowledges the tension between paid employment and unpaid commitments, and the consequences of this tension for women. It moreover acknowledges that women not only experience problems combining paid work with childcare, but that moral commitments to look after elderly and/or disabled family members hinder their performance in paid employment as well (p. 33). If the present cabinet wishes women to spend more time out of their homes working in paid employment, it will somehow have to compensate for the time that is no longer available for unpaid commitments. However, while enumerating detailed plans for improving and extending child care facilities, this most recent policy document remains quite vague on the issues of housework and care for elderly and disabled

³ SCP: *Moeders, werk en kinderopvang in model*. Den Haag, 2007.

⁴ *Emancipatienota 2008-2011*, p. 22.

⁵ European Commission, *The demographic future of Europe: problem or challenge?* Comment (2006) 571.

relatives. Surprisingly, no suggestions are made to increase men's participation in the realm of unpaid care and household chores – the preferred option in previous emancipation policy documents. On the contrary, to the extent that a solution is being sought, it is being sought in the stimulation of a market in household services (house cleaning, childcare and odd jobs around the home). It remains unclear however how this cabinet intends to realize this aim (see p. 26). Possibly the expressed plans to “activate” 75,000 welfare recipients and 25,000 (particularly immigrant) housewives, to encourage unemployed (immigrant) women to set up business for themselves, and to engage 50,000 immigrant women in volunteer services, are meant – in part at least – to help generate supply for this “segment of the lower bracket of the labour market” (p. 26; 48-49).

In this paper I shall describe the legal context in which household services are presently being performed within Dutch homes. As I shall try to make clear, this legal context is layered, complex and in a state of flux. It involves family, market and bureaucratically regulated relations that not only complement each other but also interfere with each other and overlap. There is pressure both to regulate and to deregulate, and there are conflicting interests involved.

One development that is not referred to at all in the emancipation policy documents quoted above, is the growing role played by migrant workers – and particularly undocumented migrant workers – in this sector. After having charted the changing landscape of the regulation of household services in Dutch homes, I shall therefore also discuss recent proposals to reform the regulation of labour migration to the Netherlands from outside of the EU. How do these two fields of law – the regulation of household services and the regulation of labour migration – relate to each other, and how might the current changes in this legal context affect those migrants from outside of the EU who provide household services in Dutch homes?

The partial regulation of household services in Dutch homes

During the first decades following the second world war, household personnel remained largely excluded from the growing system of safeguards and securities

offered by the Dutch welfare state. For those working only a few days a week in any given household, this is still largely the case.

In 1967 Dutch social security laws were reformed such that only workers employed for less than three days a week remained excluded from unemployment and disability insurance.⁶ These workers also continued to miss health insurance and any claim to an old age pension on the basis of their employment. While the employer remained completely exempt from the obligation to pay any social premiums or taxes over her employee's salary, the employee herself was expected to declare her income for tax purposes (although up until 2001, Dutch tax laws still favoured married women with a small income). In 1989, Dutch labour law was similarly reformed such that only employers hiring household personnel for less than three days a week continued to be exempt from the obligation to procure a permit from the labour market authorities before firing an employee.⁷

This exceptional status has been subject to debate from time to time, especially once it came to apply to people providing household services to the aged and the infirm. In 1993 people employed for household services were brought under the working of the Dutch minimum wage.⁸ But in other respects, those working on a part-time basis have actually come to enjoy less protection, rather than more. As of March

⁶ Eva Cremers & Rikki Holtmaat: De rechtspositie van huishoudelijk personeel. Notitie in opdracht van de FNV. Amsterdam: FNV, 2002 (unpublished?) p. 5.

⁷ Cremers & Holtmaat, p. 3-7. See also: Suzanne Burri: Tijd delen. Deeltijd, gelijkheid en gender in Europees- en nationaalrechtelijk perspectief. Deventer: Kluwer, 2000. p. 538-555; Saskia Peters....

⁸ One of the consequences of the specific regulation of household services is that many people in the Netherlands assume that the people who do this work lack the status of employee, and enjoy no labour rights at all. See for example Peter van Nes et. al., who conclude that since a person who is employed in a private home for two days or less was not covered by unemployment or disability insurance, he or she is not involved in a labour relationship [De markt voor persoonlijke dienstverlening, Sozawe, 2004, p. XV]. This however is a misconception. Although some people, namely those who provide services to a number of different households, might be seen as self-employed, most people engaged to perform personal services in private homes are assumed to be working on the basis of an employment contract. This means they do enjoy certain statutory rights namely: payment according to the Dutch minimum wage; an 8% vacation bonus; four weeks paid vacation per year; six weeks paid sick leave (art. 7:629 lid 2 BW - per geval of per jaar??); paid pregnancy and parental leave (7:629 nakijken - hoe zit het met ouderschapsverlof??); and safe working conditions. The employer is moreover obliged, when asked, to provide a written description of the tasks to be performed and to give one month's notice before terminating employment. None the less, although these workers do enjoy certain rights under Dutch labour law, their pay - and certainly their benefits - are less, and so is their job security, than it would be if they were to be employed by a cleaning company for example or health care centre and subsequently hired out to a private home.

1st 1996, for example, they were only entitled to a maximum of six weeks' pay in the event of illness, while regular employees are entitled to fifty-two weeks.⁹ Following the most recent debate concerning the position of workers in household services, the range of people falling under the exceptional status has even been expanded to include everyone working less than four days a week in a household, instead of just those working less than three days.¹⁰

There is no clear consensus as to why people performing household services on a part-time basis should be denied the usual forms of social security and protection against arbitrary end of contract. In Dutch jurisprudence it has at times been argued that the exceptional status is an expression of the specific nature of household tasks,¹¹ and at other times that it is an expression of the specific context in which this work takes place, namely the intimacy of the home.¹² Reasons named in political debates are that the employers, generally housewives, shouldn't be burdened with the costs and responsibilities of a regular employment relationship.¹³ Another argument is that the women performing this work are only working on the side, providing for some extra earnings next to that of their breadwinner husband.¹⁴

Recently such arguments have become less credible, given the growing pressure on women to become (co-)breadwinners in their own right. The tension between paid and unpaid commitments however remains, and the Dutch government is well aware of the fact that women will only participate in paid labour as long as their own net earnings are significantly higher than what they have to pay someone else to take over their responsibilities at home.¹⁵ Up until now however, the Dutch government has shown little inclination to redefine unpaid care and household services as a public responsibility, a burden to be shared collectively in the national

⁹ According to Cremers & Holtmaat, parttime workers in household services do remain covered by the minimal national disability pension, once they have been sick at home longer than a year. This insurance entitles them to 70% minimum wage (p. 7).

¹⁰ Article 5, Wet van 14 december 2006, houdende wijziging van enkele belastingwetten en enige andere wetten (Belastingplan 2007), Staatsblad 2006, 682.

¹¹ HR 23 november 1990, RvdW 1990,212.

¹² CRvB 29 april 1996, nr. 95/2907 WW.

¹³ I.P. Asscher-Vonk, 'Huishoudelijk personeel en de werknemersverzekeringen', SMA 1974 p. 578-587.

¹⁴ TK 1986/87, 19810, nr. 3, p.2.

¹⁵ emancipatienota p. 27

interest, rather than as a strictly private matter. If anything, the trend has been towards more privatisation, rather than less - as I shall try to make clear below.

The market for household services in the Netherlands

In the period directly following the Second World War, the demand for household services in the Netherlands decreased steadily. The vast majority of married women were full-time housewives, and a hired help was viewed increasingly as a luxury. Over the past few decades, however, things have started to change. While women have started to become more active on the labour market, there has been no concomitant increase in male involvement in unpaid care and work in the home.¹⁶ Instead, women have started to outsource tasks. While childcare is mostly being delegated to family members and day care centres outside of the home, women have started to hire people in their homes a few hours a week to assist them with household chores. While in 1980 only 6.3% of Dutch households employed the services of a hired help, by 2000 this percentage had nearly doubled to 12,3%.¹⁷ At the same time, the percentage of elderly persons (55 years or older) engaging the services of a paid help (with or without subsidy from the state) increased from roughly 20% in 1991 to about 25% in 1999. Remarkably, the increase in the percentage of elderly with paid assistance was not matched by a decrease in the percentage of elderly receiving voluntary aid from family members, which remained stable during this same period at about 12%.¹⁸ When unpaid services are included in the total volume of household services provided in the Netherlands, then published statistics indicate that 17% of all Dutch households engaged someone for household services in the year 2000, with the average number of hours worked per household amounting to 3.4.¹⁹ Recent figures suggest that the growth in this sector has stagnated since then.²⁰

¹⁶ Breedveld & van der Broek: *De tijd als spiegel. Tijdbestedingsonderzoek 2005*. SCP 2006.

¹⁷ Esther de Ruijter: *Household outsourcing (plaats; datum?)* p. 47

¹⁸ MMY Klerk: *Rapportage Ouderen 2001*, Den Haag: SCP, p. 197; 192.

¹⁹ SEOR (Sociaal en economisch onderzoek Rotterdam?): *De markt voor persoonlijke diensverlening*. Rotterdam: Erasmus Universiteit, 2004, p. 25.

²⁰ *Ibid* p. 26.

While the above quoted statistics suggest that roughly half of the household services being provided to the elderly in the Netherlands is being facilitated through the Dutch health care system and is, therefore, above board and involving declared labour, the rest of the market in household services is notoriously informal in character.²¹ Employers and employees approach each other via personal networks, internet, notice-boards in supermarkets or door-to-door flyers. Since most of the Dutch workers involved have nothing to gain from declaring their income to the tax authorities and some - particularly those living off welfare benefits and those illegally resident in the Netherlands - have lots to lose, they generally don't. Moreover, controls by tax and labour authorities occur seldom, if at all, due in part at least to privacy constraints.²²

Proposals for alternative regulation

Increasingly, the informal nature of employment in household services has been described as problematic. As the volume of work increases, so does the loss in revenue for the Dutch tax department, and the incidence of people on benefits earning "on the side". Just as problematic, from the point of view of the Dutch state, is the informal nature of recruitment channels. Because household services are provided in the home, and often in the absence of the regular inhabitants, trust is a key issue. Unless a worker is somehow connected to an employer's network, or strongly recommended by a member of her network, she may well hesitate to hire her.²³ As demand increases, personal networks no longer suffice however. The lack of a formal alternative, a certified intermediary for example or an employment agency, is seen as a possible explanation for the stagnating growth in this sector which, in turn, is seen as a hindrance for longer working hours for women in the Netherlands.²⁴ Moreover

²¹ Ibid p. v.

²² See for example a letter of the deputy ministers of social and financial affairs, addressed to the Dutch Parliament and dated June 9, 2006 (AM/AKA/06/46715), which points out the legal limits to controls in private homes.

²³ Esther de Ruijter: Trends in the Outsourcing of Domestic Work and Childcare in The Netherlands. Compositional or behavioral change? in *Acta Sociologica*, Vol 47(3), p. 219-234 (2004).

²⁴ The excess in demand is estimated at about 10%, and the limits of the informal market is named as the main cause for the shortage in supply. SEOR (op cit) p. viii.

household services are seen as a sector in which many presently unemployed persons with little or no qualifications could be put to work, and employment agencies and cleaning companies, seeing growth potential in this sector, are eager to play a more active role in recruitment (folder). They can't compete however with the salaries that are presently being paid to informally employed workers, in 2004 just over 8 euro an hour.²⁵

In 1998, the Dutch Ministry of Social Affairs introduced a special programme to facilitate a formally regulated market in household services on the one hand and to stimulate the employment of low-skilled workers on the other. The programme was known as the RSP programme: *Regeling schoonmaakdiensten particulieren* (loosely translated: cleaners for private homes). Cleaning companies were offered financial support so that they could hire out workers, at competitive prices, to private homes. A requirement was that those employed on the basis of this programme had been unemployed for at least six months, and that they be hired to work for at least twelve hours a week.²⁶

In the end, the RSP programme proved a failure. By 2004, only an estimated 5% of all household services was being supplied through this programme.²⁷ Even with financial support from the state, the cleaning companies were still not able to compete with the black market rates.²⁸ Moreover, and perhaps more to the point, few unemployed saw part-time work in household services as an effective route out of the "poverty trap",²⁹ while the employers of those hired through this programme complained that employees were undependable. There were complaints of people arriving too late or not at all; of lack of initiative and inability to work independently. Those working in the health sector, too, have reported that the pool of long-term unemployed is not necessarily a good source of labour for household services that,

²⁵ SEOR op cit p. 26. See also : Vraag en aanbod in de persoonlijke diensverlening: marktkontwikkelingen, belemmeringen en oplossingen. advies van de MDW-Werkgroep Persoonlijke Dientsverlening II, May 1 2003.

²⁶ Regeling van 12 december 1997, houdende regels voor subsidiering van schoonmaakdiensten bij particulieren staatsblad?); .

²⁷ SEOR op cit p. 33.

²⁸ Memorandum (notitie) of the Centraal Planbureau to the Dutch Ministry of social affairs and employment, April 29, 2005, p. 10.

²⁹ SEOR op cit p. 33

while not necessarily requiring a high level of schooling, is not unskilled work either. Workers in this sector must be able to establish and maintain social contacts, they must be responsible, independent, and systematic in their work habits.³⁰

Given the disappointing results of the RSP programme, the deputy minister of social affairs decided in the summer of 2005 to bring it to an end.³¹ The Dutch Raad voor Werk en Inkomen (RWI: Council for work and income) was asked to develop an alternative proposal for the regulation of household services. In January 2001 the RWI presented its proposal.³² The RWI's main concern was that any increase in the costs of household services above the current black market rate would result in a price level above the average net earnings of the women who were hiring in these services, making it no longer worth their while to do so. Rather than encouraging housewives to leave their homes for paid jobs, this would encourage working women to cut back on their working hours so they could save money cleaning their homes themselves - the exact opposite of what the Dutch government hoped to achieve.

With this in mind, the RWI recommended that the Dutch government adopt a dual approach. On the one hand the RWI recommended maintaining the existing possibility of hiring in household services on a part-time basis without having to pay any taxes or premiums and even extending this system in the sense that the employee be made exempt from paying income taxes as well, so that this work would become entirely de-fiscalised. This option would only be available for people working twelve hours a week or less, the idea being that their income would then be only partly dependent of jobs providing no form of social security. The RWI calculated that individual earnings would then amount to a maximum of 500 euro per month, and that resulting losses to state revenue due to unpaid income tax etc. would remain within acceptable limits. The RWI further recommended that all employers be required to draw up a written contract with the provider of household services, and that they be required to inform the tax department of the agreed salary. Employers who neglected to inform the tax department would no longer be exempt from having to pay taxes and

³⁰ Ibid, p. 74.

³¹ Staatscourant 13 juli 2005, nr. 133, pag 13.

³² RWI: Huis houden op de markt. Advies persoonlijke dienstverlening, January 26, 2006.

premiums. In this sense the current practice of informal employment could be formalised without losing its attraction for those concerned. None the less, the RWI warned, in order to be successful, the proposed system would require a higher degree of fiscal control than has until now been common in this sector.

In those instances in which a person worked more than twelve hours a week providing household services, his or her earnings should be fiscalised, in the vision of the RWI. According to this second variant that it put forward, the provider of household services, and his or her employer, would be required to pay taxes and social premiums as in any other regular form of employment. While the employee would be completely integrated into the Dutch social security system, the employer could be compensated for the extra costs through tax rebates. In this fiscalised variant, an employer who neglected to register with the tax department would lose his or her claim to such tax rebates.

These recommendations were rejected by the deputy ministers of social and financial affairs in a letter to the Dutch parliament, dated June 9, 2006, on the grounds that they would lead to the legalisation of illicit transactions. In the opinion of the two deputy ministers, this could only result in a further distortion of the market relations in this sector. Instead, they proposed to extend the existing possibilities for hiring help in the home without having to pay any taxes or premiums. The period for which such contracts could be engaged in was to be expanded from two days a week to three, and all possible services within the home were to be included, not just household chores. These proposals were brought into effect via a reform of the Dutch tax law, as of January 1st, 2007.³³ Thus, in the end, very little changed. If anything, the regulatory scope for providing household services via the informal market was increased, rather than decreased, as the RWI remarked in a follow-up report that it brought out on request of the Dutch Parliament.³⁴

³³

Staatsblad 2006/682

³⁴

RWI: Huis houden op de markt (2), November 2006, p. 5.

Household services provided via the health sector

This trend towards increased privatisation and deregulation of household services is also evident in the Dutch health care system. As mentioned above, elderly and infirm people requiring help with household chores can have the provision of such help facilitated through the Dutch health care system that, moreover, also covers an important part of the costs. Since 1977, the Dutch state has used the specific regulation of household services in private homes to reduce the costs involved in providing such services to the elderly and the infirm.³⁵ Where before people employed by health care centres might have been hired out to people in need of help, after 1977 the health care centres only acted as intermediaries, providing a worker who was subsequently hired two days a week or less by the person in need of household services.³⁶ The costs involved were subsequently declared to the health centres, who reimbursed those costs to a greater or lesser degree, depending on the income of the client. Like anyone else providing household services on a part-time basis, the workers involved were excluded from social insurances and the normal degree of job security. Because of their embeddedness in the health care system however, they did still enjoy certain advantages. For one thing their salary was set at a statutory minimum (currently 12.20 euro per hour bruto). For another, their employer was obliged to fill out a standard labour contract in order to qualify for restitution of (part of) the costs involved.

Next to these so-called Alpha-helpers, who had no special qualifications, health centres did still continue to employ care workers with a rudimentary training in nursing skills. They were also sent out to private homes and did much of the same work as the Alpha-helpers, but were also qualified to provide some physical care. The difference in working conditions between these two groups however was considerable. As employees of a health centre, the care-workers enjoyed full social and job security, and had better access to training facilities than did the Alpha-helpers.

³⁵ Cremers & Holtmaat, op cit, p. 11.

³⁶ Since January 1st 2007: three days a week or less.

Moreover collective labour agreements applied, and their hourly wages were higher than those of the Alpha-helpers.

These differences in employment conditions between two groups performing largely the same type of work has repeatedly formed a topic of controversy, and at one point the Dutch cabinet did suggest that Alpha-helpers should be offered a choice between being employed by a health centre, with all the securities and opportunities that this implied, or staying in the more flexible position of a worker under the household services regime.³⁷ In the end however the then acting (deputy?) minister Vliegthart informed the Dutch Parliament that it would be too expensive for the health care centres to hire the Alpha-helpers as regular employees. Moreover, research had indicated that these women only worked an average of 5.4 hours a week, so that the need to increase their level of social and job security didn't seem all that urgent after all.³⁸ In practice however, health care centres did actually favour care workers over Alpha-helpers, so that the vast majority of people engaged via the Dutch health care system to provide household services to the elderly or the infirm were in fact directly employed by health care systems, with all of the advantages that this implied. By 2006, only 20% of the people entitled to state sponsored help in the home was employing the services of an Alpha-helper, while 80% was receiving assistance from a care worker, employed by a health care centre.³⁹

Meanwhile, in 1995, a system of personal budgets had been introduced, making it possible for people to hire an Alpha-helper, care worker or even a qualified nurse directly, without having to wait for referral by the health care centres.⁴⁰ These costs, too, could be declared, and again, the amount to be reimbursed depended on the income of the person involved.⁴¹ For people with a relatively high income it could in fact be cheaper and less cumbersome to hire someone informally, rather than apply

³⁷ Suzanne Buri: *Tijd delen. Deeltijd, gelijkheid en gender in Europees- en nationaalrechtelijk perspectief*. Deventer: Kluwer, 2000. p. 545.

³⁸ TK 1998/99, 26 206, nr. 9; vindplaats Vliegthart 2 april 2002?.

³⁹ Sandra Olsthoorn. *Balanceren met zorg*, in: *Binnenlands Bestuur* vol 36 (?) nr. 35 (august 31, 2007), p. 8-11.

⁴⁰ Remarkably, people could also apply for money to pay for help provided by family members. An opportunity was thus created to bring unpaid labour provided in the context of mutual family obligations into the sphere of paid labour. See further: Cremers & Holtmaat, op cit.

⁴¹ Klerk, op cit, p. 195.

for a personal budget or for care provided directly via the health care centres.⁴² In 2004 the financial threshold was further raised, excluding more people from state financed care. At the same time, personal needs came to be more sharply defined. Anyone with a partner for example would henceforth be excluded from state reimbursement of the costs involved in hiring someone to help with household chores.⁴³ Interest groups representing family members who provide unpaid help to their elderly and infirm relatives complained that their workload increased considerably as a result of these measures.⁴⁴ Marketing research moreover indicates that while the more affluent among the elderly and the infirm are replacing state sponsored care with privately hired paid help, for the less affluent, state-supported help figures largely as a supplement to still widely prevalent unpaid care.⁴⁵

So while the informalisation of paid care work via the Alpha-helper construction did not take on very dramatic proportions up until 2007, the importance of informal care provided by family and friends and/or undeclared paid labour did remain significant and, if anything, increased following the stricter rules introduced in 2004.

Decentralisation and further privatisation of household services in the health sector

As of January 2007, a new regime has become effective, following the introduction of the Wet Maatschappelijke Ondersteuning (WMO: Law on social support),⁴⁶ a law designed among other things to decentralise the provision of state sponsored household services to the municipal level and to make the market in these services more competitive.

⁴² J. Timmermans & I. Woittiez. Advies ramingen verpleging en verzorging. Den Haag: Sociaal Cultureel Planbureau (SCP), 2004, p. 7, 15.

⁴³ E.W. Wolffensperger et al. Werkdocument Gebruikelijke Zorg in de praktijk. Onderzoek naar de effecten van de invoering van het Werkdocument Gebruikelijke Zorg in de uitvoeringspraktijk van de indicatiestelling van de AWBZ. Groningen: Gino, p. 34-35.

⁴⁴ Ibid, p. 75.

⁴⁵ M.M.Y. de Klerk & R. Schellingerhout: De on vervulde behoefte aan thuiszorg onder niet-gebruikers, in: TSG (Tijdschrift voor Gezondheid [?]), volume 85 (4), (2007), p. 214-220, p. 214.

⁴⁶ Wet van 29 juni 2006, houdende nieuwe regels betreffende maatschappelijke ondersteuning (Wet maatschappelijke ondersteuning), Staatsblad 2006, 351.

From the start, it was clear that an important aim of this decentralisation project was to reduce the costs involved in providing household services to the elderly and the infirm. In a letter addressed to the Dutch parliament, in which they first announced their plans for this new law, the deputy minister and minister of health, welfare and sport emphasised that care provisions in the Netherlands were becoming too costly and that it would not be possible, in future to continue offering the same level of services. Subsidised household services, in particular, would have to be drastically decreased, and people would have to become more active in recruiting support from their personal networks. Household services were no longer to be compensated via the national health care system, but would have to be made the responsibility of the municipalities. They would have to develop the necessary strategies to meet the existing demand with a set budget. On the one hand they would be required to apply for tenders. This meant that cleaning companies, for example, would be able to compete with the traditional health care centres for contracts to provide household services in private homes. At the same time, municipalities were also expected to promote and facilitate various forms of unpaid care and support, as part of a broader campaign to revitalise the “civil society” on the local level.⁴⁷

By now, nine months after the implementation of the WMO, it is becoming clear that the decentralisation of household services as part of the national health services regime has had far-reaching implications. Many workers who previously were employed by health care centres as care workers have been fired, and replaced by - or “re-hired” as - cheaper and less secure Alpha-helpers. In some municipalities, the personal budgets being granted to people for household services are considerably less than they would have been under the old system, sometimes to such an extent that it became impossible to engage the help that was needed. Some care providers put in

⁴⁷ Letter to the Dutch parliament from the Ministry of health, welfare and sport, nr. DVVO-U-2475093: “Op weg naar een bestendig stelsel voor langdurige zorg en maatschappelijke ondersteuning”, April 23, 2004.

such low tenders, that they have subsequently gone bankrupt, resulting in even more redundancies.⁴⁸

Two changes in the organisation of care in Dutch homes lie at the source of most of these problems. First of all, the procedures for determining entitlement have been changed. Before, people in need of care were referred to regional offices of a diagnostic organisation (CIZ: Centrum Indicatiestelling Zorg) that advised on the minimum level of care to be provided. Health care centres, working on the basis of an open budget, subsequently decided what level of care they were prepared to provide. In many cases where an Alpha-helper could have provided the required minimum, the centres would none the less elect for the better qualified care worker who could offer basic personal care if needed and, equally important, could monitor the client's condition and warn the health care centre when more professional care was needed.⁴⁹

Now the municipalities are the ones who decide what degree of care is to be subsidised, on the basis of the advice provided by the CIZ. Given their budgetary constraints, when the CIZ names household services as the minimal level of care that is to be provided, this is all the municipalities are prepared to fund. As a result, in many instances where formally care workers, employed by health care centres, would have provided household services, these services are now to be provided by the cheaper and less secure Alpha-helpers.⁵⁰ While many care workers are being made redundant, it is becoming increasingly difficult to meet the growing demand for Alpha-workers. In some municipalities, projects are being set up to channel the long-term unemployed (including housewives) into this sector.⁵¹ Given the failure of the RSP programme, one may well question the practicality of such projects.

⁴⁸ Topman weg na problemen in thuiszorg, NRC October 9, 2007; Bij thuiszorg zal weinig veranderen: Parool, October 11, 2007; Actie tegen marktwerking in de thuiszorg: FNV VrouwenMagazine, June 2007; Olsthoorn op cit.

⁴⁹ Olsthoorn op cit.

⁵⁰ Research voor Beleid: Aanbesteding Hulp bij het Huishouden. Eindrapport. Leiden: March 29, 2007.

⁵¹ "Uit de bijstand naar de thuiszorg": Binnenlands Bestuur June 15, 2007 Vol 36 - ? - nr. 24).

These developments have led to protests from both the clients and the workers involved, and some people have even gone to court.⁵² Up to now however the present deputy minister of health, Jet Bussemakers, member of the Dutch Labour Party, continues to support the WMO operation. While she has increased the funds that municipalities may spend on providing care, she takes no further responsibility for the problems that are emerging around the provision of paid household services to the elderly and the infirm. Her position is that it is up to the municipalities to pursue a realistic course in setting out tenders, and that it is up to them to decrease the demand for paid help in the home by further facilitating unpaid care provided by family and volunteers.⁵³

The proposal put forward by the RWI, with its defiscalised and fiscalised approaches to household services, had been designed, among other things, to facilitate the professionalisation of Alpha-helpers by opening up a channel for them to regular employment within the health care system. The WMO has in fact resulted in the opposite. Care workers, modestly qualified but in position to embark on a career in the nursing profession, are now being replaced by unqualified Alpha-helpers, or forced to continue in their old job, but then as Alpha-helper instead of as a formally employed care worker. Moreover, while before Alpha-helpers were at least affiliated with the nationally organized health centres, they have now been relegated to a separate segment of the market in household services, organised on the municipal level, and oriented towards cleaning companies and temporary employment agencies rather than the professional nursing sector. Instead of a possible first step on the way towards a career in health care services, work as an Alpha-helper has become pretty much of a dead-end street offering no other career perspectives than, at best, casual employment by a cleaning company. Moreover, as pressure on public funding increases, those in need of care may well become even more inclined to fall back on

⁵² June 29, 2007, the district court of Groningen ruled that the personal budget accorded to the plaintiff by the municipality was too limited to allow him to engage the required care and that, moreover, the procedure for determining the level of care needed was too superficial (AWB 07/632 WMO).

⁵³ 'Ik blijf bijsturen': interview with Jet Bussemaker, published in: *Binnenlands Bestuur*, vol 36 - ? - nr. 26 (29 juni 2007), p. 42-45; NRC 10 October 2007: "Mantelzorg moet gestimuleerd."

black market and unpaid providers of care than is already the case. Even within the subsidised health care system, the formalisation of household services seems to have become an unlikely scenario.

Undocumented migrant labour in household services

The past twenty years there has been growing anecdotal evidence that undocumented immigrant women are playing an increasingly important role in providing paid household services, but up until now, there has been surprisingly little attention for this fact, nor for the challenges it might raise for anyone wishing to formalise this sector.⁵⁴ The (largely quantitative) reports on household services in the Netherlands most often quoted in policy documents persist in their assumption - based on statistics dating from the 1990's - that this work is almost entirely being performed by Dutch citizens, of Dutch ethnic origin.⁵⁵ This is all the more remarkable since, as I shall argue further on, it is exactly the informal nature of this work, and the intimate context in which it takes place, that has made it so attractive for undocumented migrant workers - particularly the women among them, since most tasks regularly performed in the private home are still perceived of as women's work. Equally remarkable is that mainstream research on undocumented migrant labour in the Netherlands has also remained almost completely silent on the topic of household services.⁵⁶

Recently however some qualitative research is being done among people performing household services in private homes. Two PhD studies are still in the make,⁵⁷ and at least one masters thesis has been completed.⁵⁸ Besides these theses,

⁵⁴ Neither the RWI, for example, nor two feminist lawyers who wrote up a report on this sector for the Dutch labour union FNV (Cremers & Holtmaat, op cit) take into consideration that their proposed law reforms will apply to a sector consisting largely of undocumented migrant workers.

⁵⁵ See for example the SEOR report, already quoted above, that was published in 2004.

⁵⁶ See for example: J.Ph. Visser & R.G. van Zevengergen: *Illegale tewerkstelling verkend*. Ministerie van Sociale Zaken en Werkgelegenheid, 2001; G. Engbersen et al: *Illegale vreemdelingen in Nederland. Omvang, overkomst, verblijf en uitzetting*. Fotterdom: RISBO Contractresearch BV/Erasmus Universiteit, 2002; Jasper Dijkema, Peter Bolhuis & Mirjam Engelen: *Grenzen verleggen. Een onderzoek naar grensoverschrijdende arbeidsbemiddeling* in 2006. Leiden: Research voor Beleid, 2006.

⁵⁷ Sjoukje Botman, University of Amsterdam, is researching the household services market in Amsterdam from the perspective of both employees and employers; Cathalijne Pool, Radboud

there is also a report based on a survey and in-depth interviews carried out by a Philippine organisation, CFMW, and a report brought out a commercial research institute on au pairs working in the Netherlands.⁵⁹

These studies reveal that, in the larger cities at least, household services provided on the black market (i.e. not via the subsidised channels of the health care system) are almost exclusively being performed by undocumented migrants - largely, but not exclusively, women.⁶⁰ The same may well be true of the more affluent suburbs.⁶¹ The nationalities of the women involved vary considerably. The researchers quoted here refer to: Philippine's, Indonesians, Koreans, Chinese, Ghanaians, Nigerians, Moroccans, Poles, Lithuanians, Russians, Ukrainians, Slovaks, Croatians, Columbians, Venezuelans, Brazilians, Ecuadorians and Surinamese. They even mention some people from Germany and Portugal, but very few people with the Dutch nationality and none of Dutch ethnic origin, although one study (namely that of Sjoukje Botman) is not specifically focused on migrant workers, but on the household services sector as a whole in the city of Amsterdam.

A number of the foreign workers interviewed in these studies, particularly those originating from the Philippines or Eastern Europe, first came to the Netherlands as an au pair and subsequently, after having spent a year here as a live-in nanny and help in the home, moved on to work as a live-out domestic worker, often sharing an illegally sub-let apartment with others of the same national origin and earning their keep by working a couple of hours a week for various employers at once. These employers were not all private persons. Some women combined work as a domestic worker with clandestine jobs in hotels, bars or restaurants, for example.

University Nijmegen, is researching the experiences Polish migrants had of their stay in the Netherlands before they were granted unconditional access to the Dutch labour market. Draft versions of chapters of both theses in author's possession.

⁵⁸ Sabrina Marchetti: We had different fortunes. Relationships between Filipina domestic workers and their employers in Rome and Amsterdam. Masters thesis written for the Women's Studies Department of the University of Utrecht, 2005.

⁵⁹ MDW's Visible and Making a Difference. CFMW Research Report on Migrant Domestic Workers (MDWs) in the Netherlands. Amsterdam: CFMW, 2005; Frank Miedema, Bob Post & Clara Woldringh: Voor geld fo Van Gogh? Au pairs en hun gastgezinnen in Nederland. Evaluatie au pair regeling. Nijmegen: ITS, 2003.

⁶⁰ Botman, op cit.

⁶¹ Pool, op cit.

All of the quoted studies name the advantages, for undocumented migrants, of providing household services in private homes. Dutch labour migration rules are strict. Employers are only allowed to hire immigrant labour from outside of the EU if they can prove that there is no Dutch or EU labour available for the function in question. Moreover, since 1992, people in the Netherlands have to give proof of legal residence in order to qualify for a social security number, while employers are obliged to keep records on the nationality and residence status of their employees. The result is that if an undocumented migrant wishes to access the formal labour market in the Netherlands, he or she must first beg, steal or borrow the papers of a legal resident. This can result in a very dependent relationship between the undocumented and the legally resident person, and the undocumented party can be forced to relinquish a sizable portion of his or her earnings to the rightful owner of the papers involved.⁶² Those who work in the household services sector, however, where informal labour is the norm and demand is high, are not so dependent of an intermediary, and can keep their earnings for themselves. Moreover, while the Dutch labour inspection is quite active in controlling other sectors like agriculture, construction or restaurants, controls of household services provided in private homes are virtually non-existent.⁶³

There are disadvantages to this work however, and also significant differences among the experiences of the workers involved. A common experience of all domestic workers is that the intimate nature of their workplace, and the degree of mutual trust that their work requires, can result in a very specific and un-businesslike relationship with the employer. This can work to the advantage of the domestic worker, for example when her employer feels morally compelled to help her out with personal problems, but it can also work to her disadvantage, since employers may

⁶² Besides on the literature quoted here, this observation is also based on interviews that I have held myself with Ghanaians residing in Amsterdam. One woman for example has worked for eight years on “rented” papers, and has calculated that, in total, she has paid her intermediary € 50,000. –for the use of her social security number, passport etc. This same woman told the story – that has also been confirmed by another person I interviewed – of a young man who had also “rented” someone else’s papers in order to work in a regular job. When the intermediary refused to book over the agreed percentage of the earned wages to the young man who had actually done the work, the latter tried to take action but subsequently got involved in a fight, and was stabbed and nearly died.

⁶³ C.f. Pool, op cit. Interestingly, this is not the case for undocumented migrant men performing odd jobs in private homes. These migrant workers have been caught, and their employers fined for considerable sums of money. See for example: ABRvS: 2 augustus 2006, JV 2006/360.

come to see the domestic worker as a “member of the family”, who performs tasks in the context of mutual moral commitments, and not on the basis of a set contract.⁶⁴

Problems common to all undocumented workers in this sector who, other than citizens and legally resident migrants, tend to do the work full-time and not “on the side”, are the health risks involved, job insecurity, problems in negotiating vacations and time off, and the lack of perspective of ever being able to move on to another type of job. Furthermore, while Dutch citizens and legally resident migrants are often employed in work involving intense personal contact with young children or elderly persons, most undocumented workers are only hired to perform household chores in the employers’ absence. This work is physically demanding, emotionally not very rewarding and decidedly lonely.⁶⁵

Like all undocumented workers, undocumented migrant domestic workers have to deal with the fact that they have no protection against loss of income due to illness or unemployment, that their personal savings form their only security for their old age, that they are unable to legally rent a place of their own – and are hence very dependent of irregular landlords – , that they have no access to regular health insurance (at best a relatively expensive insurance for tourists and/or ex-patriates), that they cannot open a bank account in their own name, and that any contact with police and/or labour inspection can result in detention and/or deportation. Those who have to comply with visa requirements moreover feel limited in their freedom of movement. Should they return home to visit their family after having overstayed their first visa, chances are they won’t succeed in acquiring a new visa to visit the Netherlands.

Next to these shared experiences, there are also differences. Some migrant domestic workers seem to enjoy a better bargaining position than others. Polish and Philippine women, and particularly those who are well educated and who have a good command of the English language, seem to have less trouble finding employment than

⁶⁴ Marchetti, op cit. See also: Anderson, op cit.

⁶⁵ Botman, op cit; CFMW, op cit.

Ghanaian workers for example, and they are also able to negotiate higher salaries.⁶⁶ Philippine domestic workers in particular have access to well established organizations in the Netherlands. One of these, CFMW, has been active in approaching the Dutch labour unions. In reaction, the union representing health care workers, the Abva Kabo, has agreed to open up membership for undocumented domestic workers, to provide them with legal counselling and to offer them free Dutch language instruction – although it should be pointed out that this decision has met with considerable controversy within the Dutch labour union movement. More than three hundred migrant domestic workers – most of Philippine origin – have subsequently joined this union. Together with a number of Philippine organizations, the Abva Kabo is presently trying to devise strategies that could lead to the regularization of migrant domestic work in the Netherlands, or at least to some form of improvement in the position of these workers.⁶⁷ This is no easy task however, given the present protectionist climate in the Netherlands and the lack of consensus, within the Dutch labour movement concerning the issue of labour migration.

Household services and Dutch labour migration policies

Current Dutch labour migration policies do not allow for the legal employment of workers from outside of the EU in the household services sector. Granted, a sizeable number of people come to the Netherlands yearly to stay there as au pair.⁶⁸ However the whole point of the au pair programme is to offer young people a relatively inexpensive way to spend a year abroad, doing some babysitting and/or light household chores in exchange for room and board, not to facilitate labour migration. In fact, as soon as an au pair relationship takes on the character of regular employment, the employer is in transgression of Dutch labour migration policies, and the employee is an over-stayer, illegally resident and employed in the Netherlands.

⁶⁶ CFMW, op cit, and Pool, op cit. This has also been confirmed by Ghanaians whom I have interviewed.

⁶⁷ Information based on interviews that I have held with Abva Kabo officials, and meetings that I have attended, that were organised by the Abva Kabo together with organisations of Philippine migrants.

⁶⁸ More than 1500 in 2002 (Miedema, Post en Woldringh, op cit, p. 8)

Moreover, access to the au pair programme is limited. In order to qualify, the au pair must be older than 18, younger than 26, single and childless. Her residence permit is valid for one year, and cannot be extended.⁶⁹

Two facets of Dutch labour migration policy make regular employment of workers from outside of the EU in household services problematic. First of all, in order to qualify for a permit to employ a worker from outside of the EU, the employer will have to be able to convince the Dutch labour market authorities that there are no Dutch or EU workers available who can do the job. Employers have, in the past, attempted to acquire a permit on these grounds, but failed. Because providing household services is considered to be unskilled labour, and because the majority of the unemployed in the Netherlands are unskilled, the dominant assumption is that there is a sufficient supply of labour.⁷⁰ In this respect, it should be noted that employers in other sectors (the shipping industry, transport and the meat industry, for example) have been successful in lobbying for exemption from the requirement that they give proof of insufficient supply of labour on the Dutch and EU market. Against the current background of a government that wishes to stimulate women to take on paid employment on the one hand, and to reduce the costs involved in providing household services to the elderly and the infirm on the other, a lobby to exempt the household services sector as well might succeed. However the (potential) employers in this sector - most of them individual housewives - are not the most likely candidates for a well-organised and aggressive lobby campaign.⁷¹

There is, moreover, another factor that makes the legal employment of workers from outside of the EU in this sector problematic, and that is that anyone applying for a permit to hire such a worker must be prepared to pay that worker a salary equal to at least the Dutch minimum wage.⁷² As explained above, the dominant

⁶⁹ Article 3.43 lid 1, onder 3, Vreemdelingenbesluit 2000; Chapter B7/2.1 and B7/2.3; Uitvoeringsregels Wet Arbeid Vreemdelingen, onder 31. See also: Kuijer and Steenbergen: *Nederlands Vreemdelingenrecht*. Den Haag: Boom Juridische uitgevers, 2005, p. 257-258 and Miedema, Post and Woldringh, op cit.

⁷⁰ Tesseltje de Lange. *Staat, markt en migrant. De regulering van arbeidsmigratie naar Nederland 1945-2006*. Den Haag: Boom Juridische uitgevers, 2007, p. 306.

⁷¹ Ibid, p. 306.

⁷² Article 8 paragraph 1, sub d, Wet Arbeid Vreemdelingen.

pattern in the Netherlands is that a foreign domestic worker is not hired full-time by one employer, but for a few hours a week by many employers - none of whom is likely to pay enough to qualify for an employment permit.

Alternatively, a domestic worker from outside of the EU could apply for a permit as a self-employed person. In that case, however, similar problems arise. The migrant domestic worker would have to convince the Dutch authorities that her business activities will serve a fundamental economic need. Again, in the current political context, this might conceivably be possible. But here again, income requirements apply. On the basis of a business plan, the migrant domestic worker will have to be able to convince the Dutch authorities that she will be sufficiently solvent.⁷³ Given the prevalence of undeclared labour in this sector, and the obligation, of the self-employed, to charge added value tax on top of their personal earnings, it won't be easy for a migrant entrepreneur to compete with the going rates in this sector and still run enough of a profit to qualify for a residence permit. The low prices charged on the black market were, after all, one of reasons why the RSP project failed.

Proposed reforms of Dutch labour migration policies

In May 2006, the then acting minister of immigration and integration affairs, Rita Verdonk, launched a proposal to reform Dutch immigration policies, and particularly the regulation of labour migration.⁷⁴ According to this proposal, labour migrants are to be divided into three categories. The first category consists of workers to be admitted on a temporary basis: au pairs, students coming over on Working Holiday Schemes etc., seasonal workers, workers formally employed abroad but hired out temporarily to a client in the Netherlands, and workers employed in the context of third world development programmes. Any Dutch company wishing to take on someone from this category as an employee will still have to apply for an employment permit, but the proposal does not stipulate explicitly that such a permit will only be

⁷³ See: Kuijer & Steenbergen, op cit, p. 243-246.

⁷⁴ Naar een modern migratiebeleid. Notitie over de herziening van de reguliere toelating van vreemdelingen in Nederland. TK 2005/2006, 30573, nr. 1.

granted if there are no Dutch or EU workers available to do the job. Migrant workers belonging to this first category will be given a residence permit for the length of their employment, but not for longer than one year. Once back in their country of origin, they can apply for a new one-year permit - with the notable exception of au pairs who cannot be admitted a second time around. Even after repeated stays in the Netherlands, workers belonging to this first category will not be able to qualify for permanent residence. Nor will they be able to qualify for family reunification or welfare benefits. In fact, the suggestion is made that this first category is to be excluded from all forms of social security.⁷⁵

The second category is to include both students and those workers for whom there are no substitutes available on the Dutch or EU labour markets. These migrants are to be given a residence permit for the duration of their study or employment, and they will, in due time, be able to qualify for permanent residence. They will be able to accumulate social security rights, but reception of welfare benefits can lead to deportation. This category is to be entitled to family reunification. The third category, finally, is to be reserved for talented academics and highly skilled workers and professionals. Employment of these migrants will not be made subject to a permit, nor to examination of the labour market situation. These migrants too will be able to qualify for permanent residence, cumulative social security rights and family reunification.

While this three-tiered system has been presented as a radical diversion from the already existing policies, it is in fact in many ways a codification of current practice. Already, only a select group of migrant workers is being allowed to extend its residence long enough to qualify for permanent residence and family reunification, while those active in the top segment of the labour market have already been made exempt from an employment permit and the labour market check.⁷⁶ More innovative,

⁷⁵ Ibid, p. 21.

⁷⁶ See Kuijer en Steenbergen op cit p. 602-603; p. 236-237; see also: Theo Veld: Effecten van Moderne Arbeidsmigratie. De achtergrondkenmerken van en inkomens gegenereerd door huishoudens van arbeidsmigranten toegelaten op een driejarige tewerkstellingsvergunning. Den Haag: Adviescommissie voor Vreemdelingenzaken (ACVZ), 2004, and: Tessel de Lange et al: Arbeidsimmigratie naar Nederland. Regulering en demografische en economische aspecten in internationaal vergelijk. Den Haag: ACVZ, 2003.

perhaps, than the proposed introduction of a three-tiered system of labour migration, is the introduction of a new figure, the “covenant-holder”. Agencies, companies or organisations who wish to sponsor a migrant student, worker or au pair will, according to this notion, have to enter into an agreement with the immigration authorities. Risks like unemployment or overstaying are to be for the reckoning of the “covenant-holder”. Covenant-holders who prove to be unreliable are to be blacklisted; the migrants involved are to be deported.

These proposals are still quite sketchy, and it is hard to predict just how they will be worked out in the months to come. My impression however is that employers - particularly the employers of the first segment of temporary labour migrants - are to be granted a more active role in regulating labour migration than is presently the case. This could open up opportunities for employment agencies wishing to place foreign domestic workers in Dutch private homes, and for those private employers affluent enough to hire a full-time domestic worker.

Given the general lack of interest, until now, in policy documents and mainstream literature on labour migration for household services, it is striking to note that the authoritative Sociaal Economisch Raad (SER: Social Economic Council, representing both employers’ organisations and labour unions), explicitly refers to this sector in its reaction to the proposed reforms of labour migration policies. The SER points out that the legal employment of foreign workers in household services will only be possible if the sector itself is regularised and that this is not likely to occur under the present regime. The SER expresses its support for the proposals made by the RWI, and suggests that under such a system, bilateral agreements could be made with certain third world countries to regulate the temporary migration of domestic workers - as part of the “first segment” in the proposed new labour migration system - in the context of third world development programmes.⁷⁷

⁷⁷

SER: Advies Arbeidsmigratiebeleid. Den Haag: SER, 2007, p.171 – 172.

Future scenario's

Given that the regulatory changes described here have only recently been implemented - or are yet to be worked out - it is too early yet to say how they will work out for people performing household services in the Netherlands. None the less I would like to point to a common trend, shared by all three regulatory developments, towards further segregation of the Dutch labour market. Thus the RWI's proposals to introduce a new form of regulation that could facilitate the integration of part-time providers of household services into mainstream labour relations was rejected and parried with new legislation that increased, rather than lessening, the scope for employment of workers in the home under less secure conditions than normally apply on the Dutch labour market. Similarly, the WMO has led to a reversal of the trend, within the Dutch health care system, to set in regular employees for the provision of household services in the private homes of the elderly and the infirm. Since this law has been implemented, the less secure Alpha-helpers have largely replaced the regularly employed care workers, while at the same time the Alpha-helpers have become disassociated from the health care sector, and linked to the more marginal cleaning sector. Finally, the proposed immigration law reforms represent a codification of an already effective segregation between the more skilled migrant workers, who are given the option of permanent settlement in the Netherlands and free access to the Dutch labour market, and the less skilled migrant workers who are limited to temporary residence, excluded (probably) from claims to social security and family reunification, and restricted in the array of jobs they can work in.

Alongside of this cumulative trend towards segregation, is also a trend towards greater dependency of workers in the household services sector vis à vis their employers. The expanded scope of the household service worker status, along with the dramatic increase in popularity of the Alpha-helper - following the implementation of the WMO - signify an increase in the number of workers in this sector lacking insurance against unemployment or loss of income due to disabilities, and enjoying relatively little protection against arbitrary termination of contract. And while the proposed increase of employers' involvement in the regulation of labour

migration may increase the likelihood of migrant labour in household services being legalized in future, it may also result in migrant workers becoming very dependent of the good graces of their employers for the realisation and the continuation of their legal right to reside in the Netherlands.⁷⁸ Moreover, the plans for legalisation as they now lie would not bring about much improvement in the social security situation of the workers involved except, perhaps, where it comes to health insurance.

These trends give some cause for concern. The regularisation and legalisation of work in the household services sector should not, in my view, be ends in themselves. Besides providing state authorities the necessary insight into labour relations so that they can collect taxes, monitor the labour market and mobilise housewives and unemployed persons to take on a paying job, regularisation and legalisation should also serve to strengthen the position of the workers involved - to increase their autonomy vis à vis their employer, to protect their safety on the job and secure their income in the event of unemployment, sickness, disability or old age, and to provide access to career opportunities that do justice to their talents and ambitions. I am not convinced, at this point, that the women presently performing household services in the Netherlands informally and/or illegally are going to be any better off under the new regimes than they have been up until now, while many people previously employed as care workers have already lost considerably more than anyone else has gained.

As women are coming to be seen as breadwinners in their own right, on a par with men, traditional notions of the gendered division of labour and the public/private divide stand under pressure. But if women are being taken more seriously as paid workers, the work they leave behind in the home is not yet being taken seriously as employment. What the regulatory moves described above make clear is that new lines of distinction are being formed, along lines of class, nationality and - most likely -

⁷⁸ That legal status in and of itself does little to alleviate exploitative labour relations is made evident by the problems experienced by those providing household services to diplomatic personnel. See: Mirjam van den Berg-Koning: *Huishoudelijk personeel rechteloos? Buitenlands huishoudelijk personeel in dienst van diplomaten: Een overzicht van de rechtsbeschermingperikelen onder het Nederlands recht*. Masters thesis law, VU University Amsterdam, 2007.

race,⁷⁹ to once more distinguish work being done in the intimate sphere of the home from the “regular employment” of (mostly) white middle class citizens and privileged migrants. Moreover, while some women’s work is being integrated into mainstream employment, those relegated to the world of household work (both as paid workers and as helpful family members or volunteers) continue to be predominantly female. Gender thus still plays a role in the division of paid and un(der)paid labour and the marking of the public/private divide, but the role that it plays is becoming more complex.

⁷⁹ Given the present Dutch cabinet’s speculation that the demand for household services can be met by mobilizing low-skilled housewives and unemployed, it is interesting to note that the majority of people included in these categories are of ethnic minority background. See for example: Saskia Keuzenkamp & Ans Merens: *De sociale atlas van vrouwen uit etnische minderheden*. Den Haag: SCP, 2006, pp. 80-90.

Women migrants in the Province of Asti: a non-national perspective

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Résumé / Abstract

The paper will draw on 42 in-depth interviews with (non-EU) migrant women in the Province (*Provincia*) of Asti (Piedmont, Italy), as well as on administrative data on female migrants in the Province. Contrary to much qualitative research, we decided not to focus our interviews on one or two nationalities. We believe that this selection of the object of study on the basis of nationality – in combination with quantitative data organized by nationality showing various differences according to national origin – runs the risk of encouraging interpretations which are *de facto* essentialist and culturalist (notwithstanding the explicit intentions of researchers). In our research therefore we contacted women selected randomly from lists of (documented) migrants in the Province. We believe in fact that it is more fruitful to treat the (average) national differences which emerge in terms of (say) employment and unemployment as facts to be explained, rather than elements in an explanation. It seems more useful to explain differences in the participation rates and employment patterns of women of particular nationalities in terms of factors which have been shown to explain labour market inequalities in general (among migrants as among natives): e.g., access to networks of information and contacts; availability of formal or informal services for care of children; human capital. This seems more fruitful than presupposing e.g. cultural resistance to women's employment among certain national or religious groups.

As is well known, the entry-point for women migrants into the Italian labour market is heavily concentrated in domestic work (or, to a lesser extent, in agriculture). One of the aims of the research was to gauge the signs of mobility out of domestic work, well known for its isolation, inadequate social contributions and for many other problems. Some very limited mobility was observed. However, younger women are advantaged over older women. Women who have come via family reunion often seem particularly isolated and to have little access to language skills and to job opportunities, even though they often try hard to get work. We argue that women of different ages and different migration trajectories form systematically different networks and this has effects on their work position. Occupational mobility to somewhat more secure positions (with social contributions, etc.) is probably too slow, and too likely to be interrupted, for some women: they will become old without pension rights.

Some (documented) women, e.g. working in agriculture, seem to tackle the problem of lack of integration in secure jobs by remaining in circular mobility.

The case for constructing a quasi-random sample – even in qualitative research

The presentation of official data and of research results on immigrants and immigration in Italy generally gives considerable prominence to nationality. With regard to official data collected on a national and local level by the Ministry of the Interior, and other government agencies, by charities like Caritas, prefectures, and a host of local and regional bodies in all fields, it has become almost routine to publish long tables listing numbers of migrants of individual nationalities in particular communes, regions, etc, in schools, among users of the health service or whatever. Sometimes (partly because the list of all nationalities is so long), it is broad groupings of nations or continents which are used (e.g. “sub-Saharan Africa”, “Asia”, “South America”) which are used instead. In meeting after meeting of national and local bodies, such tables are distributed to participants. For example the *Dossier Caritas 2006* (perhaps the most widely used source of up-to-date statistical information on migration in Italy, as well as providing authoritative information more generally) contained 38 tables based on national or regional origin of migrants; and apart from these tables, references in the text were innumerable.

This basically national classification appears to be a significant element in the way migrants and migration are conceived in Italy. In the same way as British classifications of migration are “racialized” (with categories such as “black Caribbean”, “Asian” and “white” being prominent in a very large number of tables and discourses and ethnic minorities being seen as divided into broad blocks according to ethnicity), so national (and continental) classifications constitute the main typology and way of classifying people in Italy. References to national “communities” (taking over the originally American terminology) are common in political discourse, and attempts to form contacts with community representatives are prominent in local political strategies. These kinds of presentations and practices are sometimes interweaved with reference to *etnie* – ethnic groups given a substantive form, almost as tribes or races. *Etnie* are in practice defined mostly in national terms

(unless the speaker happens to know from news coverage of evident “ethnic” splits in a particular country), and reference to *etnie* and to nations are often interchangeable.

Researchers sometimes murmur protest at the use of the noun *etnia*, and are aware of the complexity of “communities”. Nonetheless, national criteria remain important in research too. The constant availability of national data inevitably invites comparisons, and at the same time perhaps inhibits the use of other distinguishing criteria. And most qualitative studies tend to take a particular national group, defined by the fact of nationality as a coherent group, as defining their object of study.

The widespread use of nationality as an organizing principle in studies of migration, setting boundaries of research raises the question of a) the extent to which national groups can be treated as coherent social units; and b) of how and when national data should be used. Disaggregation of results by nationality (individuating, say, particular nationalities which have difficulties in schools, or vice versa, are particularly successful) can certainly be very stimulating. Indeed, we believe more use could be made of such comparisons. However, this is only true if national differences are treated as intriguing *explanandum* rather than *explanans*. At present, comparisons tend simply to be noted, rather than analysed – as though the existence itself of (say) good results of Chinese children in school or large numbers of Moroccan families in public housing or among the clients of social service departments, was a basic fact – due to the nature of Chinese or Moroccans or whatever; or at any rate due to some feature linked to national identity – some aspect of national “culture”, or perhaps due to stereotypes held by Italians regarding particular nationalities, etc. Such culturalist notions may not be stated explicitly, but so long as accounts stop at the point of merely noting differences, the implication is that nationality itself has explanatory value.

We believe that even small-scale qualitative studies may sometimes benefit from resisting the tendency to focus on one or two “groups” defined by nationality. In a small study carried out in the Province of Asti in the northern Italian Region of Piedmont (42 in-depth interviews with women of foreign and non-EU nationality in the lists of the local authorities), we therefore decided to take interviewees of all nationalities.

We also decided to start from lists of foreigners registered with the Ministry of the Interior (*questura*). So we started from official lists of all documented migrants, first requesting a random sample from the *questura* and then selecting randomly from this list to contact interviewees by telephone to ask for an appointment. This procedure produced considerable attrition: in order to produce our 42 completed interviews we contacted 156 persons. As experts on surveys in Italy have noted, in recent years, refusal rates have become alarmingly high (partly as a result of the extremely large number of commercial calls from “telesales” staff, who sometimes present themselves as conducting a survey). In addition, large numbers of the telephone numbers we had were out of date or no longer functioning; while others belonged to a husband or some other relative. The latter would sometimes mediate the contact with the woman on our lists, but often constituted a further barrier, adding their own skepticism to that the woman herself might have opposed to the researcher.

Even in times when refusal rates were very much lower than they are today, “random samples”, supposedly representative of a given population, were always an ideal to aim at rather than a fully-achieved reality (Marradi 1987, 1998). In cases like ours (but we are certainly no exception in recent sociological research), the claim of representativeness must be taken with a hefty pinch of salt¹. At the same time, however, we believe that our approach has major advantages over the snowball sampling used a little too automatically by qualitative research on migration². The snowballs in question tend to start from persons known to the researchers through

¹ For a full account of the procedures used in contacting the women in Asti, the difficulties encountered, the checks performed and the possible biases introduced by the high rate of refusals, see Montrucchio (2006). It was possible to compare our interviewees with persons who could not be contacted or refused the interview on a number of elementary variables such as age and marital status. Refusal rates do not seem to have been significantly higher among given groups in these terms, but there are no doubt more subtle differences.

² Eve (2007) emphasizes that the methods used to study migrants are consistently different from those used to study the general population in Western nations. Whereas for the latter, the most authoritative results tend to come from large scale surveys and censuses, for immigrants, snowball samples and local samples carried out in one particular city (known as a centre of settlement of a particular national “community”) are much more common. Methods like snowball sampling and restriction of interviews to one or two local areas make it easy to pick up connections with co-nationals/co-ethnics. In contrast, censuses and random surveys tend to make it very difficult to see social units wider than the household. Given this, the researcher is encouraged to concentrate on either individual level variables (for example, gender, occupation and class, educational qualifications) whereas network-level factors may not be considered.

their own personal networks or – very commonly – public figures who can be easily contacted and are likely to accept an interview and to provide the researcher with a few further contacts. Of course snowball samples make no claim to be representative; but in the present context, where we are worrying about the danger of using “national” characteristics as a key to interpretation to an excessive degree, snowball samples pose specific problems. First of all, interviewees in snowball samples by definition know each other – usually quite well (for people are cautious about imposing the presence of a potentially intrusive researcher on people they know only slightly). But in addition to this, in migration research one of the most common starting-points of snowball samples are *associations d’origine*. These are in fact obvious contact points for researchers who have defined their research object in terms of immigrants coming from a particular nation (or perhaps region). And, hoping for a little free publicity or contacts with policy-makers, the secretary or president of the association may well be willing to cooperate with the research and provide further contacts to interview. It seems possible that constructing a sample on this basis may produce over-representation of migrants who are somewhat more involved in a national “community” and have particularly numerous relations with co-nationals. Associations are liable to give the names of people who are active in the association, or at least persons known in the ambit of their own rather “community”-centred lives. And the people contacted in this way may themselves have social networks more centred on an “urban village” and national/ethnic “community” than those contacted by quasi-random procedures. Even when snowballs are not started off by members of associations, the nature of snowballing necessarily implies a bias towards people living within the same networks as ego. For all these reasons, it seems that this kind of way of constituting samples may accentuate the “community” aspect which emerges from research. Firstly, the specific people interviewed are more likely to be involved in something like a central nucleus of a “community” of co-nationals than to be people with more individual trajectories living outside the “typical” areas of residence and having relatively little to do with co-nationals. Secondly, the evidence which emerges from interviews conducted with members of a snowball sample may well highlight action with co-nationals and so construct a picture of community-type

action; for it is easy to make links with persons and events mentioned by other interviewees – so the researcher easily obtains a picture of the way an individuals' action fits into a “community” picture.

Snowball samples form just one aspect of methodologies which are consistently used for the study of immigrants and less so for the general population (cf. Eve 2007a). Another feature of very many studies of migrants (both quantitative and qualitative) is the tendency to take one or two local geographical areas - an “ethnic quarter” in a city, a town known to contain large numbers of migrants coming from a particular nation or region) and from the streets of the “urban villages” which form in many large cities (the modern equivalent of the Little Italies, Chinatowns, etc. studied by the Chicago School and others in the early twentieth century) – as the starting point for information and for contacting interviewees. With its economy based mainly around agriculture (especially wine-growing and market gardening) and administrative and personal services, and its population split up between the town of Asti itself (population 71 276), a handful of small towns and a large number of villages, the Province of Asti attracted large numbers of immigrants from abroad a decade or so later than the Italian metropolitan areas. This relatively recent nature of settlement, and the lack of any large city, means that there are very few areas which are immediately identifiable to an outsider as “ethnic” areas, with high concentrations of evidently foreign faces, shops selling national specialities, signs in foreign languages, etc. Nonetheless, chain migration has created mild concentrations of particular nationalities in some places (Macedonians at Cannelli, Romanians at San Damiano, etc.). Once again, however, our quasi-random sample did not pick up only these concentrations but also a good deal of women living in places where there were few co-nationals.

A fair number of our interviewees were living in villages or even (in a couple of cases) in isolated houses in the countryside. This meant that for some, getting to a church, mosque, national association was not particularly easy – especially for those who did not have a car. It may be partly for this reason – the difficulties of organizing the material conditions of aggregation around anything like a community basis - that such centres of worship and of “community” were so little present in our interview

material. There are, it is true, a few exceptions. Two Romanian interviewees, for example, spoke warmly of meetings of co-nationals after a service officiated once a month by an Orthodox priest at a church at Castelnuovo Don Bosco – followed in summer by a picnic on the grass in an area near the church, and games with the children and adults. For most, however, religious centres appeared to play a very limited role (even apart from constraints of time and distance). While several women said that faith was important for them personally, this often seemed to be a matter of personal spiritual reflection as much as any communal activity reinforcing community ties with co-nationals. It was in this spirit that a few women who declared themselves Orthodox Christians went occasionally to a local Catholic church, feeling that the denominational difference was not important to them. Other interviewees attended a church or mosque at the most important events in the religious calendar, but only then. Finally, there were a significant number of people (especially from Albania, where people brought up under the Hoxha regime had no religious education, but also from other countries) who frankly declared they had no belief. All in all, therefore, the impression one gets – on the basis of interviews with women, and women selected quasi-randomly from lists of documented foreigners – is one of religion as of either limited importance or as essentially a matter of personal devotion and practices. This does not mean, of course, that there do not *also* exist many migrants (including some women) for whom a church, mosque or other religious centre plays a central role, tying them into a network of activity and social relations with co-nationals. In fact, research in Asti which started from interviews with religious leaders (Bonapace ed. 2006) brings out a picture of lively participation and a wide range of activities, including women as well as men. The two findings are not contradictory, but simply reflect different objects created by different research methods. We simply claim that women for whom a church, mosque etc. plays a central role in their lives are a small minority in the Province of Asti.

National associations appeared to have even less importance in the lives of the women interviewed: in fact, even though a number of people were aware of the existence of such associations, they claimed they did not have the time to attend, and in general manifested slight interest. The exceptions to this generalization were a

woman who was herself the founder and president of an association of Macedonian migrants (in Cannelli) (this woman was also the co-founder of a cooperative of agricultural workers which constituted the main source of employment for her co-nationals) and a woman who worked as a *mediatore culturale*, who had contacts with various national associations for professional reasons.

For most of our interviewees, in contrast, attitudes towards co-nationals were cautious, and sometimes tinged with suspicion. An Albanian woman living in overcrowded conditions in the centre of Asti turned down the chance of a council flat in an estate heavily populated by her fellow nationals:

“The Council rang me up, because my daughters here [in her current flat] have to sleep in bunk beds one on top of each other ...they gave me a place in X [name of complex of flats]. I didn't like the idea of going to X to tell you the truth because they're all Albanians there, and my daughters are ... one is 15 and the other is 11. I didn't like the idea of them going there and perhaps going astray, so I said to the Council 'Isn't there anywhere else? I don't want a flat in X'. But they said 'If you refuse, we'll write it down here'. So I said, 'Do what you want, I'll stay where I am'. It's a nice quiet area here ... and so I stayed here, because it was my fault [I turned the offer down], they gave me a flat with four rooms, but it was in X. I don't want to go to X with two girls like this – they're Albanians there. There's good and bad, I can't say they're all bad, there's good and bad, just like here, but I didn't like it”.

Others recount bad experiences with fellow nationals, such as a Romanian couple who were asked by the orthodox priest to give temporary accommodation to another couple, only to find their savings stolen. This is an extreme case, but conflicts over unpaid debts or rent, supposed ingratitude, failure to repay favours when needed, overstepping the rules of hospitality seem quite common in situations where migrants offer assistance to fellow nationals, fellow villagers or even relatives. Vice versa, those who find themselves in a situation of extreme difficulty and find no-one helps them may feel bitter at the failure of co-nationals to offer solidarity. It is not surprising therefore that interviewees sometimes declared that it was better to keep a distance from co-nationals and not become too involved (cf. Cingolani 2007).

At the level of attitudes, our interviews, like much other research, therefore brought out ample evidence of ambiguous attitudes of interviewees to “their” national group. This is not particularly surprising, but it seems worth citing in a context where

we are questioning the extent to which national classifications represent coherent social groups.

But what is the situation in terms of organization and social networks? As has been stated, only a few women interviewed had lives centred around the activities of an organized community - relations with a wide circle of co-nationals, met in various activities, ritual and festive occasions, quasi- political events, etc. In general the social networks of the women interviewed seemed small and highly centred on the family. "The family" of course meant different things for different interviewees. For many, the family meant husband and children if present, while contacts with others outside this nuclear family seem to have been slight. In other words, for these women, migration seems to have brought a certain amount of isolation – as is true in the experience of many migrants, including those moving within the boundaries of a single country. For others, certain relatives outside the household were fundamental. Often, the crucial kin in question were those of the same generation – sisters, brothers, cousins especially – but in some cases parents might have come to Italy, and also uncles and aunts. It was often kin of similar age who had been instrumental in organizing the migration itself (lending money for the trip over and perhaps for false documents at a "travel agency", providing accommodation for a newly-arrived migrant, and perhaps contacts for a job). In other words, the process of migration itself set up a series of exchanges which reinforced identification with "family" defined in a particular way.

Of course, someone whose leisure time social life is centred around a couple of sisters, their husbands, nephews and nieces is at the same time living in a circle of co-nationals. Most of these women spoke their own language at home rather than Italian, holidays were mainly "back home", innumerable ties maintained with the "home country". However, the principle is one of kin not nation. In general, practices creating social solidarity, active membership of a social unit such as "Moroccans

abroad” or a “Romanian diaspora” seem to be restricted to a small minority of migrants in Italy³.

Nor are they infrequent women who have virtually no relations with co-nationals, such as a 22-year-old Romanian woman we interviewed, who after breaking up with her former boyfriend and subsequently forming a relationship with an Italian man, has cut off all social relations with the Romanians she used to see. Once again, therefore, it seems that by using a quasi-random sample, a somewhat more individualized picture may emerge than if one starts from associations or from towns or neighbourhoods well known to be centres of a particular national group. More generally still, a feature of starting from lists and going outside the usual community networks is that types of migrants not usually covered may be contacted – or at least one may have a little information on them⁴. It is perhaps worth noting in this context that using lists of documented immigrants to form a sample turns up also people who are involved in relatively peripheral or episodic ways in the lives of groups of co-nationals in Italy. One example of this is what we might call “transnational pensioners” – usually the mothers or fathers of adult children who were settled in Italy⁵.

³ See Schuster 2005 for evidence of the relatively slight development of associations in Italy as compared with many other countries of immigration. See also Eve 2007b “Some sociological roots of transnationalism in Italy”, which notes the small numbers of Romanians involved in associations in Piedmont (the region of which Asti province is part); notwithstanding the fact that Piedmont forms one of the largest concentrations of Romanians in Italy (and, indeed, outside Romania) – 53 000 in 2005 – associations struggle to survive. In the city of Turin, notwithstanding 23 000 Romanians according to official statistics, there is just one really functioning association, and this rests disproportionately on the shoulders of the woman who founded it, and serves mainly recent migrants, helping them with practical matters like bureaucratic procedures.

⁴ In the case of our transnationals, many were not actually interviewed precisely because they were not in Italy at the time. We know something about them because via a relative to whom we spoke on the telephone. It is possible that some of the large number of people we could not contact because the number was always switched off may have been transmigrants in their country of origin during the times we rang.

⁵ These people in their late fifties, sixties or seventies, and retired in their own countries, had successfully applied for an immigration permit in Italy (perhaps coming under family reunification procedures if they could prove lack of family support in their own country, or perhaps having a permit as e.g. a care worker) and were thus present in official lists of documented migrants. However, they spent only a part of the year in Italy, spending much of their time in their home in Albania, Romania, Macedonia, etc., perhaps tending a little piece of land, or looking after other

Can we speak about migrants living in “ethnic (or national) networks”? So even if involvement in formal organization is scarce, can we see national groups as real social units of action in this informal sense? Maurizio Ambrosini (2005: 84-5) argues that the networks of migrants differ from those of natives in being

“more concentrated and exclusive than those of the native population. Usually, each of us takes part in a variety of social circles – of family membership, work, elective affinity, community, neighbourhood, and so on.... For migrants it is much more probable that these circles are superimposed on each other and tend to coincide, for reasons going from language difficulties to the maintenance of ties with the home country, discriminatory attitudes of the local population and consequent weak ties with social ambiances like the neighbourhood. In this way, the network of family and kinship is also that where one spends one’s leisure time, the anchor one goes to in times of need, the resource used to seek work. In turn, the family and kinship circle maintains relationships above all with other immigrant family networks coming from the same place, thus forming ethnically based networks. In relationships with the outside, the perception of difference and more or less explicit discrimination help to reinforce the boundaries of belonging.”

As Ambrosini points out, it is a sociologically important feature when there is this overlap between kin networks, those used for finding jobs, for organizing leisure time. Ambrosini may also be right that the overlap is more frequent among the networks of migrants than those of natives. But it would be wrong to think that the pattern was absent among natives, nor that it was the only pattern among migrants. In fact large numbers of “community studies” of both rural and urban “communities” stress just such an overlap. Ronald Frankenberg (1969) makes “multiplicity of ties”, including the overlap between work, leisure and kin, the central defining feature of what a community is, citing evidence from numerous community studies, none of them affected by international migration. Studies of the British urban working class in the 1950s (Young and Willmott 1957; Bott 1957; Dennis, Henriques and Slaughter

relatives, and remaining part of life back “home”. When in Italy, mothers in particular helped out with childcare and cooking and housework, living lives very much centred on their children and grandchildren, and perhaps speaking only a few words of Italian – scarcely enough even for the shops. Daughters settled in Italy who had young children or were pregnant were of course particularly keen to have their mothers help them out for a few months a year.

1957; Rosser and Harris 1961; Klein 1965) document this overlap in networks particularly richly, but there are many descriptions in other historical and geographical contexts. So it would be wrong to attribute the difference to some kind of cultural specificity or to something peculiar in the situation of immigrants – seen, for example, as coming from unusually particularistic or network-oriented social experiences in their countries of origin, or shunned by natives. It seems more sociologically satisfactory, as with Frankenberg, to see the pattern of multiplexity (to use the term employed by Mitchell 1969) as significant in itself, and as the crucial feature. In some cases, such overlap may be a result of the process of migration (i.e. the reorganization of networks brought about by migration – rather than simply a carry-over from pre-existing habits), but similar patterns may be created by other processes. In the case of the post-war British working class, it would seem to be a combination of residential stability and availability of employment locally which accounts for the overlap. But in any case, it seems important to focus on the pattern in itself, and the way it is created. It is important that many migrants do have dense networks of this kind, among kin who are almost necessarily co-nationals. But we have already cited evidence which hints that it would be wrong to misunderstand the concreteness of national groups: for a very large number of people, the exchanges with fellow nationals and the involvement in moments of collective moments of celebration or union are rare. Although only a small number of women interviewed in the Province of Asti had close friendships with Italians – so that the usual pattern was that of networks heavily dominated by co-nationals – it is not clear how often either exchanges and common activities, or subjective identification, went outside a small network defined on the basis of kin. It would be interesting to chart how many actions took place with non-kin co-nationals.

Migration trajectories and construction of different kinds of networks

In what ways are specific patterns of networks created by differences in migration paths – for example the fact of coming to Italy on one's own or to join a spouse, arriving in a town where one has several relatives or one where one knows no-one?

Among the women interviewed, differences certainly did seem to appear among the experience of persons of particular nationalities – although with only 42 interviews, the numbers of women of any one nationality were so low as to make conjecture possible only with the help of additional information from other sources. For example, if we take various dimensions of “integration” – position in the labour market, family’s standard of living, social relationships with Italians – several Moroccan women gave the impression of being less integrated than, say, some Romanian women. Since this impression derived from our interviews corresponds with impressions gained from other research and from expert sources like social workers, it raises some curiosity. For example Strozza and Cibella 2006 found evidence of disadvantage of Moroccan women in employment. Cibella and Strozza worked on data for the whole of Italy, but data from the Asti employment office (*Centro per l’impiego*) also seem to confirm that Moroccan women have more difficulty in finding jobs than Romanians, and several other nationalities, remaining longer on the lists of those seeking employment. It would be easy, of course, to interpret these differences in culturalist terms, seeing the low rates of employment of Moroccan women as the effect of “traditional” attitudes, disapproving of women’s employment outside the home. However the Asti interviews include several Moroccan women who seem to have been very anxious to seek work: in their case, at least, it was the inability to find a job which determined their absence from the labour market.

Naturally, if national differences of this kind do exist (and more research is needed), a large number of factors may be at issue. One which obviously springs to mind is discrimination – especially since a recent study carried out on certain sectors of the labour market in Turin (adjacent to Asti province) found substantial levels of discrimination (ILO 2005)⁶ – although that research focused on young men rather than women. But even apart from discrimination, several other social factors seem likely to structure access to the labour market, and some of these may be tentatively explored through our qualitative interviews.

⁶ The research in question investigated responses to job applications from a young Moroccan man and an Italian man of the same age and qualifications (so did not investigate reactions to women). It also only investigated job applications advertised in the newspapers – and so only for the particular kinds of jobs which tend to be advertised in this way (e.g. in bars or shops).

In many cases, individual-level differences in human capital are significant. Most obviously, work experience is much more extensive among most Romanian women than among Moroccans. Under communism, of course, nearly all women worked outside the home, whereas in Morocco numbers of jobs effectively accessible to women (outside the sphere of agricultural work) have been very restricted. Nonetheless, the correspondence between jobs done in the emigration country and jobs done in Italy is very slight, so few women can use specialized skills previously learnt in their Italian jobs. Most jobs available to immigrants in Italy (and those effectively held by our interviewees) required tacit skills rather than specialized training. Indeed, the skills needed in care work and cleaning might be seen as being learnt as much at home as in an outside workplace. One tacit skill which is certainly required is knowledge of Italian. Here, Moroccan women – with first language in a non-Indo-European language – clearly face a more difficult task than do those whose first language belongs to the Indo-European group, and may even have considerable Latinate vocabulary. On the other hand, many Moroccan women already know French, which certainly helps in learning Italian. Interviews showed clearly that language skills of many Moroccan women were limited. However, this seems as much a consequence of lack of contact with Italians as a cause: few Romanians had knowledge of Italian before migrating, and struggled to learn the language in their first job. Very limited Italian did not prevent them from obtaining the job. So it seems important to focus on language difficulties from a policy point of view, from the point of view of identifying disadvantage in the labour market, it may be that limited language skills are an effect more than a cause. Women who are thrown in to a situation of everyday conversation with Italians (e.g. because of working and living in an Italian household) will acquire a certain level of competence. It may be that the crucial variable is that of immediate insertion in a work context permitting practice of language skills. In this sense, our attention should be directed above all to migration trajectories as the fundamental determinant of “linguistic integration”.

Migration for family reunion and migration for work

It is worth noting that there seems to be a significant difference between the employment trajectories of women arriving to join their husband and women coming over for work. Less than half our sample (19 out of 42) came to Italy via family reunification procedures. Yet out of those unemployed at the time of interview, all 8 arrived by this path. In addition, among the 6 women we classed as housewives not actively seeking work (although at least two would certainly like a job if they could get one, and so are really ‘discouraged workers’), 4 came via reunification procedures, and 1 more came for a marriage which was to all intents and purposes already arranged. Statements made by several interviewees of their search for work and of their family’s sometimes intense financial straits seemed to indicate that they were genuinely motivated to find work: unemployment (albeit sometimes transmuted into ‘discouraged workers’) seems a significant problem among certain kinds of female migrants in the Asti area.

It is widely recognized that migration for work is different from migration for family reunion. However, there is a need for clearer conceptualization of what is a rather important split, defining two consistently different kinds of experience. It is easy, in fact, to drop into assuming that what is at issue are individual differences prior to migration – courageous, dynamic women setting out on their own versus traditional camp followers, tagging along in the wake of their husband. In other words, lack of theorization can lead to implicit acceptance of the notion of women joining their husbands as having an essentially passive role in the migration process – reinforcing for an important part of the migrant population that stereotype of female migration which many scholars have complained about in migration studies in the past. Scholars have pointed out that taking female migration properly into account has implications for the way we consider migrant networks (Boyd 1989; Kofman 1999, 2004). However, this insight needs to be developed, developing the significance of specific types of migration (such as migration for family reunion) in structuring networks as a whole - not just those which ensure the actual move to another country but also those developed in the new country. What we hypothesize here is that there is

a significant difference in network terms between the situation of someone who arrives in another country to join a spouse and someone arriving on their own (although in reality, among our interviewees as among migrants generally, almost no-one arrives totally alone, nearly everyone travelling down paths traced out by others or together with others in one way or another). We use the phrase “in network terms”, for the process by which a social network is formed by a migrant seems likely to be affected by the persons it starts off from. Thus a wife coming to join a husband is likely to be absorbed into the husband’s social network, and have few relations outside this, unless she herself has kin or perhaps friends already living in the place of immigration. (This is as true for the wife of a civil servant or manager “migrating” from one region to another within a single country as for foreigners.) The situation is different for women who migrate for work. The latter often migrate with the help of female kin – or sometimes friends – and these form the basis of their social lives in the place of immigration. Secondly, a woman migrating for work necessarily forms a series of work-related social contacts and the kin or friends who helped her migrate are themselves inserted into work-based social networks where information about work flows.

We are not, of course, claiming that this is the only factor involved. There may also be individual differences, and there are probably differences in family commitments - many women who arrive via family reunion procedures have young children to look after and this obviously affects their ability to find work, ability to move, etc. It is for research to resolve these questions. What we are suggesting is firstly that more attention needs to be given to the split between different migratory trajectories (perhaps using the bureaucratic indicator of migration-for-work vs. migration-for-family reunion in the records of immigration authorities as a crude indicator of different trajectories, useful for operational purposes). And secondly, that more attention could be given to tracing out the logic of the difference in the migration experience. If many women coming to join their husbands do end up rather confined to the domestic sphere, learn only the basic elements of the language of the country of arrival, then we need to understand how this situation is built up.

To illustrate the kind of difference at issue it may be helpful to give a couple of brief examples:

A describes how she first came from Romania to Calabria, in Southern Italy for a job in a bar, where she stayed for 9 months. A friend in Turin then found her a job as a carer in a village. This woman died soon after, but the family then found *A* a job in another village and this second family helped her to become documented under an amnesty currently in course. At the same time as this job as a carer, *A* worked part-time as a waitress in a nearby pizzeria, and when she decided to leave the live-in job to move in with her boyfriend, she continued to work at the pizzeria. Here she met a salesman for a large Piedmontese firm, and he helped her get her current job as a ???

B came from Morocco to Asti to join her husband, who works as a She has never really worked since her arrival, although she would definitely like to, also because the family's finances are tight in the extreme, with the husband in irregular employment. When asked how she had looked for jobs, and what her contacts were, she replies "Yes, with people I see in the street – I sometimes ask about work". She has relationships with other Moroccan women, but these are superficial: "I met them here – it's just 'Ciao, ciao', that's all". She has no relatives of her own in Asti – it is only her husband who has his relatives.

At first sight, these cases might seem too individual to be of any use. Nonetheless, several features of them are recurrent in our interviews. With regard to *B* the inability to even enter into the labour market is quite a common feature of women (of all nationalities) arriving to join a husband, as is the weakness of her social network. With regard to *A* the ability to move from one place to another is definitely an advantage: in fact many of our interviewees have moved around Italy two or three times – using networks of relatives, friends and sometimes professional mediators selling jobs. Women coming over for family reunion are usually tied to one town, and although they may have relatives or other contacts who might act as potential contacts for jobs, they cannot make use of them. It is also clear that *A*'s networks are far stronger, even with Italians than are *B*'s, but as has been argued, this is a question of the kind of contacts *A* has had, having worked right from the beginning. *A* is exceptional, however, in having gone straight in to a job in a bar (in spite of speaking little Italian): as we have said, entry to the labour market for most women is via work for a family (cleaning, housekeeping or looking after old people or children).

To return to our problem of national differences in employment destinies, it seems possible that the differences which appear to emerge between Romanian and

Moroccan women in their employment paths (with consequent effects on the financial well-being of the household) may be at least partly explicable in terms of the fact that most Romanian women in recent years have come to Italy initially without husbands, either because they are unmarried, divorced or separated, or because it was decided that their chances of obtaining work was higher than that of their husband. (It is well-known that there is considerable demand for migrant women willing to take live-in jobs looking after elderly infirm people; and, in addition to this general knowledge, many women have, say, a sister or cousin who may tell them about a specific opening, or even ask them to take over their own job for a month or two in order to give them a break⁷)

In our Asti sample, 9 out of 11 Romanian interviewees had come over to Italy on their own. This contrasts with 5 out of 6 Moroccan interviewees who came over to join their husbands.

Although our Asti interviews did not enquire systematically into the jobs held by relatives, other interviews carried out recently in the same region with care workers and others (Formenti 2006; CESPI-FIERI 2007) suggest that the social and kin networks of Romanian women coming over for work contained numerous people involved in domestic work (both live-in caring and hourly cleaning work and baby-sitting). In other words, Romanian women often enter into networks which are relatively rich in work, and information about job opportunities, albeit of a lowly status. The situation is different for Moroccan women, arriving prevalently (though obviously not exclusively) to join their husbands; their husbands are usually not able to find them work. But nor are the female kin who may be in the husband's network – for they themselves have often arrived via family reunification procedures, and often have worked very little. In other words, because of the typical trajectories of female Moroccan migration, many Moroccan women arrive into networks which are poor in work.

⁷ For descriptions of the way some carers phone up relatives or friends in their home country to arrange substitutes, enabling them to go home for a period to look after their own children or families, give themselves a rest from the often isolating and wearing work of looking after an infirm old person, see Colombo and Sciortino 2005, Cingolani 2006 and CESPI-FIERI 2007.

Gender segregated networks: the consequences for flows of job information

One might think that a woman coming over for family reunion was likely to have a stronger and more established network of kin than a woman coming ‘on their own’. After all, terminology often distinguishes between those who move for “family reunion” and “pioneers”. Yet paradoxically, it is probably not uncommon for women coming “on their own” to be moving into a richer kin and friendship network, and one with more job information in it. After all, it is usually the husband’s kin (and social relationships in general) that a wife is moving in to – not necessarily the same as one’s own family. It is not surprising, therefore, that several wives coming over say they have few relationships with fellow nationals. Vice versa, some women coming over as “pioneers” may have ten or more relatives, not to mention friends.

We have suggested that female networks may be particularly important for women seeking work. It is in fact important in this context that the occupations most migrants in Italy are employed in are highly gender segregated; and this is especially true of jobs providing initial entry into the Italian labour market. The most common job for women on arrival in Italy is in care work (mainly looking after elderly people, but also sometimes children) or cleaning (Colombo and Sciortino 2005; Andall 2003; Parreñas 2001; Ambrosini 2005)⁸. A few men are employed by families in this kind of domestic employment (both as gardeners/handyman and also as carers and cleaners) but the overwhelming majority working in the sector are women⁹. With regard to

⁸ As has often been noted (e.g. Ambrosini 2005, Colombo and Sciortino 2005), live-in care work can have advantages for a woman who has just arrived, for it provides the worker with a roof and an income of which most can often be used to send back home to support children or other family members. In addition, for undocumented migrants it provides a workplace which is highly unlikely to be detected by the authorities and one where it is possible to learn the language and gain a footing in Italy. Many interviewees, in this as in other research, mention how the elderly persons they looked after, or sometimes their families, helped them with learning Italian. However, some women, looking after old people who are very uncommunicative or have particularly serious health or mental health problems, it may be precisely lack of language input which handicaps further development of language skills. In addition, older people may speak mainly dialect rather than Italian.

⁹ Colombo and Sciortino rightly point out that men do work in the sector. They cite figures from the Italian national insurance agency INPS, which gives males as 20% of foreign domestic workers paying national insurance contributions, and cite individual cases from their interviews with domestic workers in Lombardy. Men also made up a small but significant proportion of those applying for and obtaining regularization as a *badante* or *colf* (carer or domestic worker) during the most recent amnesty (2002-3), although in this case, this may sometimes have been an arrangement to obtain legal status. However, men appear to be more common among certain migration streams – and thus certain

male migrants, on the other hand, one of the most important specializations, especially with regard to the first job, is the building industry, where women are virtually absent. Many other first jobs, from market porter to street peddler are in practice male preserves. It is true that there do also exist some sectors employing many immigrants which are less totally gender-segregated: for example, in agriculture, factory work, bars, restaurants and hotels¹⁰. Seasonal work in agriculture is a frequent first job, but not all women have the appropriate contacts – or arrive in Italy at the appropriate season. While work in industry or services outside work for families seems to be less frequently a first job: the job histories collected in the present research and similar interviews in Piedmont¹¹ (Formenti 2006; Castagnone, Eve, Petrillo e Piperno 2006; Cingolani 2007; Cingolani and Piperno 2005) suggest that these jobs seem more likely to be obtained after an initial job(s). This means that for many women effective opportunities for entry into the labour market are only in sectors of the labour market which are virtually exclusively female, especially as care-workers. More even than the very high overall figures of gender segregation at the national level, we need to consider the situation of particular women. Whereas a Filipina woman living in Milan, for example, may conceivably have a male relative who has a husband or brother working in the sector, who might be able to pass useful information, this is most unlikely for a Romanian woman living in Turin or Asti.

An interview with a Romanian woman who had helped several other women find work gives an idea of how clear the division often tends to be:

nationalities. So if we get down to the level of the labour market to which particular women have effective access, most women face a labour segment which, locally, is populated almost exclusively by women. And no men with whom they have are related by kin etc. are involved in the market.

¹⁰ In these sectors, too, men and women tend to perform different jobs: so women often work as maids or waitresses in hotels, bars and restaurants and hotels, while men are more likely to work in the kitchen, and there are often similar specializations on farms and in factories. However, since both men and women work in the same work ambience and for the same employer, it is more possible in these cases to provide a relative or friend of the opposite sex with information about available openings, and to 'put a word in' for them. In sectors like building and carework/cleaning, in contrast, this is not usually possible.

¹¹ The present paper draws on a corpus of qualitative interviews with approximately 100 women migrants interviewed in the provinces of Piedmont.

“I have only helped women. Men have another network of information, word of mouth goes round the building sites. It’s two separate worlds” (interview by Ambra Formenti 2006)

Such sharp gender segregation (in at least some of the most important labour markets for both men and women migrants) means that husbands, brothers or male relatives often cannot give women much help in finding work. So if we trace women’s work histories and the contacts used to find jobs, we find a very heavy prevalence of female contacts. For women who already have relatives in Italy, it is often sisters or female cousins who provide the leads; but female friends are often important too. In contrast, even male relatives or friends who are willing to help, and may help a woman to come to Italy by providing temporary accommodation or a loan, are often unable to help with a job. This is one reason why a good many women arrive in one town, but then move to another for work.

An example in our Asti sample is a young Romanian woman who originally arrived at San Damiano (a small town near Asti with a substantial Romanian “community”), encouraged by a young man she knew from back home who worked in the building trade. Here she was unable to find work (notwithstanding the large number of fellow Romanians in San Damiano), so

“from here I went to Treviso – I had a [female] friend there who found me a job as a carer ... but in that family they only needed someone for two months. I then went to another family [in Treviso] which I hope never to see again ... Then I had a cousin in Rimini who found me a job. But I had to look after an old lady of 86, a little girl of 5, and do all the housework in a villa, and they gave me 400 euros and I was all on my own ... and when I asked for at least 600 euros they told me “From tomorrow we won’t be needing you any more – get out” ... Then I was in Cuneo for nearly a year with an old lady, but she died and I went to Turin”, obtaining a job in a bar which she gave up after marrying her boyfriend in San Damiano and giving birth to a child.

Networks of weak and strong links – a matter of different trajectories?

Colombo and Sciortino (2005) have rightly pointed out that some interviewees’ accounts of the ways they have found jobs refer to very casual contacts with acquaintances (for example, fellow nationals met in a park), rather than the more lasting social ties which reference to social networks among immigrants often implies. Their interviews also provide several cases of acquaintances paying for information or

introductions. Such cases are occasionally referred to in our Asti data, but do not seem to be so common. Colombo and Sciortino suggest that the pattern is more common among certain national groups. This is also the impression which emerges from Piedmontese data. For example, interviews with Ukrainian care-workers undertaken by Roberta Petrillo in Turin and Novara (as well as Rome) found both frequent prevalence of payment (mainly to Ukrainian intermediaries, but sometimes involving Italians), and information about jobs being passed by casual acquaintances. In contrast, this pattern seems rare¹² among Romanian and Albanian women interviewed in Piedmont (in our Asti data Romanians and Albanians were the most numerous nationalities). It is interesting to speculate on the reasons lying behind this apparent national difference. Very many Albanian and Romanian women migrants coming to Piedmont already have relatives and friends living here, and may therefore be able to draw on these resources to find jobs. The Ukrainian women interviewed appeared to have arrived alone, and at the time of interview had exceptionally thin social networks: mostly living in live-in jobs as carers of elderly people, with no flat of their own, and little free time, even after several years in Italy they had few close friends. If they went out on their day or afternoon off (some tended just to stay at their employer/patient's home for lack of anything to do), they would often congregate in a public place (a square or park) where other Ukrainian women went, chatting to fellow nationals, with whom they had no other prior ties other than coming from the same country and perhaps same town or region. Given this, we might hypothesize that the sparse and relatively contingent networks used to find work just reflects the thin nature of many Ukrainian women's social networks in general. This thinness is perhaps in turn connected with the migration trajectory followed by many Ukrainian women, which often appears to be little connected with relatives or even close friends (many women used a "travel agency" to arrange transport to Italy and documents and a mere acquaintance for information about an initial job). In any case, the existence of this kind of job market, dominated by information from relatively casual friends and

¹² Rare, but not entirely absent. A national association of Romanians in Turin has noted the problem, and hints emerge from a couple of interviews conducted by Pietro Cingolani and Ambra Formenti.

acquaintances, as well as paid intermediaries, does not so much disconfirm the importance of personal networks as confirm their importance. In this perspective, we might say that national differences appear (e.g. between Ukrainians and Romanians or Albanians in the Piedmontese context) because prevalent migration trajectories have created specific patterns of social networks – some more kin-rooted, some depending on weaker and more instrumental ties.

Age is another factor which clearly affects the integration trajectory of women arriving. For migrants in general, time is crucial: starting work careers late and starting to accumulate savings and income late, they may not have sufficient time to go many steps on career and income ladders. The problem is especially acute for many women arriving relatively old (care workers are often in their forties or even fifties when they arrive in Italy). Progress in terms of income, occupation and is painfully slow for many women – indeed probably so slow as to mean that the women's children may be brought up in poverty in Italy, and that the women themselves run a considerable risk of having inadequate resources for their old age. But, at least in the Province of Asti, the “integration” of younger women seems considerably better than that of women who arrived older: in terms of progress in income and mobility out of the domestic work sector (highly restrictive of personal life), in terms of friendships with Italians, the younger women seem to do better.

But even apart from the time available for “integration” and “career”, there are other reasons why the experience of older and younger women should differ. It is a general rule governing social ties that these depend not only on ego but on other people. I cannot conduct go out for a pizza with friends unless my friends agree: this in turn depends on their constraints of time, other commitments, etc. From a network point of view, younger single women migrants have the benefit of the fact that Italian people of their own age tend to spend large quantities of time in social activities, many of which are open to new members, groups being fairly fluid. This simply reflects the findings of the structure of younger people's social lives (Bidart 1997). Even if they are single and without commitments to caring for children, older women do not have access to this kind of network, simply for reasons of age. Their Italian

contemporaries are much more tied down in family commitments, have less free time and forms of social life such as dinner invitations which are more difficult to enter.

As with numbers of people arriving by family reunion, distribution by age is not the same in all nationalities. Ukrainian women for example – particularly heavily concentrated in care work - are known to have a high average age. Once again, it seems worth investigating the effect of age in determining the experience of (cf. Eve 2006). Age differences, like differences in marital status, and the presence of children, inevitably have effects on the kinds of networks which migrants form, and on their “integration” in another society occupationally and socially. The underlying logic would seem worth investigating. However, analysing migration in these kinds of terms, comparing the experience of women arriving at different ages and their capacities to build particular types of networks, or that of women coming for family reunification or via a work network, implies making comparisons across national groups, so including different groups even in qualitative research, rather than focusing on just one at a time.

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Ukrainian migrant domestic workers - Polish employers' perspective

Coping with hierarchy, coping with intimacy:

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Résumé / Abstract

The aim of the paper is to present ways in which the relation with migrant domestic worker is constructed by employers in contemporary Poland.

The paper is based on in-depth interviews conducted in 2007 with Polish employers of migrant domestic workers about the forms of domestic help present in their households contemporarily and in the past (research in progress). Interviews cover some dimensions of variety of employers (age, social background) and employees (different nationalities, housekeeping/care).

I will discuss how the relations are constructed on two dimensions: distance/intimacy and hierarchy/equality. In interviews it appears that both intimacy and hierarchy can be seen by the employer as problematic in contact with domestic worker. Confronted with problematic aspects employers develop ways of coping, both on the level of practice and normative beliefs. Basing on analysis of two contrastive interviews I discuss two different ways of coping and two processes of gradual transformation of definition of relationship with domestic worker.

Introduction

REVIVAL OF WAGED DOMESTIC WORK AND ITS RETRADITIONALISATION

The phenomenon of domestic worker employment becoming widespread at present is occurring contrary to the modernization theory propositions according to which gradual disappearance of this occupation should be expected (Coser, 1973), and, contrary to the expectation of this occupation acquiring a professional nature, there are symptoms indicating its retraditionalisationii.

Throughout the history, forms of domestic service tend to gradually depart from forms extremely asymmetric (e.g. ownership-based slavery) and proceed

towards forms based on independent status of the parties (a contract). These processes are manifested, inter alia, in codification of the master - servant relation that dates back to the 18th century (Kopczyński, 2000), or in the introduction of a contract into the relation with “domestic worker” (which was the case, for example, in the Italian legislation in which such contract was introduced in the 1940s). However, forecasts predicting full professionalisation of this occupation did not come true and, in practice, the relation between employer and domestic worker is being retraditionalised or, at least, a potential for such retraditionalisation is observed (Rosińska-Kordasiewicz, [w druku]). Such potential results from phenomena related to contemporary migration processes, labour market segmentation and domestic labour ethnicisation. The fact that domestic workers recruit from excluded groups (new economic migrants) gives rise to an multiple asymmetric situation which constitutes a departure from the progressive professionalisation towards the asymmetry present in traditional forms.

Taking into account this background, in my research I focus on ways in which relations with domestic workers are constructed and enacted in interactions by the employers.

COMPLEX PICTURE OF RELATIONS DOMESTIC WORKER – EMPLOYER

Relations with domestic worker form a complex picture.

The forms of relationship individuated during my previous research on Polish domestic workers in Italy and based on perspectives of domestic workers as presented in literature (Anderson, 2000; Anthias, Lazardis, 2000; Gregson, Lowe, 1994; Hochschild, Ehrenreich, 2004; Momsen, 1999; Willis, Yeoh, 2000) include “overt degradation”, “fictive kinship”, “professionalisation” and “friendly professionalism”. Within these models domestic workers feel to be framed or frame themselves respectively as: servants, “part of our family”, dependant worker and friendly professional helper.

As I have investigated Polish women working as domestics in Italy (Rosińska-Kordasiewicz, 2005; [in print]), I have developed an interest in how Polish act as employers.

THE SPECIFIC NATURE OF POLISH HISTORICAL CONTEXT: DE-SOCIALISATION AND DE-CULTURALISATION

The specific nature of phenomenon of domestic worker revival in Poland (and perhaps in other post-communist countries) seems to consist in a unique cultural burden originating in the socialist era. In Poland the domestic worker occupation is “enjoying a revival” after years of having been marginalized during the communist era. With all the caution it requires, we may look at the quantitative dimension of the phenomenon: in a 1970 census there were registered 15.558 persons working as housekeepers, which was only a minuscule part of the number of servants registered in 1931: 420.000 (data: (Domaradzka, 2004).

Availability of job opportunities more attractive as the source of income than domestic labour contributed to this occupation marginalisation, as did the Polish communist propaganda that stigmatised the housekeeper or domestic worker occupation in ideological terms. The Polish were deprived of the social and cultural ability to accept domestic services and to manage domestic labour, they were de-socialised and de-culturalised.

CONTEMPORARY POLAND

In 2001, domestic workers were employed by 7% of households in Poland (data published by the Public Opinion Research Center (CBOS); qtd. in Domaradzka 2004) (Bojar i in.).

Large part of such housekeepers were illegally employed Ukrainian women (Wenzel, 2006), whose primary occupation sector in Poland is domestic work (Kindler, 2007; Domaradzka, 2004), but native workers are also widespread (in Warsaw it seems more popular than elsewhere to hire Ukrainian women as domestic worker).

Black economy activities in the sector of care taking and other domestic services arise, inter alia, as a consequence of an absence of reasonable legal solutions (Frelak, 2005).

Result: the absence of clear models

Poles employing Polish or Ukrainian women as domestic workers face a situation frequently unknown to them from previous experience. The interpretative resources, if any, that can be drawn upon in interactions lay in broad symbolic resources like servant/maid characters depicted in history, literature or movies. These send us back to traditional logic of social relations. Present day market system on his side offers market interpretation of relation with domestic worker (criticised as “commodification of domestic labour” (McDowell, 2006). Cognitive resources can also contain current comments expressed in tabloids, soap operas and commercials. Clues that may be drawn from these cultural resources are unclear and contradictory.

The absence of clear models results in a definitional uncertainty and provides room for numerous individual solutions. There are no clear ways of coping with domestic worker.

The paper will discuss preliminary results of qualitative research on employers of migrant domestic workers in Poland, which is the first part of a larger study of waged domestic work in Poland (author’s Ph.D. project). The main focus of the research are ways in which relations with domestic workers are constructed by employers. The cases chosen for this analysis are from the situation of live-out domestic work, which is predominant in Polish context (Domaradzka, 2004).

Asymmetry/equality & distance/intimacy

I analyse the construction of relationship with migrant domestic worker along two basic dimensions: asymmetry/equality & distance/intimacy. The aim is to provide some theoretical order in the study of domestic workers’ – employers’ relationships.

Analysis of two interviews

The illustration of the variety and complexity of relations with domestic worker in contemporary Poland will be a comparative case study of two contrastive narrative interviews, with Alexandra and Renata. Alexandra is about 35-40 years old, there were no domestic worker hiring traditions in her family (meaning that her women ancestors relied solely on their own resources in domestic work). She is a “waged domestic service pioneer” in her family.

Renata is about 65 years old, in her original family there were no domestic helps, but it was the case in her husbands family, with whom she and her husband lived after marriage. She also hired a child minder in ’70. She has some background for the relations with contemporary domestics derived from her early adulthood in communist era in Poland.

The cases differ in regard to two basic dimensions: age and social background. In this given case (younger woman without service traditions and older woman with service tradition) it seems that the significance of the age and background has

mutually strengthening effect on the cognitive frames developed in the course of interviews.

Both Alexandra and Renata have hired mostly Ukrainians as domestics. Both of them employ live-out domestics on a once-a-week basis.

Interviews with them reveal the gradual process of the relation's redefinition. The process goes through their relationship with both Polish and Ukrainian domestics (Alexandra) and solely Ukrainian domestics (Renata).

The processes depart from contrastive points – two visions of relation with domestic worker: for Alexandra, starting point is symmetric and close relationship with domestic worker treated as a friend. For Renata the departure point is asymmetric and distant relation with domestic worker treated as cultural apprentice.

Alexandra

First dimension of contrast between two interviewees is way of describing the domestic workers hired by them.

When describing domestic workers working for her, Alexandra focuses on their psychological qualities or biographical dimension. She uses their first names. She often uses “psychological language” to describe the reality of relationships with domestic workers hired by her. She uses expressions like:

Self-assertion, personal involvement, to feel abused, partnership, good interpersonal relation.

For Alexandra, her original ways of conceiving and describing domestic worker are shown in following quotation:

„Oksana, well, she cleaned, let's say acceptably. (...) she was a very nice and warm person. She used to bring us sometimes an Ukrainian soup, if she happened to cook something for herself, and make us try. The soup was delicious. Sometimes I gave her our food, sometimes she brought something, or even cooked something for herself, or for us. (...) She was generally warm and straightforward. And she became something like my friend. Well sometimes it was annoying, when I was working and she kept coming to me to tell me about her love affairs”

In the example above it is apparent that the quality of cleaning was not the most important criterion of judgment of domestic worker, Oksana was liked because

she was “a very nice and warm person”. Nevertheless, at the end of the quotation we see a symptom of coming crisis of this “over-personalised” vision of contact with domestic worker, that resulted in shift in overall definition.

Alexandra’s main problem in coping with domestic worker was to play the dominant role: to make instructions and orders. About another domestic worker she says:

The problem was I was unable to say that I don’t accept something. And I was angry with her because she didn’t clean properly and yet I couldn’t say it to her

In the interview with Alexandra, crucially important on the prescriptive level, is the tension between belief about necessity to set up partner-like and close, warm relations with other person, and on the other hand the necessity to demand the quality of service and judge the quality of work by the criterion of effectiveness. She says that for her important is the balance between good interpersonal relationship and exercising effective services.

Well I prefer partner-relationship, than when I have to order or something. It is difficult because from one point of view I have my requirements, but I wouldn’t like them to feel that I am horrible, overcritical and don’t want to chat with them anymore (...) and it is difficult to find a point, that I have a higher position in the situation because I am the employer, but I don’t want to abuse the higher position, to make her feel abused, in oppression (...) I want them to feel good with what they do”

In this passage she gives expression of her empathy showing ability to switch between own and domestic worker’s perspective. Gradually, though, when describing real situations, she seems to loose interest in close relationships, and in the second part of interview it is reflected in the use of generalized expressions to refer to domestic worker like:

Girl from Ukraine, Ukrainian (f.), girl, Polish (f.)

Gradually she also learns to be more “assertive”. The turning point is the episode when she hires an inexperienced Ukrainian student, who, as she says “caused more damage than provided help”. In reality, she seems to accept more efficiency at the cost of less intimacy, and to accept the shift from symmetrical and close relation towards asymmetrical and more distant one.

Renata

For Renata the departure point is asymmetric and distant relation with domestic worker treated as “cultural apprentice”.

In the parts of interview referring to the first stages of her experience with Ukrainian domestic workers, Renata uses highly depersonalised and generalized expressions to refer to women working as domestics for her. Among them are:

Lady from Ukraine, Ukrainian (f.), Ukrainian ladies, the lady.

When describing domestic workers working for her she, in contrast to Alexandra, constantly evaluates them in regard to domestic skills, level of education, cultural capital, social abilities, etc.

For Renata characteristic is the pedagogic relation with domestic worker which finds its start in negative evaluation of some dimension, presenting better solutions and instructing the domestic worker.

The pedagogic relation does not pertain solely to the realm of domestic work in Poland. Renata gives her domestic workers instructions how to cook when they go back to Ukraine. In her pedagogic activity she embraces not only the lady cleaning her house, but also her family, her village and finally Ukrainian society as a whole. Her pedagogic interest lay in:

within domestic realm: ways of cooking, ways of cleaning; within house construction: sewage system, ventilation of rooms; within ways of investing in children (education in Poland), within ways of coping with institutional world (criticism of bribery), within civil activity sphere (promoting charity organizations), and Ukrainian national identity.

Part of Renata's practices may be called "cultural pedagogy", in case of which we deal with higher evaluation of solutions of own culture and instructing the other to use them.

It is very visible in the case of kitchen.

We in Poland are in this happy situation that, thanks to queen Bona [XVI century's queen of Poland, of Italian origin] our cuisine is richer with leek and celery. (...) They don't have it in Ukraine, and I don't know how they cook a broth without leek and celery, frankly speaking I would prefer not to try. (...) And every year in the autumn, I provide them a pocket of seeds, everyone of them."

The pedagogic attitude of Renata finds expression in pedagogic language that she uses. She employs expression like:

Educational aspects of hiring a domestic worker, spreading the cooking art, struggle of Enlightenment against obscurantism, "I try not to neglect subtle pedagogy"

When referring to interactions with domestic workers she uses verbs like explain, educate, examine.

In this asymmetrical relationship problematic change occurs:

One of the lady has been by me since many years (...) and, as a matter of fact, we made friends a little bit, because them ladies have certain needs, emotional, I think.

In this passage we notice many signs of distance toward the relationship. The existence of friendship is moderated by use of modifiers: "as a matter of fact", "a little bit". Friendship is motivated by the (emotional) needs of the Ukrainians, not the speaker. Than it follows:

And it is a problem, too, because I am burdened with her stresses and problems. And I don't really enjoy it, but, on the other hand, the lady is my "cleaning sweetheart", so to say [laughter] and when I try others I don't get on well with them and I return to her, and humbly solve her problems and help her"

In this quotation we notice again the reluctance with which she describes the closer relationship with domestic worker, but this time Renata finally accepts the unique personal character of the domestic worker, calling her in a very particular way: "my cleaning sweetheart". As we can notice this expression contains at the same time the idea of possession ("my"), function ("cleaning") and unique close personal character of the domestic worker ("sweetheart").

Summary

In the case of Renata problematic aspect of relationship is the emergence of intimacy in the asymmetric relation, in the case of Alexandra problematic is the shift from symmetry and claim for intimacy in relationship towards asymmetry. Problematic aspects form the processes of relationships' framing change. The processes of relationship transformation start from the utmost different points and consist of, respectively, supplementing the asymmetry with intimacy and substituting close relationship with functional hierarchy.

What is there worth to notice is the discrepancy between the declared and realized models. Renata seems to enact the combination of asymmetry and intimacy, which for Alexandra is a valued and prescriptive model, but Renata herself doesn't fully accept it, whereas asymmetry and distance model, enacted by Alexandra is close to Renata's normative vision.

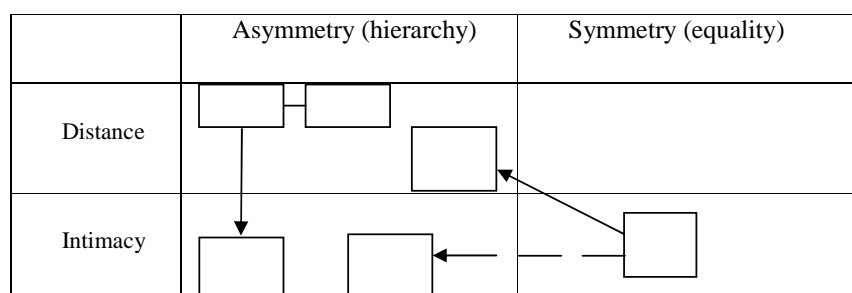


Table 1. Dimensions of relationship with domestic worker (symmetry/distance). A- Alexandra, R – Renata. AI, RI – starting points, Ar, Rr models put into practice, An, Rn – normative models.

In research on Polish employers there appeared another type of relationship than those listed in the introduction, individuated during studies on domestic worker's perspective ("overt degradation", "fictive kinship", "professionalisation" and "friendly professionalism"), that is pedagogic relation, where domestic worker is constructed as "cultural apprentice" in front of the employer. Typology above

presented is by no means exhaustive and neither mutually disjoint. The course of following research will show what other frames there are and hopefully will throw some light on the interplay of definitions constructed by domestic workers and their employers.

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“Invisible work” - Ukrainian migrant domestic workers in Poland

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Résumé / Abstract

Paid domestic work is a fairly new phenomenon in contemporary Poland. Characteristic for this type of work is the commodification of services that were until now provided without remuneration by family members, mainly by women. Remunerated domestic work means having a work relation in a private household and can be regarded as the violation of the familial character of the private sphere. Wanting to preserve the private sphere, or the belief that such sphere exists, those persons paying domestic workers for the maintenance of their house, caring for their children or parents attempt to 'neutralise' the paid character of the services. One can metaphorically refer to this behaviour of the employer as making the work of domestic workers 'invisible'. 'Invisible' domestic work can lead to various forms of exploitation.

The domestic sector in Poland remains in the grey sphere of the economy. There are estimations that approximately 90 thousand households in Poland use the services of domestic workers, Poles and foreigners. Among the foreigners predominate Ukrainian women, who come to Poland since the mid - 90ies, entering as tourists and work without registering.

Why can the 'invisible' character of domestic work in Poland be a risk to the Ukrainian women? The answer to this question is the main focus of this analysis and it is related among others to the working conditions and to the space, in which the work is performed, as well as to a significant power asymmetry between the Polish employer and the Ukrainian migrant. Based on the utterances of the migrant domestic workers I define risk as the potential unwanted outcomes of particular activities. The main goal of migration, earning sufficient money to sustain or improve the material situation of their household in Ukraine, is the primary concern of the Ukrainian migrant domestic workers.

This analysis is based on in - depth interviews conducted between 2005 and 2006 with Ukrainian women working in the domestic sector in Warsaw and its suburbs.

1. FAMILIARISATION OR DEPERSONALISATION? – UKRAINIAN MIGRANT DOMESTIC WORKERS IN POLAND

Remunerated domestic work is a fairly new phenomenon in contemporary Poland¹⁴¹. Characteristic for this type of work is the commodification of services that were provided by family members, mainly by women, previously without payment. Remunerated domestic work means engaging in a work relation, which is carried out in a private household. Under such an agreement, a tension exists between the necessity of employing someone to carry out

¹⁴¹ During the communist period it was regarded as a reminiscent of “bourgeois” life style and rarely encountered.

domestic tasks and the need to preserve the intimate character of the private sphere. The employers have to respond to the presence of domestic workers in their homes. The domestic workers experiences, depending on the employers' behaviour and their own strategies, can be placed on a spectrum from depersonalisation to a familiarisation of the work relationship.

The domestic sector in Poland remains in the grey sphere of the economy. According to the estimates, approximately 90 thousand households in Poland use the services of Polish and foreign domestic workers (Morecka and Domaradzka 20004). Among the foreigners Ukrainian women predominate – these women have been coming to Poland since the mid – 90ies, entering as tourists and working without a work permit. The primary concern of these women during migration is to earn sufficient money in the Polish domestic sector to support themselves and their households in Ukraine.

Depersonalisation and familiarisation of work relations can be an opportunity and a risk to the Ukrainian migrant women working in that sector. Why? The answer is related among others to the working conditions and to the space, in which the work is performed – the private household –, as well as to a significant power asymmetry between the Polish employer and the Ukrainian migrant. Based on the stories of the migrant domestic workers I define opportunity as the potential wanted outcomes and risk as the potential unwanted outcomes of particular activities.

This analysis is based on in – depth interviews conducted between 2005 and 2006 with Ukrainian women working in the domestic sector in Warsaw and its suburbs. I start with a short review of literature on migrant domestic workers, focusing on the different approaches to analyse the migrant – employer relations. I follow with describing the character of the domestic sector in Poland. Next I explore the interviewed migrant domestic workers' work relations with their employers, the related risks and the migrants' responses to those risks.

MIGRANT DOMESTIC WORKER – EMPLOYER RELATIONS IN LITERATURE

Analysing selected positions in literature on migrant domestic work I distinguish two themes influencing the character of relations between the migrant and the employer. The first is the issue of the migrant's legal status and the second is the question of their gender, class and ethnicity.

Various authors have addressed the theme of migrant's workers rights and the overall influence of the irregular status on the working conditions in the domestic sector (Hune 1991, Anderson 1993, Parrenas 2001, Hondagneu – Sotelo 2003, Schwenken 2005, McGregor

2007). According to Joann McGregor (2007) the possibilities of legally employing a domestic worker in Great Britain are, in general, limited.

The lack of workers in this sector combined with the restrictive migration policy triggers the development of informal recruitment practices, which give migrants access to work, but also make them vulnerable to labour exploitation. Rhacel Parrenas (2001), analysing the situation of Filipino women working in the domestic sector in Los Angeles and Rome, claims that globalisation of the labour market is the main cause behind the lack of protection of migrant domestic workers by the labour regulations of the various countries. Bridget Anderson (1993) states in her analysis of domestic workers in Great Britain and the Middle East that the labour laws in some of the countries actually generate the legalisation of 'modern slavery'. In Great Britain, a foreigner's contract is made with a specific employer, resulting in the lack of possibility to change the employer, even in case of abuse, while in Saudi Arabia a domestic worker does not have the legal status of a worker, thus is not protected by the labour laws. According to Anderson (1993) the legal regulations in Great Britain favour the employer, giving him extensive power over the domestic worker. In addition, the British law criminalises migrants, who escape from abusive employers, by classifying them as 'undocumented' foreigners who should be deported.

A different approach to analysing migrant domestic workers – employer relations is the gender perspective. Many authors regard gender as one of the main factors influencing the working conditions of migrant domestic work (Murray 1996, Aronson i Neysmith 1997, Anthias 2001, Anderson 2000, Pessar 2003, Pessar and Mahler 2003, Lutz 2005, Solari 2006). Household chores, such as cleaning, cooking or care work continue to be regarded as women's occupation. Migrant domestic work, in general, replaces or complements the work done without remuneration by the woman in the household.

A general tendency is present of acknowledging domestic work as proper labour. According to Bridget Anderson (2000) the resistance to accept care, both remunerated and not remunerated, as labour stems from the belief that it is an emotional need – we care for those whom we love. The so-called 'care myth' is constructed on the basis of the conviction that care does not require physical and psychological work, only emotional engagement. Thus, the migrant women are perceived through the role of wife and mother and not as workers. Susan B. Murray (1996) claims that the alleged moral value received when caring for someone is often regarded as a compensation for the low payment for this type of work. Meanwhile, emotional engagement required in care work makes it difficult to change jobs. Susan Cheever (2004) defines this inability of resigning from poor working conditions due to an emotional

bond between the migrant and the employer's child as the 'nanny's dilemma'. According to Anderson (2000), the migrant's emotions are "bought" and thus commodified.

In literature on the subject, migrant domestic workers are also analysed from the point of view of class and ethnic origin. According to Rhacel Parrenas (2001) domestic service is characterised by the interaction of three groups of women in two countries: firstly, women, who are the employers and belong to the middle- or upper- class; secondly, migrant domestic workers; and thirdly, women, who work as domestic workers in their country of origin, because they cannot afford migrating to work abroad. By improving their financial situation, migrant domestic workers often decrease their social status. Parrenas calls this phenomenon 'contradictory class mobility'. The migrants in Parrenas' research responded in the following way to this 'contradictory class mobility': they imagine that upon returning home they will employ a domestic workers themselves; they underline their racial superiority, assigned to them by the employers, over other migrant domestic workers (in the case of the Filipino domestic workers – over black and Latino women); they decrease the importance of work and underline the emotional bond with the employer; they experience a moral satisfaction in the role of 'mother' – care worker.

THE CHARACTER OF REMUNERATED DOMESTIC WORK AND RISK

The first characteristic of remunerated domestic work in Poland is the demand for home-based care. This is due to the underdeveloped institutional solutions and the cultural lack of acceptance for placing a child before the age of 3 in a nursery or an elderly parent in a care - institution¹⁴². In an opinion poll carried out in Poland in 1997, 68% of respondents claimed that although they would not be able to care for themselves independently they would not want to leave their households. Only 6% preferred to move to a care-institution (Frąckiewicz 2002). The legacy of the poor quality of the services received in such institutions during communism is one of the reasons for this negative attitude. This opens a niche for work in home-based care, among others, for migrants.

¹⁴² In 1999 there were 904 residential care institutions for elderly persons in Poland (79,000 places). Approximately 10,300 people were on the waiting lists. With the privatisation of many of the social care services, such as residential homes for the elderly people have less access to such services due to being unable to pay (Frąckiewicz 2002). Regarding child care, after the fall of communism the Polish government did encourage women to stay longer home by transferring the responsibility for financial support for nursery schools for children under 3 to municipal governments, which were unwilling to subsidise nursery schools at the previous level. The attendance of children under 3 to nursery schools fell from 8.4% in 1989 to 4.3% in 2004. There was however, little opposition to this, because the nursery schools during communism were rather of poor quality, suffering especially from over – crowding and inadequate staff. In addition, attendance fees at the public nurseries have risen making it less accessible. However, enrolment in kindergartens for children between 3 and 5 increased from 30.5% in 1989 to 37.1% in 2004 (Saxonberg and Szelewa 2007).

The second characteristic of domestic work in Poland is its unregistered character. The whole domestic sector is in the grey economy¹⁴³. As such, both migrant domestic workers and their employers can be subjected to legal punishment – the employer to a fee and the migrant to deportation. However, due to the fact that the work takes place in a private household, it is not subject to labour inspections– until now there have been no not know cases of migrants working in the domestic sector, being deported or employers being fined in Poland¹⁴⁴.

Thirdly, an important feature of domestic work is the fact that the migrant domestic worker is remunerated for tasks, that, until recently, were done without payment. Most Poles regard unpaid domestic chores as the essence of the private sphere (Titkow et. al 2004). One of the results of such a conviction is the attempt to make remunerated domestic work ‘invisible’ to ‘protect’ the intimacy of the private sphere. Poles also refuse to accept care as labour, claiming that we are doing this for ourselves and people who we love (Titkow et. al 2004). Such attitude undermines the remunerated care given by the migrant as work.

These features of domestic work in Poland on the one hand make it an opportunity to earn money, due to the demand for home-based care, but on the other hand it also poses particular risks due to its unregistered character and the tension around acknowledging domestic work as labour. I follow with an analysis of the risks involved in carrying out remunerated work in a private household and the work relationship between the migrant and the employer.

BETWEEN FAMILIARISATION...

Many of the migrants underlined during the interviews that their employers treat them like ‘family members’¹⁴⁵.

¹⁴³ ‘Nianie nie wyszły z szarej strefy’ [Nannies did not leave the grey sphere] Leszek Kostrzewski GW 2006/02/22

¹⁴⁴ In general, labour inspections are rare in Poland. During the labour inspections in companies made in 2003 from the almost 3000 undocumented cases of foreigners working in Poland (10% of the total number of undocumented workers apprehended), more than half were citizens of Ukraine (Kepińska 2004).

¹⁴⁵ The notion of the domestic worker being treated ‘like a family member’ was originally developed in Bridget Anderson’s (2000) studies. According to Anderson this type of treatment is characterised by expectations from the worker of having familial interest in the family of the employer, but there is little or no expectations that the employer will display interest in the family of the migrant woman. Thus, there were no mutual obligations, no entry into a community with the becoming de facto ‘part of the family’. The migrant worker’s own family is symbolically ‘erased’ by the informal employers by not addressing the issue, as if the migrant women did not have their own lives.

Olena

When Olena¹⁴⁶ first came to Poland she was in her mid-20ties. She currently takes care of a handicapped young man, whose mother was according to Olena ‘like a mother’ to her:

Mrs. Maria is for me simply like a mother. And even when I leave for some time and I am at a friend’s place, I am not there [at the work-place], but if something [happens], I call Mrs. Maria, right away, immediately, like a mom. She will manage everything, she will tell, how it should be, how it shouldn’t, how to behave, what to say even...I am telling you, I just felt immediately at there place like in a family^{vi}

Younger migrants become attached to their female employers, who turn into a sort of ‘chaperone’ and emotional ties develop between the migrants and the children they care for. However, the treatment of a domestic worker ‘like a family member’ by the employer is rather problematic. By helping or caring for the migrant, the employer also holds a form of power over the migrant. The migrant is not able to return the help due to limited amount of money. Attempts to offer presents to the employer lead to the latter feeling embarrassed or scolding the migrant. For example, during one of the participant observations, an employer after receiving a present from a migrant commented that this is irrational and irresponsible behaviour, because the migrant is supposed to save money in Poland. Thus, the only ‘acceptable’ form of gratitude is additional, unpaid work by the migrant.

Ulana

According to Ulana, a 30- year old migrant from Lviv, who takes care of a child and maintained a house in the suburbs of Warsaw, migrants with little migration experience are especially susceptible to having an increased workload:

A foreigner, who comes for the first time to the country, goes for the first time to work, is not familiar with this, and as a rule agrees to everything “yes, I will do”, “yes, of course”, “yes, I have time”, and later, when at some moment she realises that she wants to do something for herself, to spend some time privately, somehow and sometimes refuses to come during the weekend to [work for] someone, then there is great offence, great

¹⁴⁶ The names of the interviewees have been changed

unhappiness. And sometimes there is such exploitation that for small payment and it is not worth it. And then it turns into a duty.^{vii}

Domestic work often lacks clearly defined tasks what allows the employer to judge the migrant's work as not completed or not carried out well enough.

An emotional bond can result in the migrant giving up her free time to serve the employer's family, doing additional work without payment or accepting low payment or in general poor working conditions. Informal arrangements between the migrant and the employer blur. The migrant becomes a part of the employer's life. This is visible in Ulana's story:

Officially I had free days....I had those free days, but as I said, those days somehow got entangled into their life, that in the end...that these were not my free days. I remember, at the beginning it was dramatic, then I didn't know that it was dramatic, only now I understand this. For example, on Saturday, I remember, I asked for permission to go shopping. I asked for their permission. Of course they told me "yes, but when will you be back?". Only now I realize this...Also when I went shopping they took...because when I went to those shops and so on...I would forget about everything and...a phone call "why aren't you yet back?"^{viii}.

Whether the migrant lives with or independently of the employer has an important influence on the working conditions. Living with the employer the migrant's free time is filled with additional, unpaid services, because the migrant is 'available'.

The domestic worker as 'family member' can more easily be asked to do additional work 'out of attachment' and not for additional payment. The interviewed migrants gave examples of being coerced by their employers to do additional work- 'how can you not do this for me?' - or had to be available even when it was the migrant's 'free' time - 'it is as if you were leaving your own mother!'. Under these circumstances, a migrant can turn out to have all the duties of a family member and very little of the rights.

Ukrainian migrants, although having limited resources, do not cease to be agents. An agent is an active subject, who has a shared stock of cultural knowledge and whose knowleadgability is bounded by unintended consequences of intentional action and unacknowledged conditions of action (Giddens 1979). The migrants respond to risks by engaging in what Anthony Giddens (1979) referred to as a 'dialectic of control', where "all power relations express autonomy and dependence 'in both directions'". The power is not

entirely on the side of the employer, because s/he needs and is even dependent on the migrant's services. Migrants use the fact that the employer treats them like a 'family member' to construct their own strategies to cope with migration risks. In the cases of some of the interviewed migrant women close ties to the informal employer led to particular forms of support of the migrant's family, such as sponsoring the education or holidays of the child of a Ukrainian domestic worker by Polish employers. It could lead also to improvement of work qualifications. One of the migrant's informal employers signed her up and paid for a beautician course. Another informal employer, who decided to open up a company in Ukraine, offered a migrant a job in that company. These actions go beyond the employer's interest of providing favours to keep a trusted worker. The development of an emotional tie with the cared-for person or the employers is for many of the interviewed women an important resource for a migrant domestic worker. The development of a close tie to the employer can be defined as migrant social capital, which refers to the ties to people who have social, economic or other capital, which allow to attain the migration goal (Górny and Stola 2001). The status of being like a 'family member' allows also to escape the low status of being a domestic worker.

Sometimes the migrant women used the word *help* in describing their work, which hides the work aspect of their activity, but allows them to cement their position. They speak about the employer or the cared-for person *needing* their help. They present themselves as 'the last hope' of the elderly who they take care of and who their own children do not attend. They also present themselves as better nurturers of children than the Polish mothers. This emotional engagement and *helping attitude* takes place in the context of feelings of guilt due to their own absence from their care responsibilities in Ukraine.

... AND DEPERSONALISATION

Migrants, in the relation to the employer, experience also depersonalisation of the work relationship. A depersonalisation of the work relationship may result in intensifying it, attempting to make it more 'time efficient' and cheaper (Aronson and Neysmith 1996). Some of the interviewed migrant domestic workers commented on being treated by their employers like 'machines', without human needs. The services they provided, their efficiency and quality, is all that mattered to the employers and was their only justification for their presence in the household.

Nadia

The 50-year-old Nadia worked for three months in a household in Warsaw, taking care of eight children. She claims she lost 15 kilo of weight during her stay there:

You couldn't just sit down, simply and eat. Because if you only sat down, she came straightaway, she didn't say 'why are you sitting here', she gave work right away and you had to do this work immediately. That means [...] there was no time to eat^{ix}.

The employer denied Nadia the right to take care of her needs, such as eating, sleeping, or treating an illness. She treated the migrant's needs as an excuse for not working.

Work conditions are often related to the time the migrant is supposed to spend doing particular chores. The pressure to be more 'efficient' is, in certain cases, partly related to payment. When a migrant is paid per hour of cleaning, it is in the employer's interest to set a time limit in which the cleaning is to be done. This was not the case of Nadia, who is a live-in domestic worker and is paid the same sum per month. The reason for which her Polish employer kept her constantly busy fits well with the notion of the 'matriarchal manager'. By giving orders, the employer did not loose her power position in the household.

Nadia told the story of how her friend was treated by her Polish employer. Nadia's friend took care of an elderly couple for four years. During her last stay in Poland she wanted to leave earlier for Ukraine due to health reasons. She informed her employer - the daughter of the couple she has been taking care of- about her plans to leave earlier:

This daughter behaved like that - In the house, instead of saying "thank you very much" that you have for so many years helped my parents, respected them, was good, friendly, thank you. Well, too bad, you have also your problems. She said the following: "What are you thinking?! When you come her I have always problems with you. I can have of such as you several for one zloty [Polish nomination]!"^x

In this instance, the employer ends up firing, without warning, someone, who has worked for her for four years showing that the domestic worker - employer relation is depersonalised and the migrant is only tolerated when fulfilling her function.

Ola

With a growing migration experience migrants try to live independently from the employer. This is often related to changing the type of work they do in the domestic sector. Ola, a 50-year Ukrainian had the following reflections:

Such work as cleaning apartments is better, because mentally a person feels in a better state, free and can direct oneself, and in such work when you are next to an ill person (...), then, you have to be there 24-hours, that's firstly, and secondly, there is such responsibility, exactly, for the life of that person (...) it is very hard work. Even once I didn't realise how difficult it is, how difficult, that you cannot bare it, each day you wait, you wait this hour in the evening so that this day finishes, for another to being, to have less and less of those three months. But somehow a person has to support herself with the optimism, but from where to take it [optimism], truly one doesn't know. Because here what, here in such work, there is life, as now, you feel yourself free, you go to work, you don't go, it doesn't matter, it depends on the money^{xi}.

According to Ola, cleaning means living independently and having less responsibility than in care-work. It allows the migrant to be more 'in control'. The asymmetry of power in migrant worker –employer relations, however, means that changing this type of work also requires a specific strategy. To leave work, the migrant women they lie, give signs of being unhappy, get suddenly 'ill' or have to return quickly to Ukraine 'for family reasons'.

Marija

Marija, a 40-year-old migrant, who at the time of the interview, had already worked for four years as a cleaner, experienced the following:

...So the husband of this woman came and checked the whole house. This was very strange for me that it was him and not her who went [to check], and later on it was just terribly sad. And she was coming every moment, was checking whether I do not sit and do nothing. But I do not have such habits, even when I am alone at home I do not have the habit to sit. I just simply work in a normal tempo. I just got used to it, although it was difficult in the beginning. And now it is so that...I do not sit normally, I work in a normal tempo (...)^{xii}

Checking the quality of work by the employers can seem justified. However, Marija was offended by the control. She felt humiliated by the fact that the husband checked the quality of her work. Marija reflected on the fact that she is only human and can make mistakes during her work. This sensation of being treated purely as a worker made her resign from work:

And this was it, he said: you did everything alright, well you forgot this element here, well... I am sorry. We are pleased with you, well, until next week, I said: yes. And later on I came home and I was so tired, so hungry and so humiliated that I told myself: I rather be sitting here without work, but I will not go back there^{xiii}.

Marija, who rejected the employer's 'instrumental' treatment of her as a worker adopted this strategy which reflected what she has experienced:

I am not afraid of this. I am already...(....) you understand, I was in different jobs. I even was in such a job where a woman was standing in the doors, leaned against them and I worked, and she was standing and watching. So I said, I am sorry, but maybe (...) you will not look me at my hands, because now I no longer pay attention, I just work and that's it. But then, at the beginning, my hands were trembling from this when someone was looking so at me, I could not work. Now I don't pay any attention. One time I said: I am sorry, but maybe you will not watch at me like that, later you come and check. I am not afraid, you can come and check. But she didn't understand this, so let her stand if her feet don't hurt...^{xiv}

Marija's 'professional' attitude involved ignoring the employer and seeing the check-ups on her work as irrational. Migrants try to balance between a personalised knowledge of their clients while, at the same time, not getting too familiar. They also were acting as labourers without emotions. As a result they manage to avoid the risk of feeling degraded by employer's check-ups or being emotionally coerced into unpaid work.

Based on the analysis of my data, the experiences of Ukrainian domestic workers in Poland are diverse, but can be placed on two axes: on one axis, the migrant experiences range from familiarisation to depersonalisation of work relations and on the other – from opportunities to risks. It seems that in many cases both sides desire the status of 'a family member', until the moment when the employer starts abusing his/her power to gain unpaid

services from the migrants. In this manner, the employers, pose a risk to the migrants - the time of work increases, but the work itself does not bring them closer to the migration goal, that is, earning money, thanks to which migrants can sustain or improve their own material situation and that of their families in the country of origin.

Meanwhile, the migrants with increasing migration experience have more self-confidence and possibilities of negotiating their working conditions. For these migrant power relations change and with this, increase the possibilities to respond to the risks of demanding unpaid work by the employer. The interviewed migrants create a migrant social capital on the basis of the ties to the employer, but simultaneously attempt to keep an emotional distance, by living independently of the employer or choosing a job, which gives them more independence. These seemingly contradictory strategies allow the migrant domestic worker to keep an optimal point of closeness/distance to the specific employer.

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ⁱ Recruitment of housekeepers from among female migrants is a global phenomenon. That is why literature dealing with such relations includes a number of studies relating to various geographical contexts, as well as local-history references (cf. with regard to Italy: e.g. Sarti, 2004; Zanfrini, 2000; United Kingdom: e.g. Gregson, Lowe, 1994; United States: e.g. Romero, 1992; a discussion from a worldwide perspective: Hochschild, Ehrenreich, 2004; Willis, Yeoh, 2000; or a discussion against the historical background: Fauve-Chamoux, 2005.

ⁱⁱ When speaking about retraditionalisation I mean general retraditionalisation of human relations, stemming from reintroduction of serious asymmetry between persons in domestic contract. In the context of waged domestic work the problem of retraditionalisation of division of housework, that is petrified according to gender line, was raised (McDowell, 2001). Feminist researchers interpret waged domestic labour as a failure of renegotiation of division of housework between men and women (Hochschild, Ehrenreich, 2004). This kind of retraditionalisation will not be my focus.

ⁱⁱⁱ It may result that the de-socialisation and de-culturalisation is more widespread than I expected. I suppose that in every European country there are employers who come from families where there were present domestics and servants in the past and those who do not have such a background. In the following passage I focus on describing Polish context and take into account factors that may be significant for contemporary processes of domestic worker's definition in Poland.

^{iv} The concept is derived from Kłoskowska's idea of differentiation between socialization and culturalisation (Kłoskowska, 1985). As far as culturalisation dimension is considered, for instance Polish postwar film was deprived from the presence of a figure of domestic worker as part of everyday life (there are exceptions, "Mąż swojej żony", "Poszukiwany, poszukiwana" – comedies), differently as it was e.g. in Italy.

^v Methodologically I draw inspiration from the idea of constant group comparison formulated in grounded theory and general idea of theoretical sampling in qualitative research (theoretical sampling, see: Silverman 2004: 105-108; Glaser and Strauss 1967: 45-78; constant comparative method, see: Glaser and Strauss 1967: 101-116; Strauss 1987: 82-108; Silverman 2004: 179-180). For the contrastive interviews analysis I refer to narrative interview method (Schütze, b.d.).

^{vi} Pani Maria dla mnie po prostu jest jak matka. I nawet jak wyjadę tam sobie na jakiś czas i jestem u koleżanki, nie ma mnie tam, ale jak coś, to ja dzwonię, to pani Maria od razu, natychmiast, jak mama. Ona wszystko zaradzi, ona powie, że tak trzeba, tak nie trzeba, jak się trzeba zachować, co trzeba powiedzieć nawet, także... Ja mówię, ja to normalnie już tak od razu czułam się u nich tak jakoś jak w rodzinie.

^{vii} Cudzoziemiec, który pierwszy raz przyjeżdża do kraju, pierwszy raz idzie do pracy, nie jest oznany w tym, z reguły się na wszystko zgadza, „tak, zrobię”, „tak, oczywiście”, „tak, mam czas”, a później, jak w jakimś momencie zdaje sobie sprawę, że chce coś dla siebie zrobić, spędzić ten czas prywatnie jakoś, i czasem odmówi przyjąć w weekend do kogoś, to wielka obraza, wielkie niezadowolenie. I czasem wykorzystywanie takie, że za małe wynagrodzenie i to się nie opłaca. A później to przechodzi w obowiązek.

^{viii} Miałam dni wolne oficjalnie... miałam te dni wolne, ale tak jak mówię, jakoś te dni wolne tak przeplatały się z całym ich życiem, że jednak... że to nie były moje wolne dni. Pamiętam, na początku to w ogóle było fatalnie, wtedy nie wiedziałam, że to było fatalnie, dopiero teraz to rozumiem. Na przykład w sobotę, ja pamiętam, ja pytałam o pozwolenie, czy ja mogę pojechać sobie na zakupy. Ja pytałam o to pozwolenie. Oczywiście, że mówili mi, że tak, ale kiedy wrócisz. Teraz sobie zdaje sprawę... Jeszcze jak na przykład zakupy tam mi zajmowali, bo jak chodziłam to tych sklepów różnych i tak sobie... zapomniałam o wszystkim i... telefon: 'dlaczego tak długo, a jeszcze mnie nie ma'.

^{ix} Не можна було так сісти, нормально і поїсти. Бо як тільки сідали, зразу прилітала, не приходила, не казала чого ви сидите, роботу зразу давала і то вже треба було ту роботу зробити вже. То значить кидай їсти що ти там їси, но а коли поїсти, а не було коли поїсти.

^x (...) То цурка розрахувалася так. В домі замість того щоб сказати «дуже дякую» що ти стільки часу допомагала моїм родичам, опікувалася ними старими, шанувала, була добра, ввічлива, дякую. Ну, трудно, маєш проблеми теж. Повідала так: «Що пані собі думає?! Пані завжди як приїжджає маю завжди проблеми з пані, я таких як пані можу за злотувку пучок дістати».

^{xi} такої роботи як прибирання мешкання є краще бо психічно людина відчуває себе якимось в кращому стані, вільна і може керувати сама собою, а в такій роботі коли при хворій людині (М. Угу.) Р. так, мусиш бути цілодобово, це раз, друге, відповідальність така за, власне, за життя цієї людини, (М. Ну, та, тяжко.) Р. то є дуже тяжка робота. Навіть колись не могла собі уявити наскільки то є важко, настільки важко, що то не витримувеш, кожний день вичеркуєш, чекаєш цієї години вечора щоби скінчився той день, настав новий, щоб менше і менше ставало до тих трьох місяців. Але якимось сама себе людина мусить потішати оптимізмом, (М. Угу.) Р. де його взяти, невідомо правда, звідки. Бо тут що, тут на такій роботі то в неї життя як, навіть зараз, що відчуваю себе вільною можу піти на роботу, можу не піти, то, все-одно, залежна від тих грошей. (М. Ну, так)

^{xii} Jedyny raz była na takiej jednorazowej pracy, właśnie szto ta pani chciała, ona nigdy nie miała nikogo i jak ja poszła pierwszy raz, to ona właśnie szto ja zawsze robię na sobie (....) staram się robić tak szto naprawdę by nic nie zostawić, zawsze zrobić to tak, jak ma być. Pamiętam taki duży dom, to ja chyba jeden raz była i później powiedziała szto ja (....)(....) ja wyjeżdżam na Ukrainę, bo wie pani, bardzo było takie... Bardzo mi było przykro... ja nie mogła tego, bardzo mnie było obraza. Ja wszystko zrobiła, znaczy, no tak jak było cztery drzwi, listwy w górę, no te cztery drzwi i prosto (....) i ja zapomniła wytarta kurzu na jednych drzwiach (....). Po prostu, to nie to szto ja nie chciała (....) to jest, wie pani, ja też jestem człowiek, nie robot, żeby ja tak była (....) myślała szto ja zaraz powycieram, a to coś inne i zapomniła. To poszedł ten mąż, pamiętam i cały dom sprawdzał. Bardzo mi było dziwno szto pan poszedł nie pani, a potem było bardzo przykro. A ona co chwilę przychodziła, co chwilę patrzyła czy ja nie siedzę i nic nie robię. Ja nie mam takich zwyczajów, nawet szto ja jestem w domu sama i nie mam zwyczaju siedzieć. Ja zawsze po prostu normalnym tempem pracuję. Już tak ja się przyzwyczaiła, z początku było ciężko. A teraz tak szto już tak jakoś... nie siedzę a normalnie, w normalnym tempie pracuję.

^{xiii} ale bardzo mnie było przykro szto pani powiedziała, znaczy mówię, to ja będę herbatę piła (...) a ja mówię: no tak, ja bym się napiła herbatkę. A ona mówi: a pani to ma ze sobą kanapki? Ja nie mam ze sobą kanapki, bo właśnie w każdym mieszkaniu coś zawsze... obiad czy kanapka zawsze jest, nie ma problemu, bo u każdej, bo każdy daje, rzadko szto ktoś nie daje. I mówię: nie mam ze sobą kanapki, bo ja pani powiedziała, bo jest takie mieszkanie w którym nie dają jedzenia, ale ja wiem, ja biorę ze sobą kanapki bez problemu. Ja, i ona mnie daje

(....) daje kanapku i bardzo mnie było przykro, z jednej strony ja wzięła tę kanapkę, bo była bardzo głodna od samego rana, a z drugiej strony myślę: dlaczego ja ją jadłam, dlaczego (....)?! ale już po prostu, jak człowiek pracuje fizycznie, to musi po prostu zjeść, bo czuje, że już nie ma w ogóle siły pracować normalnie jak człowiek jest głodny. Choć różnie to bywa. Ja zawsze ze sobą mam jakiś cukierek albo co, bo (....) jak przynajmniej czuję szto ja jestem bardzo głodna, a nie daje nikt jeść, to ja zawsze mam ze sobą jakiś co (....) bo różnie to bywa. (....)(....) albo cukier pada, albo co. Jak ja wcześniej zjem, w ogóle ja (....)(....)(....) jak coś nie zjem słodkiego, to ja po prostu padam z sił. I jeszcze jedno takie, właśnie on mówi: wszystko pani zrobiła ok. chyba jedną tu listwę pani nie (....) no przepraszam (....). Bardzo mi pani pasuje, dobrze, no to do następnego tygodnia, a ja mówię: dobrze. A później przyszła, ja taka była zmęczona, ja taka była głodna, ja taka tak jak obrażona, że ja powiedziała: lepiej ja będę siedziała bez pracy, a więcej tam nie pójde.
^{xiv} ja się nie boję tego. Ja już ... (....) rozumie pani, ja była w różnej pracy. Była nawet w takiej pracy szto pani stojała w drzwiach, oparła się i ja pracowała, a ona stojała i patrzyła. Ja jeden raz mówię: przepraszam panią bardzo, ale może pani (....) nie będzie patrzyła w ręce, bo teraz ja już nie zwracam uwagi, już teraz ja jestem jak specjalista, ja już nie zwracam uwagi, ja sobie pracuję i już. Ale kiedyś z początku, to mi się aż ręki (....) jak ktoś się bacz na mnie, no nie mogę ja pracować. Teraz już nie zwracam uwagi. Jeden raz pani powiedziałam: przepraszam, może pani nie będzie widziała tak (....) na mnie, później pani przyjdzie i sprawdzi. Ja się nie boję, niech pani idzie i sprawdza. No ale ona z tego nie zrozumiała chce stojać, niech stoi, jak jej nogi nie bolą. Różne są przypadki.